

# CATERINA SGANGA

Central European University  
Department of Legal Studies - Business School  
Nador utca 11, H-1051 Budapest, Hungary  
EMAIL: [SgangaC@ceu.edu](mailto:SgangaC@ceu.edu); SSRN: <http://ssrn.com/author=469873>

---

## CURRENT POSITION

---

### CENTRAL EUROPEAN UNIVERSITY (Budapest, Hungary)

August 2012 – present

#### Assistant Professor (Department of Legal Studies)

Teaching portfolio: Contracts – Introduction with Focus on Common Law; International and Comparative Intellectual Property; Legal Aspects of Internet and Electronic Commerce; Comparative Consumer Protection.

Other relevant activities: LL.M., M.A. and SJD (PhD) theses supervision; coordination of the LL.M. admission process; contribution to the SJD academic offer; member of the Departmental Committee for Academic Dishonesty; acting coordinator of the LL.M./MA program in Law and Economics.

#### Assistant Professor of Law and Management (Business School)

Teaching portfolio: Intellectual Property Management (Full-Time MBA, Executive MBA); Technology, Innovation and the Law (Full-Time MBA, Executive MBA)

Member of the Institute for Entrepreneurship and Innovation and of the Initiative for Regulatory Innovation.

Other relevant activities: Chair of the Committee for Academic Dishonesty, Chair of the Academic Programs Advisory Committee, member of the Curriculum Committee, member of the MBA Scholarship committee, participation to admission and recruiting activities.

University-wide service: Member of the Governance Theme faculty group, member of the 25<sup>th</sup> Anniversary Committee, member of the Teaching Development Grant Committee.

## EDUCATION

---

### YALE LAW SCHOOL, Master of Laws (LL.M.)

August 2008 – May 2009

Editor, Yale Journal of Law and Technology

Student Fellow, Yale Information Society Project

### SCUOLA SUPERIORE SANT'ANNA (Pisa, Italy)

Diploma di Perfezionamento (**Ph.D.**) in Law *summa cum laude*

January 2007 – April 2011

Diploma di licenza specialistica (**Master's Diploma**) in Law *summa cum laude*

October 2004 – October 2006

Diploma di licenza (**Diploma**) in Law *summa cum laude*

October 2001 – December 2004

### UNIVERSITÀ DI PISA - Facoltà di Giurisprudenza (Pisa, Italy)

Laurea Specialistica in Giurisprudenza (**J.D.**) *summa cum laude*

September 2004 – June 2006

Laurea Triennale in Scienze Giuridiche (**LL.B.**) *summa cum laude*

October 2001 – July 2004

---

## **PREVIOUS RESEARCH APPOINTMENTS (fellowships et al.)**

---

### **SCUOLA SUPERIORE SANT'ANNA (Pisa, Italy)**

Research fellow in Private Comparative Law (Intellectual Property).

March 2010 – August 2012

Graduate fellow - International and Comparative Law Research Laboratory

January 2007 – April 2011

### **YALE LAW SCHOOL - Information Society Project**

Student fellow

August 2008 – August 2009

### **MCGILL UNIVERSITY**

#### **CENTER FOR INTELLECTUAL PROPERTY POLICY (Montreal, Canada)**

Visiting student researcher

August – September 2005

### **PERMANENT INTERNATIONAL OBSERVATORY ON PERSONAL INJURY DAMAGES (Pisa-Rome, Italy)**

Executive coordinator

January 2007 – August 2008

Student fellow

March - October 2006

### **MAX-PLANCK INSTITUTE FOR INTELLECTUAL PROPERTY AND COMPETITION LAW (Munich, Germany)**

Research stage

August 2004

## **VISITING PROFESSORSHIPS AND OTHER TEACHING APPOINTMENTS**

---

### **MAYNOOTH UNIVERSITY (Maynooth, Ireland)**

Visiting Lecturer (Summer School “The EU and Human Rights in a Time of Crisis”  
Copyright and access to culture

June 2017

### **UNIVERSITÀ DI PISA – Dipartimento di Giurisprudenza (Pisa, Italy)**

Visiting Professor (Master in Internet Ecosystem: Governance and Rights)  
European Digital Copyright Law

April 2016

### **EUROPA-KOLLEG HAMBURG (Hamburg, Germany)**

Visiting Lecturer (LL.M. in European Studies)  
International and Comparative Copyright Law

November 2011

### **CENTRAL EUROPEAN UNIVERSITY (Budapest, Hungary)**

Visiting Professor (Department of Legal Studies)  
International and Comparative Intellectual Property

September 2011 – October 2011

Adjunct lecturer in Business Law (Business School)  
Introduction to Legal Systems – Private and Commercial Law

October 2010 – December 2010

## **SCUOLA SUPERIORE SANT'ANNA (Pisa, Italy)**

Visiting Professor

May 2014; July 2016

Law and Economics of Intellectual Property

Lecturer

Personal Injuries: recent legislative and judicial trends  
Foundations of intellectual property law

September 2009 – January 2010  
July 2006

## **GRANTS**

---

### **YALE LAW SCHOOL, New Haven, CT, USA**

Oscar Cox Memorial Scholarship

August 2008

### **SCUOLA SUPERIORE SANT'ANNA (Pisa, Italy)**

Post-doctoral research grant

March 2010 – August 2012

Project “Property, Intellectual Property and Fundamental Rights”

3-year PhD scholarship

January 2007 – January 2010

2-year Master’s degree and 3-year Bachelor’s degree scholarship

October 2001 – October 2006

### **PERMANENT INTERNATIONAL OBSERVATORY ON PERSONAL INJURY DAMAGES (Pisa-Rome, Italy)**

Research grant

March 2006

## **SELECTED CONFERENCES, SEMINARS AND LECTURES (2007-)**

---

“The future of the EU social market economy” – Maynooth University, Ireland (March 24, 2017)

Presentation on *EU IP Law and Social Rights: an Interplay between Consumers and Market Players*

11<sup>th</sup> European Policy for Intellectual Property (EPIP) Conference – Pembroke College, Oxford University (Sept. 3-5, 2016)

Presentation on *The Doctrine of Abuse of Right and its Role for an Increased Consistency in EU Copyright Law*

“Italian Constitutional Justice in Global Context” – CEU, Budapest (June 6, 2016)

Presentation on *The Social Function of Property and the Italian Constitutional Court: Vices, Virtues and Identity*

“Stepping away from the State. Universality and Cosmopolitanism in International and Comparative Law” – CJICL Conference 2014, Cambridge, UK (May 9, 2014)

Presentation on *Cracking the Citadel Walls. A Functional Approach to Cosmopolitan Property Models Within and Beyond National Property Regimes*

“Copyright, evoluzione tecnologica e bilanciamento dei diritti”, (*Copyright, technological evolution and balance of rights*) - University of Trento (December 6, 2013)

Presentation on *Copyright and horizontal effects of fundamental rights between property and contracts*

“Getting around the cloud(s). Technical and legal issues on Cloud services” - Scuola Superiore Sant’Anna & Trans Europe Experts (TEE) Group – Pisa (November 30, 2013)

Presentation on *Exemption clauses and intellectual property*

---

Doctoral Lectures in IP Law, University of Pavia (September 12, 2013)

Seminar on *The Complex Interplay Between Copyright and Fundamental Rights in the European Union*

“Human Rights and Intellectual Property: from Concepts to Practice”, EIPIN 14<sup>th</sup> Annual Congress – Strasbourg (April 5-7, 2013)

Presentation on *Right to Culture and Freedom of Art and Science: Participation and Access*

Cycle of seminars – Chair in Private Comparative Law, University of Brescia (October 2011)

Seminars on *The evolution of property models in a comparative perspective: the case of copyright*

National Association of Forensic Economics (NAFE) 8<sup>th</sup> Annual International Conference (USA) – Venice (May 26, 2011)

Presentation on *The Direction of Damages Calculations and Awards in Torts in the European Union: a Comparative Analysis*

“*La proposta di Direttiva CE sui diritti dei consumatori ed il suo impatto sul Codice del Consumo*” (The proposal for a EU Consumer’s Rights Directive and its impact on the Consumer Law Code) – Scuola Superiore Sant’Anna, Pisa (April 29, 2010)

Presentation on *From atoms to bits: the new frontiers of iConsumer Law*

Association for Law, Property and Society (ALPS) 1<sup>st</sup> Annual meeting, Washington D.C. (March 6, 2010)

Presentation on *The importance of being a comparative lawyer in IP law*

“Non-pecuniary damages after Civil Code amendment compared with experiences across Europe” – Polish Chamber of Insurers, Warsaw (November 3, 2009)

Presentation on *Bereavement damages system in Italy*

“*Il punto su: il diritto civile - danni alla persona*” (The state of art of Italian private law: personal injuries) - Consiglio dell’Ordine degli Avvocati (Bar Association) of Pisa (February 15, 2008)

Presentation on *Minor personal injuries in case law before the legislative reform*

“Danni alla persona, nuovo Codice delle Assicurazioni e indennizzo diretto” (*Personal injuries, the new Italian Insurance Code and direct indemnification*) - Consiglio dell’Ordine degli Avvocati (Bar Association) of La Spezia (September 22, 2007)

Presentation on *Recent trends in minor personal injuries compensation*

## **PARTICIPATION AT RESEARCH PROJECTS/TEAMS as principal investigator or expert (2012-)**

---

- Submission to **Marie Curie Innovative Training Network call H2020-MSCA-ITN-2016**, 2017  
Principal investigator for CEU team in international Consortium iPaf (Scuola Superiore Sant’Anna Pisa, Jagellonian University Krakow, Westfälische Wilhelms-Universität Münster, Université de Versailles Saint Quentin-En-Yvelines, Telecom Italia – White, Smartlex Srl, Leaning Technologies td, Vrmedia Srl)
  - Submission to the **Erasmus + Call 2016, round 1**, with two project, ETHICO (EnHancing InformaTion Privacy, Law, and IntelleCtual PrOperty) and SIMETHICAL (Simulation in Medicine ETHIcal and Legal Standards), 2016
  - Submission to **Horizon 2020 call H2020-DS-2015-1** (Digital Security: Cybersecurity, Privacy and Trust), 2014-2015  
Principal investigator for CEU team in international Consortium CYPRESS (Universities of Pisa, Regensburg, Reading)
  - Participation, with the Trans Europe Experts’ Intellectual Property and Digital Working Group, to an **EU Parliament tender (ref. 2015/S 045-077149)** for a multiple framework research contract for the provision of external expertise to the Committee on Legal Affairs, 2014
  - Participation at the Trans Europe Experts’ (TEE) **response to the EU Public Consultation** on the review of EU copyright rules, 2014
-

## SELECTED PUBLICATIONS

---

### BOOKS

- Propertizing European Copyright. History, Challenges and New Opportunities, Edward Elgar Publishing, forthcoming 2017.
- *Dei beni in generale (Artt. 810 – 821)* [On Goods in General (Articles 810-821 of the Civil Code)], in *Il Codice Civile – Commentario*, directed by P.Schlesinger and continued by F.D.Busnelli, Giuffrè, Milan, 2015 (pp. XVIII-432).

### CHAPTERS in BOOKS

- “EU Copyright Law Between Property and Fundamental Rights: a Proposal to Connect the Dots”, in R.CASO-F.GIOVANELLA (eds.), “Balancing Copyright Law in the Digital Age. Comparative Perspectives” (Ch.1), Springer, 2015, 1-26.
- “Right to Culture and Freedom of Art and Science: Participation and Access”, in C.GEIGER (ed.), “Research Handbook on Human Rights and Intellectual Property” (Ch.30), Edward Elgar Publishing, 2015, 560-576.
- “The Double Face of Janus: or How CEE Entrepreneurs Can Use Intellectual Property Rights Smartly”, in M.KISILOWSKI (ed.) “Free Market in Its Twenties. Business Decision-Making in Central and Easter Europe Two Decades After Communism’s Fall” (Ch.1.3), CEU Press, 2014.
- “Dal tramonto all’alba: l’art.2059 c.c. ed il riordino del dopo principio” (“From dusk till dawn: Article 2059 of the Civil Code and case law “rearrangements” after the *revirement*”), in VV.AA., “Il danno non patrimoniale” (“Non-pecuniary losses”), Giuffrè, 2009, 469-478.
- “I percorsi dell’equità formativa dei Giudici di Pace” (“Case law trends in the equitable rulings of the Justices of the Peace”), in VV.AA. (ed. G.COMANDE), “Il danno nella giurisprudenza dei Giudici di Pace. Itinerari tematici e istruzioni per l’uso” (“Damages in the case law of the Justices of the Peace. Trends and manual guides”), *Il Sole 24ore*, 2009, 17-30.
- “La R.C.A. e i Giudici di Pace” (“Civil Liability in Traffic Accidents and the Justices of the Peace”) - co-authored with A.D’ANGELO, in VV.AA. (ed. G.COMANDE), “Il danno nella giurisprudenza dei Giudici di Pace. Itinerari tematici e istruzioni per l’uso” (“Damages in the case law of the Justices of the Peace. Trends and manual guides”), *Il Sole 24ore*, 2009, 65-126.
- “La proprietà personalista-solidarista come genus ed il ritorno alle categorie ordinanti” (“The personalist-solidaristic property as genus and the return to general categories”), in “Liber amicorum per Francesco D. Busnelli. Il diritto civile tra principi e regole” (“Liber Amicorum Francesco D.Busnelli. Private Law between principles and rules”), vol.II, Giuffrè, 2008, 359-375.
- “Il danno esistenziale dopo la svolta del 2003: storia giurisprudenziale di un fraintendimento” (“Existential damages after the revirement of 2003: history of a judicial misunderstanding”), in G.PONZANELLI (ed.), “Il risarcimento integrale senza il danno esistenziale” (“Integral compensation without existential damages”), CEDAM, 2007, 33-58.

### ARTICLES and CASE NOTES

- “From abuse of right to European copyright misuse: a new doctrine for EU copyright law” (with S. Scalzini), *International Review of Intellectual Property and Competition Law (IIC)*, (2017) 48(4), 405-435.
- “The eloquent silence of *Soulier and Doko* and its critical implications for EU copyright law”, *Journal of Intellectual Property Law & Practice* (2017) 12 (4): 321-330.
- “Public E-Lending and the CJEU: Chronicle of a Missed Revolution Foretold”, 1 *Opinio Juris* I/2016, 1-30.
- “Disability, Right to Culture and Copyright: Which Regulatory Option?”, *International Journal of Law, Computers and Technology*, 2015, Vol. 29, Nos. 2-3, 88-115.

- “Cracking the Citadel Walls: a Functional Approach to Global Property Models Within and Beyond National Property Regimes”, *Cambridge Journal of International and Comparative Law* (3)1: 770-794 (2014)
- “Una nuova equità? Le tabelle di Milano e la Cassazione tra *ius dicere* e *ius dare*” (“A new equity? The Tribunal of Milan’s charts and the Supreme Court between *ius dicere* and *ius dare*”), *Nuova Giurisprudenza Civile Commentata*, n.11/2011, 1058.
- “The Right to Take Part in Cultural Life: Copyright and Human Rights” (co-authored with L. Shaver), *27 Wisconsin International Law Journal* 637 (2010), available at <http://ssrn.com/abstract=1437319>.
- “Le Sezioni Unite e l’art.2059 c.c.: censure, riordini ed innovazioni del dopo principio” (“The Grand Chamber of the Supreme Court of Italy and Article 2059 of the Civil Code: censures, rearrangements and innovations post-*revirement*”), *Danno e Responsabilità*, n.1/2009, 50.
- “Aspettando Godot, ovvero la presunta fine della saga del danno esistenziale” (“Waiting for Godot, or the possible end of the existential damages saga”), *Nuova Giurisprudenza Civile Commentata*, n.6/2008, 707.
- “La Cassazione e l’art.2059 cod.civ.: prove generali di quadratura del cerchio” (“The Supreme Court and Article 2059 of the Civil Code: a general attempt to square the circle”), *Nuova Giurisprudenza Civile Commentata*, n.3/2008, 289.
- “L’art.2059 cod.civ. tra ritorni al passato e censure antiesistenzialiste di legittimità” (“Article 2059 of the Civil Code: returns to the past and the Supreme Court’s censures against existential damages”), *Nuova Giurisprudenza Civile Commentata*, n.12/2007, 1350.
- “Il ‘nuovo’ danno biologico e la ‘vecchia’ personalizzazione del suo risarcimento” (“The ‘new’ biological damages and the ‘old’ personalisation of their compensation”), *Nuova Giurisprudenza Civile Commentata*, n.9/2007, 960.
- “Danno esistenziale: la querelle non è finita” (“Existential damages: the dispute has yet to end”), *Nuova Giurisprudenza Civile Commentata*, n.7-8/2007, 784.
- “Alla ricerca di una maggiore certezza nei trend di liquidazione del danno alla persona” (“In search for a greater certainty in the judicial compensation of personal injury damages”), *Danno e Responsabilità*, n.4/2007, 356.
- “Garantita l’originalità dell’opera anche con semplici adattamenti” (“Courts recognize the originality of software products also in case of simple improvements”), *Responsabilità e Risarcimento*, n.4/2007, 52.
- “La Cassazione e l’unitarietà del danno biologico” (“The Supreme Court and the unity of the category of ‘biological damages’”), *Danno e Responsabilità*, n.3/2007, 291.
- “Una sola voce di danno in grado di garantire la corretta qualificazione delle lesioni” (“A sole category of damages capable to ensure a correct compensation of losses”), *Responsabilità e Risarcimento*, n.11/2006, 58.

## WORKING PAPERS

- “Exemption clauses and intellectual property in cloud service contracts: the good, the bad and the ugly”, presented at the TEE Conference “Getting around the cloud(s). Technical and legal issues on Cloud services” (November 2013).
- “From atoms to bits: the new frontiers of iConsumer Law”, English translation of the paper presented at the Conference “La proposta di Direttiva CE sui diritti dei consumatori ed il suo impatto sul Codice del Consumo” (The proposal for a EU Consumer’s Rights Directive and its impact on the Consumer Law Code, Scuola Superiore Sant’Anna, Pisa, April 29, 2010).
- “The importance of being a comparative lawyer in IP law”, accepted and presented at the 1<sup>st</sup> Annual Meeting of the Association for Law, Property and Society (Washington D.C., March 6<sup>th</sup>, 2010).
- “Access to Knowledge and the Right to Take Part in Cultural Life” – Submission by the Information Society Project at Yale Law School to the Committee of Economic, Social and Cultural Rights” (with Lea Shaver), November 2008, available at <http://www.law.yale.edu/documents/pdf/ISP/article15.pdf>.

## **PROFESSIONAL AFFILIATIONS et al.**

---

**EUROPEAN POLICY FOR INTELLECTUAL PROPERTY (EPIP) ASSOCIATION**, Member, 2016 –

**ASSOCIATION FOR LAW, PROPERTY AND SOCIETY (USA)**, Member, 2010 –

**ITALIAN STATE BAR**, Avvocato, 2009 -

**NEW YORK STATE BAR**, Attorney-at-law, 2012 -