

## PERSONAL INFORMATION

### Maria José Schmidt-Kessen, PhD

📍 Quellenstr. 51, Office C318, Vienna, Austria

📞 +49 171 7478703

✉ Schmidt-kessenm@ceu.edu

*I am Assistant Professor at the Legal Studies Department of the Central European University in Vienna. I hold a PhD from the EUI in the area of IP and EU Competition Law. I have taught law courses in Brazil, the UK, and Copenhagen and I cherish international research and teaching environments. My post-PhD research has expanded into areas beyond IP and competition law in digital markets, such as labour protection, consumer protection, blockchain and smart contracts, and the regulation of illegal online content.*

## ACADEMIC POSITIONS

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Nov 2021-present

### Assistant Professor

International Business Law Programme, Legal Studies Department, Central European University, Vienna

Jan 2019-Aug 2021

### Assistant Professor in EU Commercial Law

Copenhagen Business School, CBS Law, Department of Management, Politics, and Philosophy

May-Dec 2018

### Postdoctoral Researcher / Teaching Associate

Queen Mary University London, Centre for Commercial Law Studies

Feb-July 2017

### Fellow at the Centre for Law & Economics

Fundacao Getúlio Vargas (FGV) School of Law, Rio de Janeiro, Brazil  
Funded by FGV Fellows in Rio Programme

## EDUCATION

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2013 –2018

### PhD Researcher

European University Institute Department of Law, Florence (Italy)

Fully funded by Grant of German Academic Exchange Service (DAAD)

Title: *The IP-competition Interface in EU Law Through Five Judicial Lenses* (defended on 21 May 2018)

Panel: Prof. Alison Jones, Prof. Inge Govaere, Prof. Urska Sadl, Prof. Giorgio Monti (supervisor)

Aug-Dec 2015

### Visiting Scholar

Columbia Law School, New York City (United States)

2010–2011

### LL.M. Law in a European and Global Context

Católica Global School of Law, Lisbon (Portugal)

LL.M. Thesis: *The Case of a European Union Intellectual Property Court*

2007–2010

### LL.B. European Law School ELT

Maastricht University, Maastricht (Netherlands)

## TRAINEESHIPS

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Jan-March 2013

### Internship 33<sup>rd</sup> Senate

German Federal Patent Court, Munich (Germany)

Sept-Dec 2012

### ECN Unit

German Competition Authority (Bundeskartellamt), Bonn (Germany)

Feb-July 2012

### Traineeship Boards of Appeal

European Intellectual Property Office (EUIPO), Alicante (Spain)

## TEACHING

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2022

### Central European University

Winter 2022: full trimester course *Comparative Intellectual Property Law*, teaching and course administration, 36h

Spring 2022: full trimester course *International Business and Human Rights*, teaching and course administration, 24h

Spring 2022: Organization of *iLab Start Up Clinic*, teaching and course coordination

2019-2021

### Assistant Professor Programme Copenhagen Business School

Danish two-year mandatory training in university pedagogy for assistant professors, including a minimum of 500 hours of teaching, observation and feedback of lectures, examinations, supervision, and at least 8 days of courses in pedagogy.

2019-2021

### Copenhagen Business School

spring 2019 – now: full-semester course *Advanced EU Competition Law and Industrial Economics* (MSc Business Law and Economics) - teaching and course administration, 72h

spring 2020 – now: full-semester course *Regulation of Markets* (MSc Business Law and Economics) – teaching and course administration, 72h

fall 2019: full-semester course *International Economic Law* (MSc Course offered across study programmes) – teaching and examination, 72 h

fall 2019 – now: intense quarter course *Competition Law* (LL.B. Business Law) – teaching and course administration, 171h

2018

Queen Mary University London

fall 2018: three lectures in full-semester course *Cybercrimes* – teaching, 9h

2017

Fundacao Getúlio Vargas (FGV) School of Law

spring 2017: full-semester course, *Law and Economics of Contracts* (Law degree – licenciatura em direito) – teaching and course administration, 30h

PUBLICATIONS  
(Selection)

1. Maria José Schmidt-Kessen (2021). “CK Telecoms v Commission (Three/O2) – A New Chapter on the Standard of Proof for Unilateral Effects in Horizontal Mergers”, *European Competition Law Review* 42(3)
2. Maria José Schmidt-Kessen, Rafaela Nogueira and Marta Cantero Gamito (2020). “Success or Failure? : Effectiveness of Consumer ODR Platforms in Brazil and in the EU”, *Journal of Consumer Policy* 43, 659–686
3. Maria Jose Schmidt-Kessen; Christian Bergqvist; Catherine Jacqueson; Yvette Lind; Max Huffman (2020). “I’ll call my Union’, Said the Driver : Collective Bargaining of Gig Workers under EU Competition Rules.” *Copenhagen Business School CBS LAW Research Paper*, No. 20-43) <https://ssrn.com/abstract=3744177>
4. Helen Eenmaa-Dimitrieva and Maria José Schmidt-Kessen (2019). “Creating Markets in No-trust Environments : The Law and Economics of Smart Contracts”, *Computer, Law and Security Review*, Vol 35, No. 1, 2019, p. 69-88
5. Julia Hömle, Maria José Schmidt-Kessen, Alan Littler, and Eranjan Padumadasa (2019) “Regulating Online Advertising for Gambling – once the Genie is out of the Bottle...” *Information and Communications Technology Law*, Vol. 28, No. 3, 10.2019, p. 311-334
6. Maria José Schmidt-Kessen (2018). “The EU Digital Single Market Strategy, Digital Content and Geo-Blocking: Costs and Benefits of Partitioning the EU’s Internal Market”, *Columbia Journal of European Law*, Vol. 24, No 3, Fall 2018
7. Maria José Schmidt-Kessen (2018). “Selective Distribution Systems in EU Competition and EU Trademark Law: Resolving the Tension”, *Journal of European Competition Law and Practice*, Vol. 9, No. 5 (2018), 304-316
8. Maria José Schmidt-Kessen (2017). “Policing Trademark Infringement on Online Selling Platforms: An Account of Tensions between ISP Liability, Trademark Protection and Competition Law in the EU”. In Benja Anglés Juanpere et al. (eds.), *Managing Risk in the Digital Society: Proceedings of the 13th International Conference on Internet, Law & Politics* (pp. 56-72). Huygens Editorial. [http://symposium.uoc.edu/file\\_manager/getfile/15222](http://symposium.uoc.edu/file_manager/getfile/15222)
9. Maria José Schmidt-Kessen (2016). “Germany”. In: Ronan Condon and Barend van Leeuwen, “Bottom Up or Rock Bottom Harmonization? Francovich State Liability in National Courts”, *Yearbook of European Law*, Vol. 35, No. 1 (2016), pp. 244-248
10. Maria José Schmidt-Kessen (2016). “Germany” In: Giorgio Monti (ed.). “EU Law

and Interest on Damages for Infringements of Competition Law: A Comparative Report” EUI Department of Law Research Paper No. 2016/11, Available at SSRN: <https://ssrn.com/abstract=2753528> or <http://dx.doi.org/10.2139/ssrn.2753528>

11. Marianne Grabrucker and Maria José Schmidt-Kessen (2013). “Neues zur Einzelhandelsdienstleistungs-marke: Schutz für Handel mit Dienstleistungen und für das Ladengeschäft?” *Gewerblicher Rechtsschutz und Urheberrecht*, 115(9), 865-873.

## CONFERENCE PRESENTATIONS & ORGANIZATION (Selection)

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- July 2021 Presentation: “Taming Tech Giants German-Style? Experimentalist Governance and the Regulation of Competition on Digital Markets in the EU”, 16th ASCOLA Conference, Online
- March 2021 Presentation: “Studying the Effectiveness of Online Platforms’ Dispute Resolution Mechanisms”, First Annual Conference of the Platform Governance Research Network, Online
- January 2021 Organization: “The Potential and Limitations of Alternative Dispute Resolution”, Online Conference, Copenhagen Business School
- November 2020 Presentation: “Restrictions of Competition by Effect” Copenhagen Competition Talks Webinar, Copenhagen University and Copenhagen Business School
- September 2020 Organization: “Competition Law and Collective Bargaining for Self-Employed in the Platform Economy”, Copenhagen Competition Talks Webinar, Copenhagen University and Copenhagen Business School
- July 2020 Presentation: “Regulation of Digital Platforms: Configurations of Policy Responses to Airbnb in Europe” - Virtual Workshop, Competitive Advantage and Uneven Playing Fields in the World of AI and Eco-Systems, organized by Strategic Management Research (Academy of Management)
- July 2020 Presentation: “T-399/16 CK Telecoms v Commission (Three/O2) A New Chapter on the Standard of Proof for Unilateral Effects in Horizontal Mergers?” - Copenhagen Competition Talks Webinar, Copenhagen University
- April 2020 Presentation: “Testing the effectiveness of online legal warnings with the help of eye-tracking experiments” - European Legal Design Virtual Round Table (online conference), UL Bruxelles
- February 2020 Presentation: “The Impact of a Right in Data on Competition in Big Data Markets – An Analysis in the Context of the EU and Global Data Economy” – Competition Law and IP Law in the Age of Platforms and New Technology Conference, Valore Institute of Technology, Chennai, India
- January 2020 Organization: “Regulatory Challenges of Online Gambling” - Copenhagen Business School, Workshop for academics and European gambling regulators
- September 2019 Presentation: “Linking the Debates on Big Data in EU competition law and IP law” - European Policy for Intellectual Property Annual Conference (EPIP), ETH Zurich

- May 2019 Presentation: "Creating Markets with Smart Contracts: Reducing Risks with No-Party Trust" - Inaugural Conference Constitutional Challenges in the Algorithmic Society, European University Institute, Florence
- April 2019 Presentation: "How to Ensure Fairness, Competitiveness, and Consumer Protection on Online Market Places?" - Michigan Law School Fifth Annual Junior Scholars Conference
- April 2019 Presentation: "Success or failure? Consumer ODR platforms in Brazil and Europe" at "A New Deal for Civil Justice" - Conference of Centre for the Study of European Contract Law, University of Amsterdam
- November 2018 Presentation: "Creating Markets with Smart Contracts" - International Conference on Blockchain, Public Trust, Law and Governance, Groningen
- December 2017 Presentation: "Smart Contracts - Regulation Through Code for No-trust Environments" - Annual Conference of the Italian Law and Economics Society, Rome
- September 2017 Presentation: "The EU Digital Single Market Strategy, Digital Content and Geo-Blocking" - Católica Graduate Conference, Catholic University of Lisbon
- July 2017 Presentation: "Policing Trademark Infringement on Online Selling Platforms" - International Conference on Internet, Law and Politics, UOC, Barcelona
- March 2015 Presentation: "Online Selling Restraints - Where to Draw the Line" - Annual Conference Mannheim Centre for Competition and Innovation (MaCCI), Mannheim

## PEER REVIEW ACTIVITIES

Since 2018

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Peer reviewer for article submissions:

- International Journal of Law and Information Technology;
- European Journal for Risk Regulation (EJRR);
- Studies in Law, Politics and Society
- Computer, Law & Security Review

Peer reviewer for book proposal submissions to Oxford University Press (academic/law)

## LANGUAGES

Mother tongue(s)

German, Spanish

Other language(s)

	UNDERSTANDING		SPEAKING		WRITING
	Listening	Reading	Spoken interaction	Spoken production	
English	C2	C2	C2	C2	C2
French	C1	C1	C1	C1	C1
DALF C1 (2012)					
Portuguese	C1	C1	C1	B2	B2
Dutch	B2	B2	B2	B2	B2
Italian	C2	C2	C2	C2	C2
Danish	B2	B2	B2	B2	B2