



Platform Services in the Digital Single Market

European Legal Studies Institute, Osnabrück

19 -20 November 2015

Venue: Süsterstrasse 28, Room E03

Organisers:

Christoph Busch, Hans Schulte-Nölke, Aneta Wiewiórowska-Domagalska, Fryderyk Zoll

The digital economy is increasingly shaped by platforms serving as modern marketplaces where customers can buy goods or book services. In their terms and conditions, platform services usually emphasise their intermediary role as mere booking agencies or brokers. Tested against the rules of interpretation or provisions on unfair terms in – at least some – EU member states, such terms and conditions may be invalid with the consequence that the platform itself is considered as the seller or service provider of the booked service.

The conference will elaborate criteria for the assessment whether a platform is just an intermediary or a party to a sale or service contract concluded on a platform. The focus will be on platforms as intermediaries. The conference will analyse what the rights and obligations of the sellers or service providers are in relation to the intermediary platform. Moreover, it will analyse to what extent the terms and conditions set by the platform ‘remote control’ the content of the contract between the seller or service provider and the customer concluded via the platform.

On the basis of this analysis, the conference will discuss whether there is need for action of the EU in areas such as contract law, private international law, data protection, IP law in order to facilitate the internal market or to close gaps of consumer and customer protection.

Conference Program

Thursday, 19 November 2015, European Legal Studies Institute, Room E03

13.45 **Coffee**

14.00 **Opening the conference**
Hans Schulte-Nölke, Osnabrück/Nijmegen

14.10 **Part 1: Analysis of selected business models from a legal perspective**

Chair: *Gerald Spindler, Göttingen*

- App Stores – GooglePlay, iTunes etc. – *Marco Loos, Amsterdam*
- Passenger Transportation – Uber, MyTaxi etc. – *Marie Jull Sørensen, Aalborg*
- Cleaning Services – Helpling, Book a Tiger etc. - *Radim Polcak, Brno*
- Accommodation – Airbnb etc. – *Vanessa Mak, Tilburg*
- Retail – Amazon Market Place, Ebay etc. – *Damjan Mozina, Ljubljana*

16.15 **Coffee break**



16.30 Part 2: Common legal issues of platform services

- Platform Services and Duties under Directives 2000/31/EC, 2006/123/EC and 2011/83/EU – *Christiane Wendehorst, Wien*
- Contractual Roles and Liability – *Juliette Senechal, Lille*
- Platform Services and Data Protection – *Wojciech Wiewiórowski, Brussels*
- Platform Services and Competition Law – *Rupprecht Podszun, Bayreuth*

Rapport de synthèse – *Giovanni de Cristofaro, Ferrara*

19.00 End of session

20.00 Speakers Dinner

Friday, 20 November 2015, European Legal Studies Institute, Room E03

9.00 Part 3: Panel Discussion - Adequacy of Existing National Laws for the Platform Economy?

Chair: *Thomas Pfeiffer, Heidelberg*

- *Alberto De Franceschi, Ferrara*
- *Jerzy Pisulinski, Krakow*
- *Evelyne Terryn, Leuven*
- *Irene Kull, Tartu*

10.45 Coffee break

11.00 Part 4: A New Regulatory Framework for Platform Services:

Drafting a Platform Directive – A Workshop

Chair: *Gerhard Dannemann, Berlin*

13.00 Lunchbreak

15.30 Discussion on follow up

16.00 End of conference

Participation is free of charge.

To register please contact: LS-SCHULTE-NOELKE@UNI-OSNABRUECK.DE

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