

## EJLE WORKSHOP ON



3 December 2018

**AGCOM**  
via Isonzo 21/B – ROME (IT)

The digital world has become a fundamental part of the overall global economy: interactions, transactions, consumption and production are made of or based on digital information, i.e., data, images, sounds. On-line platforms, applications, smart-phones and many different connected objects, constantly gather, manage and process information, often through algorithms or machine-learning technologies that progressively adapt their behaviours to changing circumstances and take autonomous decisions. This trend is rapidly increasing due to the exponentially growing of on-line interactions between consumers, firms and public institutions, on one side, and the broad spreading of Machine-to-Machine communications and the Internet of Things, on the other side. Indeed, in multi-sided market contexts, large set of information and big data plays a crucial role and represents a strategic asset for companies which aim to generate and extract new value from their business, or to build new businesses and markets, or to enjoy a competitive advantage in those markets, as gatekeepers.

Big Data is therefore a very relevant business issue, which also poses some concerns in terms of data protection and privacy, on the one hand, and in terms of impact on competition and consumer protection, on the other. Moreover, big data owners may have the ability to influence perception of facts and news conveyed by digital intermediaries, finally having an impact on freedom of information and media pluralism.

All these concerns become particularly concrete once we take into consideration artificial intelligence mechanisms, particularly machine-learning technologies and algorithms, which can analyse these very large set of data, providing useful economic insights to the dataset owners, but also in some circumstances enabling private government(s) of digital interactions by influencing socio-economic and political choices.

How to frame the analysis of these complex and multifaceted economic and social phenomena is not yet completely clear. Regulators and policy makers struggle to understand how to proceed and firstly how to approach the existing trade-offs between, on the one hand, the static and dynamic market value of information (the so-called data economy) and, on the other hand, the respect of individual and collective fundamental rights (e.g., privacy, competition and media pluralism).

**AGCOM**, the Italian Regulatory Authority for Electronic Communications and Media, and the **European Journal of Law and Economics (EJLE)** are interested on the “**Law and Economics of BIG DATA and ARTIFICIAL INTELLIGENCE**”. A thematic workshop is taking place on 3 December 2018 in Rome. Final papers will be selected to be published in a **EJLE special issue** by the end of 2019.

## WORKSHOP AGENDA

8.15 - 8.40: Registration and Welcome Coffee

### 8.40 – 8.55: Welcome and Introduction to the Workshop

Angelo Marcello CARDANI, AGCOM - Chairman

Alain MARCIANO, MRE - University of Montpellier and LABEX-Entreprendre

Antonio NICITA, AGCOM – Commissioner, and University of Rome “La Sapienza”

Giovanni RAMELLO, Institute POLIS, University of Eastern Piedmont

### 8.55 – 10.45: SESSION 1

Chairing: Antonio NICITA

- ***To discriminate or not to discriminate? Price discrimination under EU competition policy in the era of big data analytics***  
Marco BOTTA, Klaus WIEDEMANN - Max Planck Institute for Innovation and Competition
- ***Algorithmic collusion and personalised pricing***  
Axel GAUTIER, Ashwin ITTOO, Nicolas PETIT  
Liege Competition and Innovation Institute, ULiège
- ***Is blockchain in the death of antitrust law? The blockchain antitrust paradox***  
Thibault SCHREPEL - Sorbonne Business & Finance Institute, Paris1
- ***The false issue of digital markets. Antitrust and regulation in open networks***  
Giovanna MASSAROTTO - University of Iowa

10.45 – 11.00: Coffee Break

### 11.00 – 13.15: SESSION 2

Chairing: Alain MARCIANO

- ***Big Data enabled personalized pricing as an income tax alternative***  
Ramsi A. WOODCOCK - University of Kentucky College of Law/Business and Economics
- ***Data, algorithms and AI: opportunities for the cultural and media sector***  
Joelle Farchy - Centre d'economie de la Sorbonne (CES), Paris 1
- ***A Regulatory Sandbox for Robo Advice***  
Wolf-Georg RINGE, Christopher RUOF - University of Hamburg, Institute of Law and Economics
- ***Do Black Boxes help market functioning? The case of Italian motor-vehicle insurance***  
Cosimo MAGAZZINO, Giulio FUSCO, Donatella PORRINI  
Roma Tre University, Department of Political Sciences and University of Salento, DEMS
- ***Re-defining Reliability in the consumer credit sector: algorithm-based technologies and new boundaries in the assessment of consumers' score***  
Antonio Davola - Sant'Anna School of Advanced Studies

13.15 – 14.30: Lunch

**14.30 – 16.20: SESSION 3**

*Chairing: Marco DELMASTRO – AGCOM, Director of Economics*

- ***The economy of (big) data: a regulatory and antitrust perspective***  
Augusto PRETA - ITMedia Consulting
- ***Market equilibrium and regulatory intervention in the data economy***  
Bertin MARTENS, Nestor DUCH-BROWN  
Joint Research Centre of the European Commission
- ***Social Media and Institutional Externalities***  
Frank FAGAN - École des hautes études commerciales - EDHEC Business School
- ***Uses and abuses of Data Rights in the data-driven economy***  
Valeria FALCE - European University of Rome

16.20 - 16.35: Coffee Break

**16.35 - 18.20: SESSION 4**

*Chairing: Giovanni RAMELLO*

- ***Access right and transparency in big data and algorithms used for public sector***  
Eugenio PROSPERETTI - LUISS "Guido Carli" University of Rome
- ***The role of Big Data and RegTech in regulatory impact assessment (RIA)***  
Kamilla MARCHEWKA-BARTKOWIAK - Poznan University of Economics and Business
- ***How to deal with judgement-proof robots and artificial intelligence?***  
Mitja KOVAC - University of Ljubljana, Faculty of Economics, Department of Law  
Ann-Sophie VANDENBERGHE - Erasmus University Rotterdam, Department of Law
- ***The use of Algorithm-Based evidence in criminal proceedings and the challenges to the principle of equality of arms***  
Serena QUATTROCOLO, University of Eastern Piedmont, Department of Law

**18.20 – 18.30: Closing Remarks and Final Greetings**

The workshop is open to external attendees from Universities, Governmental departments, NRAs and ICT companies. For registration (**by Nov 25**) and information, please contact [a.manganelli@agcom.it](mailto:a.manganelli@agcom.it) and [segreteria.nicita@agcom.it](mailto:segreteria.nicita@agcom.it)