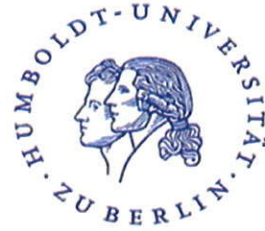
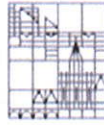




Universität  
Konstanz



## Joint Tongji - Humboldt – Konstanz Symposium

### Social Networks and Big Data: Challenges to Public Welfare, Privacy and Private Life

*9 - 10 April 2018, Sino-French Center(中法中心) C 401, Tongji University, Siping Campus*

Transactions in large amounts of data are touching the lives of billions, who, willingly or unconsciously, waive their privacy in exchange for amenities offered by social networks and other service providers. Messenger services and social media contribute flexibility to the working environment but may also adversely impact the privacy of employees. On the other hand, collection and analysis of data has a welfare-enhancing effect by triggering innovative services and products. How should the law react to these social developments? The symposium aims to elaborate on the challenges posed by the digital economy to a variety of legal areas. Specifically, is competition law an appropriate tool for protecting consumer interests? Are modifications to contract law necessary to address privacy waivers? Will a property right in data incite innovation in the digital industry? And, how should labour law react to the digital working environment? Renowned academics and legal practitioners will analyze recent legal and judicial developments in China and Europe and propose solutions to these unresolved problems.

#### *Agenda:*

##### **9 April**

9:00 – 09:30 Greetings: Law Faculty, CDHK, Konstanz University, Humboldt University

**Moderator: Prof. Dr. GAO Xujun**

Prof. Dr. JIANG Bo, Vice-President of Tongji University

Prof. Dr. WU Weimin, Dean of Tongji Law School

Prof. Dr. Reinhard SINGER, Humboldt University of Berlin

Prof. Dr. Jochen GLÖCKNER (LL.M. USA), University of Konstanz

Dr. Peter GANEA, Sino-German Institute for Int'l Economic Law, Tongji  
University

#### FIRST SESSION: COMPETITION LAW ASPECTS

**Moderator: Prof. Dr. Reinhard SINGER**

09:30 - 09:50 Big Data and Competition Law - Swiss Army Knife, Band Aid or Special  
Tool for Special Problems? (*Prof. Dr. Jochen GLÖCKNER*)

09:50 - 10:10 Challenges for Antitrust Law in the Age of Big Data: Comparative Observations  
(*Prof. Dr. YU Xinmiao*)

10:10 - 10:30 Discussion

10:30 - 10:50 *Teal/Coffee*

**Moderator: Prof. Dr. Michael STÜRNER**

10:50 - 11:10 An Unhurried View of Data Monopoly from the Intellectual Property Perspective  
(*Dr. Dr. Benjamin BAI*)

11:10 - 11:30 Relevant Market Definition in Case of Data Monopolies: an Expanded View  
(*Ms. ZENG Caixia*)

11:30 - 11:50 Data Monopoly of Firms and Unfair Competition (*Mr. QI Da*)

11:50 - 12:10 Discussion

12:10 - 14:30 *Lunch (Buffet, Magnotel Hotel)*

#### SECOND SESSION: DATA AND CONTRACT LAW

**Moderator: Prof. Dr. Jochen GLÖCKNER**

14:30 - 14:50 Contractual Aspects of the Supply of Digital Content (*Prof. Dr. Michael STÜRNER*)

14:50 - 15:10 Data as Counter-performance: Preconditions and Consequences under  
Contract Law (*Prof. Dr. Axel METZGER*)

15:10 - 15:30 Discussion

15:30 - 15:50 *Teal/Coffee*

### THIRD SESSION: DATA AS OBJECT OF TRADE

**Moderator: Prof. Dr. Axel METZGER**

15:50 - 16:10 Rewarding Innovation and Investment in the Data Industry

*(Dr. Peter GANEA)*

16:10 - 16:30 Is Data a new proprietary IP? A Review of Recent Court Decisions in China

*(Prof. Dr. ZHANG Taolue)*

16:30 - 16:50 The Governance Model of Copyright Infringement for User-Generated content in the Big Data Era *(Ass. Prof. Dr. LIU Shan)*

16:50 - 17:10 Discussion

18:00—Dinner *(Sanhaowu Restaurant, Tongji Campus)*

**10 April**

### FOURTH SESSION: WORKING CONDITIONS IN A DIGITIZED ENVIRONMENT

**Moderator: Prof. Dr. WANG Qian**

09:30 - 09:50 Working Time in a Digitized Work Environment - Aspects of Flexibility, Self-Determination and Employee Protection *(Prof. Dr. Reinhard SINGER)*

09:50 - 10:10 Labour or Service? On the Relevance of Labour Law in the Digital Economy

*(Prof. CHEN Yifeng)*

10:10 - 10:50 Discussion

10:50 - 11:10 *Tea/Coffee*

**Moderator: Prof. Dr. ZHANG Huailing**

11:10 - 11:30 Bigger Data - Bigger Problems? Protecting Employee Privacy under German Law *(Prof. Dr. Stefan STRASSNER)*

11:30 - 11:50 How to Use Big Data to Protect Workers' Rights: Experiences from China

*(Prof. Dr. ZHOU Changzheng)*

11:50 - 12:10 Discussion

12:10—Lunch *(Aiqi Cafe, Tongji campus)*

## **SPEAKERS :**

Dr. Dr. Benjamin BAI, Legal and Compliance Department Vice President and Chief IP Counsel,  
Ant Financial

Prof. CHEN Yifeng, Law Faculty, Peking University

Dr. Peter GANEA, Sino-German Institute for Int'l Economic Law, Tongji University

Prof. Dr. GAO Xujun, Law Faculty, Tongji University

Prof. Dr. Jochen GLÖCKNER (LL.M. USA), University of Konstanz

Ass. Prof. Dr. LIU Shan, Law Faculty, Zhejiang University of Technology

Prof. Dr. Axel METZGER (LL.M. Harvard), Humboldt University of Berlin

Mr. QI Da, Partner, Junhe Law Offices

Prof. Dr. Reinhard SINGER, Humboldt University of Berlin

Prof. Dr. Stefan STRASSNER, Wildau University of Applied Sciences

Prof. Dr. Michael STÜRNER (M. Jur. Oxford), University of Konstanz

Prof. Dr. YU Xinmiao, Shanghai International College of Intellectual Property, Tongji University

Ms. ZENG Caixia, Law Faculty, Tongji University

Prof. Dr. ZHANG Taolue, Law Faculty, Tongji University

Prof. Dr. ZHOU Changzheng, Law Faculty, Nanjing University

Prof. Dr. WANG Qian, Law Faculty, Tongji University

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Prof. Dr. ZHANG Huailing, Law Faculty, Southwestern University of Finance and Economics

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