

# New directions in the European Union's innovation policy?

Conference of the Max Planck Institute for Innovation and Competition  
in collaboration with the MPI Alumni Association

9th July 2021, 14:00 – 17:15 (CET), Online

## Conference Programme

**13:45** Access to the online session

**14:00** Welcome address

**Prof. Dr. Josef Drexl**, Max Planck Institute for Innovation and Competition

**14:15 – 15:30** Panel I – Competition policy of the EU

Panel I will explore and critically assess the competition policy of the European Union. Europe stands at a crossroads, as the policy decisions of today might deeply shape the competitive landscape of tomorrow. We will look at recent legislative proposals (such as those for a Digital Markets Act (DMA) or a Data Governance Act) and ask whether they can indeed make Europe “fit for the Digital Age”, as purported by the European Commission. Will the DMA allow competition authorities to tame digital gatekeepers – or is it a mere codification of past legal battles? Will lawmakers be able to foster and incentivise the granting of access to data – and will this really be a feasible way to establish a level playing field in the digital world? An interdisciplinary approach to questions such as these is necessary to fully grasp the intricacies of the digital economy.

**Keynote Speakers** **Prof. Cristina Caffarra, PhD**, Senior Consultant to Charles River Associates and University College London

**Prof. Dr. Rupprecht Podszun**, Chair for Civil Law, German and European Competition Law and Director of the Institute for Competition Law, Heinrich Heine University Düsseldorf

**Moderator** **Prof. Dietmar Harhoff, PhD**, Max Planck Institute for Innovation and Competition

**15:30 – 16:00** Virtual coffee break – Networking session

**16:00 – 17:15** Panel II – IP policy of the EU

Panel II will assess the role intellectual property law and policy play in shaping Europe's innovation landscape. Especially developments of “Artificial Intelligence” have lately sparked discussions about the adequacy of the European IP framework in view of technological disruption. Also beyond the AI field, the “infrastructure” of the digital economy consists of software and (Big) Data – both of which can come within the ambit of a variety of IP rights. Whereas on the one hand, such rights are traditionally meant to have incentivising effects, they can, on the other hand, also impede innovation and competition by dysfunctional blocking effects. If, for example, certain data needed for offering innovative products and services cannot be accessed and used because they are protected by copyrights or the database sui generis regime, new business models may not be able to unfold their potential. Thus, Europe's IP policy has to strike an economically sound balance between exclusivity and access in order to optimally foster digital welfare. Interdisciplinary insights from law and economics are indispensable to meet these challenges and uncover potential need for reform.

**Keynote Speakers** **Prof. Dr. Matthias Leistner**, Chair of Private Law and Intellectual Property Law, with Information and IT-Law (GRUR Chair), Ludwig Maximilian University Munich

**Prof. Katharine Rockett, PhD**, Department of Economics, University of Essex

**Moderator** **Prof. Dr. h.c. Reto M. Hilty**, Max Planck Institute for Innovation and Competition