

## ELENA FALLETTI - CURRICULUM VITAE

Elena Falletti

Research Associate of Comparative Law

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### **CURRENT ACADEMIC STATUS**

February 1st 2009 at now – Research Associate of Comparative Law at Università Carlo Cattaneo – LIUC, Castellanza (VA), Italy.

E. F. Achieved the National Scientific qualification as associate in the Italian higher education system, in the call 2021/2023 (Ministerial Decree n. 553/2021 and 589/2021) for the disciplinary field of 12/E2 - Comparative law.

### **GRANTS, SCHOLARSHIPS AND FELLOWSHIPS:**

February 1st 2013 - February 28th 2013: Visiting scholar at Max-Planck-Institut für ausländisches und internationales Privatrecht - Hamburg (Germany);

February 1st 2012 - March 31st 2012: Visiting scholar at Max-Planck-Institut für ausländisches und internationales Privatrecht - Hamburg (Germany);

December 1st 2007 – November 30th 2008: Max-Planck-Institut für Geistiges Eigentum, Wettbewerbs- und Steuerrecht, München (Deutschland);

March 1st 2007- November 30th 2007: Max-Planck-Institut für Geistiges Eigentum, Wettbewerbs- und Steuerrecht, München (Deutschland);

May 30th 2006 – Università degli Studi di Milano “Statale” – Istituto di diritto Civile; August 1st 2005 –October 31st 2005 DAAD Fellowship, Deutsche Akademischer Austausch Dienst, Kennziffer A/05/29716 at Westfälische Wilhelms Universität Münster (Germany);

November 1st 2004 –July 31st 2005, Marie Curie Fellowship, Nr of Contract HPMT-CT-2001-00331, at Westfälische Wilhelms-Universität Münster.

### **WORK EXPERIENCE:**

Academic Year 2019-2020 at now Lecturer of Law and Engineering (Science, Technology and Law) at School of Engineering, Università Carlo Cattaneo - LIUC, Castellanza;

2022: 19-22 April, Visiting Professor at Amsterdam University of Applied Sciences - Erasmus+ Teaching Mobility Program;

2022: 3-9 April, Visiting Professor at University Zaragoza (Spain) - Erasmus+ Teaching Mobility Program;

2022: 7-11 March, Virtual Visiting Professor at the University of Hertfordshire, UK;

2021: 2-5 November, Visiting Professor at Institut des Stratégies et Techniques de Communication, Lille (France);

2021, 22-26 February, Virtual Visiting Professor at the University of Hertfordshire, UK;

2021, 24-27 January, Virtual Visiting Professor at Institut des Stratégies et Techniques de Communication, Lille (France);

2019, 1-4 April, Visiting Professor at University Zaragoza (Spain) - Erasmus+ Teaching Mobility Program;

2018, 10-15 September, Visiting Professor at Jönköping International Business School (JIBS) (Sweden) - Erasmus+ Teaching Mobility Program;

2017, 20-25 March, Visiting Professor at Greenwich University, London (United Kingdom) – Erasmus+ Teaching Mobility Program;

2016, 11-15 April, Visiting Professor at Lazarski University, Warsaw (Poland) – Erasmus+ Teaching Mobility Program;

Academic Year 2014/2015 at now: Lecturer of Civil Law II (Family Law) at Università Carlo Cattaneo – LIUC, Castellanza

Academic Year 2014/2015, at now, Lecturer of Introduction to Italian Law at Università Carlo Cattaneo – LIUC

2014, 3 April, Visiting Professor at Leopold-Franzens-Universität Innsbruck, Innsbruck, Italien-Zentrum, (Austria);

2013, 22-30 November: Visiting Professor at Banku Augstkola School of Business and Finance, Riga (Latvia) – Erasmus Teaching Mobility Program;

2011, 4 – 8 April: Visiting Professor at Bifrost University - Borgarnes (Iceland) - Erasmus Teaching Mobility Program;

Academic Year 2009/2010-2018-2019 Lecturer of Private Comparative Law at Università Carlo Cattaneo - LIUC, Castellanza;

Academic Year 2009/2010 Lecturer of Institution of Private Law at Università Carlo Cattaneo – LIUC, Castellanza;

2009, at now: Contributor at Wolters-Kluwer, Legal Practice, Family Law Area.

### **EDUCATION AND TRAINING:**

2006, 20 March, PhD in Comparative Law, at Milan University “Statale”. PhD Dissertation “ITC Application in Civil Procedure. A Comparative Perspective”;

2002-2005, Ph.D candidate in Comparative Law, University of Milan, (ITALY);  
2001, Faculty of Law, University of Turin. Title of Graduated Studies in Law instituted by University Royal Act of 1938, equivalent to Master Degree in International Law + Bachelor in Law, titles instituted by University Reform Act of 1997 and enforced by 2003. Dissertation Thesis: The Forclusions in Civil and Labour Process. Supervisor: Prof.Sergio Chiarloni, Chairman of Civil Procedure Law, University of Turin.

#### SELECTED PUBLICATIONS:

- 2023 (forthcoming): *Esiste una differenza tra il diritto all'oblio e il presunto diritto alla fuga dai motori di ricerca?*, in Danno e responsabilità
- 2023 (forthcoming): *Algorithmic discrimination and privacy protection*, in Journal of Digital Technologies and Law
- 2023 (forthcoming): *Uso di algoritmi predittivi con scopo investigativo e violazione costituzionale del Persönlichkeitsrecht*, in Foro Italiano
- 2023 (forthcoming): *Mai accettare caramelle né atti amministrativi da sconosciuti, ancorché algoritmi*, in Diritto dell'informazione e dell'informatica
- 2023: *La proiezione della personalità online quale rapporto tra diritto all'oblio e diffamazione?*, in Foro It. IV, 188
- 2023: *Una marcia indietro lunga cinquant'anni: la sentenza della Corte Suprema americana Dobbs v. Jackson in tema di aborto*. GENIUS, p. 1-21, ISSN: 2384-9495
- 2022: *Genitorialità e principio di uguaglianza: la via israeliana alla gestazione per altri*. GENIUS, vol. VIII, p. 134-149, ISSN: 2384-9495
- 2022: *Triage e divieto legislativo di discriminazione dei disabili: una Weltanschauung tedesca*. LA NUOVA GIURISPRUDENZA CIVILE COMMENTATA, vol. XXXVIII, p. 489-495, ISSN: 1593-7305
- 2022: *Discriminazione algoritmica: una prospettiva comparata*. Torino: Giappichelli, ISBN: 9788892144521
- 2022: *Multidisciplinary issues on scientific research and medical treatment on new-borns in comparative law*, Ius Comparatum, pp.28-70;
- 2022, *Principio di autodeterminazione: l'accertamento dei presupposti del suicidio assistito di fronte ai giudici di merito*, Giurisprudenza Italiana, pp. 65-78;
- 2022: *Vestiti nuovi per il consumatore digitale? La futura disciplina del Data Act in materia di unfair contractual terms*, Foro Italiano, fasc. 5;
- 2022: *Genitorialità e principio di uguaglianza: la via israeliana alla gestazione per altri*, Genius, pp. 1-21;
- 2021: *Scelte tragiche e dovere di cura verso gli altri: sull'obbligatorietà del green pass e del vaccino contro il Covid-19*, Responsabilità medica, pp.301-308;
- 2021: *Reproductive Rights in Italy*, in C. Casonato, L. Busatta (eds), *Axiological Pluralism*, Springer, 2021;
- 2020: with C. Gallese, M. S. Nobile, L. Ferrario, F. Schettini, E. Foglia, *Preventing litigation with a predictive model of COVID-19 ICUs occupancy*, 2020 IEEE International Conference on Big Data (Big Data), pp.2111- 2116; 2020, *Il riconoscimento dell'identità di genere tra sport e non discriminazione: la vicenda di Caster Semenya*, in GenIUS, 2020, fasc. 1, pp. 125-137;
- 2020, *Fine vita e best interest of the child: i recenti orientamenti del common law britannico*, Nuova Giur. Civ., 2020, 3, 687;
- 2020, *Decisioni automatizzate e diritto alla spiegazione: alcune riflessioni comparatistiche*, in Diritto dell'Informazione e dell'Informatica, 2020, pp. 169-206;
- 2020, *La forma è sostanza? Alcune sommarie riflessioni sulla gestione dell'emergenza CoViD-19 in Italia*, in BioLaw Journal – Rivista di BioDiritto, Special Issue 1/2020, pp. 167-171;
- 2020, *Privacy e segreti: è possibile estendere ai Big Data le tutele dell'Habeas Corpus?* in Setenta años de Constitución Italiana y cuarenta años de Constitución Española Volumen II Derechos fundamentales Derecho Público Directores: Antonio Pérez Miras Germán M. Teruel Lozano Edoardo C. Raffiotta Maria Pia Iadicicco, Madrid, 2020, 213-227;
- 2019, *Protecting children affected by Atypical Gender Identity Organization: the comparative legal perspective*, in M. Antokolskaia (ed.), *Family Law and Family Perspectives*, Eleven International Publishing;
- 2018, *The Marriage of Figaro and the Sunset of Ancien Régime Legacy on Modern Legal Culture*. In: F. Annunziata, G. Colombo, *Law and Opera*, Springer, 978-3-319-68648-6;
- 2018, *The Cultural Impact of Islamic Mass Immigration on the Italian Legal System*, *Journal of Law, Religion and State*, 1-28;
- 2017, *Returning to work after childbirth: a comparative legal perspective on discrimination affecting new moms*. In: Piccinelli G. M., Kherkheulidze I., Borroni A., (eds), *Reconsidering gender based violence and other forms of violence against women: comparative research/analysis in the light of the Istanbul convention*. Tricase: Libellula, p. 301-328. ISBN 978-88-6735-281-4;
- 2017, *How the Italian Legal System is Facing the Islamic Immigration Cultural Challenge*. In: *The Digest: National Italian American Bar Association Law Journal*. ISBN: 978-1548464042;
- 2017, *I diritti fondamentali su internet: libertà di espressione, privacy e copyright*. p. 1-161, 2017, PADOVA: Exeo, 2017 ISBN: 978-88-6907-210-9;

2016, with W. Tebbens, *Digital do-it-yourself fabrication practices and legal challenges*. In: Building a European digital space: proceedings of the 12th international conference on Internet, law & politics: Universitat Oberta de Catalunya, Barcelona, 7-8 July, 2016. p. 95-109, ISBN: 978-84-608-9670-8, Barcelona, 7-8 July 2016;

2015, *La democracia directa y la prohibición del mandato vinculante en el debate italiano = Direct democracy and the prohibition of the binding mandate: the Italian debate*. PIELAGUS, vol. 14, p. 59-72, ISSN: 1657-6799;

2015, *Judges and stereotypes on same-sex issues: analysis of case law from a comparative perspective in English and Italian family law*. JOURNAL OF RESEARCH IN GENDER STUDIES, vol. 5, p. 147-170, ISSN: 2164-0262;

2015, *Sexual Orientation and Parenthood: A Comparative Analysis of the Case Law of the Inter- American Court of Human Rights and the European Court of Human Rights*, in 35 YEARS OF INTERAMERICAN COURT OF HUMAN RIGHTS: THEORY AND PRACTICE, PRESENT AND FUTURE, Intersentia Publishers (Cambridge, Antwerp);

2015, *Comparative Environmental Law and Regulation: Italy*. In: (a cura di): Lin-Heng Lie Elisabeth Burleson Nicholas Robinson, Comparative Environmental Law and Regulation. NEW YORK: THOMSON REUTERS;

2014, *The Scandals of Caroline, Max and Kate: Does Celebrity Privacy Threaten Press Freedom in the Internet Age?* Garnett, Simon/Halft, Stefan/Herz, Matthias/Mönig, Julia Maria (Hgg.) Medien und Privatheit Verlag Karl Stutz Passau, Germany; ISBN: 978-3-88849-217-4;

2014; *LGBTI Discrimination and parent-child relationship: Cross border mobility of rainbow families in the European Union*. FAMILY COURT REVIEW, ISSN: 1531-2445, 2014.

### **INTERNATIONAL CONFERENCES:**

#### *Papers and articles discussed:*

2023, forthcoming (7-9 September) Speaker at the DDD16: Learning from Suffering and Dying. New Languages from Sciences to the Humanities  
 Topic: Requiescat in pace: analysis of the rules on the prohibition of funerals during the COVID-19 emergency in Italy  
 2023 forthcoming (12-15 July) Speaker at the 18th World Conference (Golden Jubilee Conference) of the ISFL Rethinking Law's Families & Family Law?  
 Topic: Preventing gender and family violence through Artificial Intelligence: a multidisciplinary perspective  
 2023, forthcoming (June, 25-29), Speaker at the 114<sup>th</sup> annual conference of the Society of Legal Scholars, King's College, London, UK  
 Topics: 1. Chair of the panel "Regulating misinformation and disinformation. Challenges and issues of Generative Models; 2. How Botanical Gardens Helped to Shape International Trade Law  
 2023, forthcoming (June, 14-16), The Power of Flowers, 1500-1750, Gent University  
 Topic: How Botanical Gardens Helped to Shape International Trade Law  
 2023, April 11-13, Speaker at the Society for Reformation Studies 29th Annual Conference, Hybrid conference hosted at the Westminster College, Cambridge UK  
 2022, December 13-16. Speaker at the ISFL Caribbean Regional Conference 'Safeguarding the Human Rights of Family Members from the Womb to the Tomb'. Hybrid conference hosted at Magdalena Grand Beach & Golf Resort, Tobago.  
 Topic: The Law and Human Rights. Some observations on the legal, scientific and ethical issues of infant research.  
 2022, December, 1-2. Speaker at ECIAIR 2022 virtual conference hosted by EM Normandie Business School, Oxford Campus, UK  
 Topic: Ethical and Legal Limits to the Diffusion of Self-Produced Autonomous Weapons  
 2022, September, 6-9. Speaker at the 113th annual conference of the Society of Legal Scholars, King's College, London, UK  
 Topic: NFTs applied to Art: is it a disruptive concept or an illusion?  
 2022: 26-27 May, Speaker at Gonzaga University Law School – Human Rights Conference, British Institute of Florence  
 Topic: Human rights protection and high-risk AI systems: the Spanish model in gender-based violence prevention  
 2021: October 18, Speaker at the International Academy of Comparative Law, Virtual Conference  
 Topic: Multidisciplinary issues on scientific research and medical treatment on new-borns in comparative law  
 2021, August 31, September 1-3, speaker at the 112 Annual Conference of the Society of Legal Scholars, University of Durham, UK  
 Topic: Requiescat in pace: Analysis of the rules on the prohibition of funerals during the COVID-19 emergency in Italy  
 2021, January 14-16, speaker at the Human Sovereignty and Machine Efficiency in the Law Machine Lawyering's Virtual Second Conference at The Chinese University of Hong Kong, Hong Kong  
 Topic: Privacy protection, big data gathering and public health issues: COVID-19 tracking app use in Italy  
 2020, 1-4 September, Speaker at the Society of Legal Scholars, Annual Conference, Exeter University  
 Topic: The Traditional Concept of Habeas Corpus and Modern Dangers for Privacy through the Use of Wearable Apps  
 2020, 26-28 August, Speaker at the International Society of Family Law Online Conference: "Family Law and Crisis – Going Through Pandemics"  
 Topic: Requiescat in pace: Analysis of the rules on the prohibition of funerals during the COVID-19

emergency in Italy

2020, 16-18 January, Machine Lawyering: Digitally Reconceiving Contracting, Regulation and Property, The Chinese University of Hong Kong

Topic: Automated decisions and Article No. 22 GDPR of the European Union: an analysis of the right to "explanation"

2019, 3-5 July, Gender Inclusivity and Protecting the 21st Century Family Conference at The University of Westminster (London, UK)

Topic: Religious roots of the duty of marital fidelity and the evolution of Italian family law

2018, 25 July, Speaker at the Younger Scholars Forum in Comparative Law - XXth International Congress 2018 - International Academy of Comparative Law, Fukuoka, Japan

Topic: Could wearable technology transform the traditional concept of habeas corpus?

2018, 16-17 March, Speaker, 21st Annual Meeting of the Association of the Study of Law, Culture and the Humanities, 2018, Georgetown University Law Center, Washington DC (USA)

Topics: The representation of punishment in the medieval frescoes of the Last Judgment – Freedom of Art, Copyright and Censorship: A comparative law perspective

2017, 25-29 July, Speaker at the 16th Conference of the International Society of Family Law, Vrije University, Amsterdam (Netherlands)

Topic: Protecting children affected by Atypical Gender Identity Organization: the comparative legal perspective

2017, 5-7 June, Speaker at the International Conference, "Law as Religion, Religion as Law", Hebrew University, Jerusalem (Israel);

Topic: Religious roots of the duty of marital fidelity and the evolution of Italian family law

2017, 28-29 April, Speaker at the 6th Annual Conference of the Young Comparativists Committee of the American Society of Comparative Law, Koc University, Istanbul, Turkey

Topic: Could wearable technology transform the traditional concept of habeas corpus?

2016, September 9, Speaker at the Society of Legal Scholars, Annual Conference, University of Oxford, 'Legislation and the Role of the Judiciary'

Topic: Birth Abroad by Contract: The International Debate on Surrogacy;

2015, 9 June, Speaker at the International Conference on Religion and Equality, June 9-11 2015, Bar-Ilan University, Faculty of Law, Tel Aviv (Israel);

2014 10-11 July, International Conference: "Dignity and Rights of the Elderly, The John Marshall Law School, Chicago, Illinois, USA.

Topic: "Medical treatment and expression of the consent of the elderly not able to consent: a comparative analysis of the case law in the countries of the Council of Europe".

2013, Speaker at 6th World Congress on Family Law and Children's Rights Sydney, Australia, March 17th - 20th 2013

Topic: LGBTI Discrimination and parent – child relationship : Cross border mobility of rainbow families in the European Union

Castellanza, 6.6.2023

Elena Falletti