

## Avv. Jacopo Ciani



✉ [jacopo.cianisciolla@unito.it](mailto:jacopo.cianisciolla@unito.it)  
[j.ciani@tavella.biz](mailto:j.ciani@tavella.biz)

 [linkedin.com](https://www.linkedin.com)

 [orcid.org](https://orcid.org)

 [ssrn.com](https://ssrn.com)

 [academia.edu](https://academia.edu)

### WORK EXPERIENCE

#### Intern

01 May 2011 – 31 July 2011

@ Diplomatic Representation of Italy by UNOG (United Nations Office of Geneva), 10, Chemin de l'Impératrice - 1292 Geneva, Swiss. <http://www.rapponuginevra.esteri.it>

**Business or sector** Assistant of the Italian First Secretary by World Trade Organization (WTO) and World Intellectual Property Organization (WIPO).

01 October 2011 – 31 June 2013

#### IP & IT Lawyer (Member of Milan Bar)

@ Law Firm “Perani Pozzi Tavella”, Piazza San Babila 5, Milan (Italy). <http://www.2pt.eu>

1 July 2013 – Present

@ Law Firm “Tavella – Studio di Avvocati”, Via del Lauro 14, Milan (Italy). <http://www.tavella.biz>

**Practices** Intellectual Property Law (Trademark, Patent, Design, Trade Secrets), Advertising Law, Law & Technology, Consumer Law, Competition and Antitrust Law, Food Law, Fashion Law, Privacy and Data Protection Law

**Industries** Fashion, Food, Automotive, Gambling, Media and Advertising, Transport, Health, Telco, Payment services, Digital, E-commerce, Artificial Intelligence, Internet of things, Big Data

1 January 2020

#### Affiliate Professor

@ ESCP Europe Business School Turin Campus, Bachelor in Management (BSc)

<https://www.escpeurope.eu>

**Academic Courses** International and European Business Law and Taxation

#### Assistant Editor

@ Kritika: Essays on Intellectual Property edited by Gustavo Ghidini, Hanns Ullrich, and Peter Drahos for Edward Elgar Publishing

### EDUCATION AND TRAINING

15 Sept. 2000 – 15 June 2005

#### Maturità (secondary school license)

EQF level 4

@ Liceo classico M. D’Azeglio, via Parini, Torino

▪ Final Grade: 100/100

01 October 2005– 11 April 2011

#### Degree in Law

EQF level 7

@ University of Turin

▪ Final Grade: 110/110 summa cum laude and dignity of printing

▪ Final dissertation title: “*Trademark Infringement: the hard cases*”

▪ Supervisor. Prof. Avv. Marco Ricolfi

01 Sept. 2007 – 31 March 2008

**Erasmus**

@ Westfälische Wilhelms Universität, Münster (Germany)

24 March 2010 – 18 June 2010

**XX ed. Post-graduate course in International Trade Law**

EQF level 7

@ ITC International training centre of ILO International Labour Organization, Turin (Italy)

- Jointly Organized by University of Turin, IUSE University Institute of European Studies (Turin), ITC-ILO and UNCITRAL
- Final examination grade: A (excellent)

01 January 2012 – 15 January 2016

**Ph.D. in Juridical Sciences (curriculum of IP and Competition Law)**

EQF level 8

@ University of Milan (Italy)

- Research Project: “*The right to keep free (Freihaltebedürfnis) as limit to the trademark protection*”
- Supervisor: Em. Prof. Avv. Gustavo Ghidini (LUISS), Prof. Avv. Marco Saverio Spolidoro (Catholic University of Sacred Heart), Prof. Avv. Silvia Giudici (University of Milan)

13 January 2014 – 31 July 2014

**Visiting scholar**

EQF level 8

@ Max Plank Institute for Innovation and Competition, Munich (Germany)  
Department: Prof. Dr. Reto Hilty, Supervisor: Prof. Dr. Annette Kur

14 July 2014 – 18 July 2014

**5<sup>th</sup> LERU League of European Research Universities Doctoral Summer School**

@ University of Helsinki (Finland)

28 January 2015 – 28 February 2015

**Visiting scholar**

@ Center for Intellectual Property (CIR/ICRI), KU Leuven, (Belgium)  
Supervisor: Prof. Marie-Christine Janssens

21 April 2016 – 17 May 2016

**Post-graduate course in Computer forensics e Data protection**

@ University of Milan (Prof. Pierluigi Perri)

1 December 2016 – 1 December 2017

**Scholarship Holder**

@ University of Turin, School of Law  
Research Project: “The legal framework of Big Data: automated processing and crossborder data flows”.  
Supervisor: Prof. Alberto Oddenino, Prof. Ugo Pagallo

1 July 2019 – present

**Scholarship Holder**

@ University of Turin, Computer Science Department  
Research Project: “The legal regime of data flows”  
Supervisor: Prof. Guido Boella, Prof. Ugo Pagallo

**LANGUAGE(S)**

Italian  
English  
German

Mother tongue
First Certificate in English (FCE), Cambridge University
Zertifikat Deutsch, Goethe Institut

**PUBLICATIONS**

- Ciani J., Hashish M., *Intellectual property Rights: an overview on the International and European legal framework*, International Trade Law post-graduate course participant’s Review, 2010.
- Note to Court of Turin, IX sez., 11 April 2011, *Giurisprudenza Italiana*, 7/2011, 1553.
- *Affinity between copyright infringement and breach of personality rights by defamation for the purpose of determining which court has jurisdiction pursuant to sec. 20 of the Italian Civil Procedure Code*, note to Court of Florenz, 13 February 2012, *Giurisprudenza Italiana*, 11/2012, 2340.

- *Patented and generic drugs: bioavailability and bioequivalence*, *Ragiusan*, 2012, 341-342, 206-208.
- *Implementation, termination and withdrawal in advertising agency contracts*, note to Court of Milan, 2 august 2013, *Giurisprudenza Italiana*, 6/2014, 1431.
- *Gossip and the right to privacy: the news' anonymity is not enough, when the victim is still identifiable*, note to Italian Supreme Court, 27 January 2014, n. 1608, *Il diritto dell'informazione e dell'informatica*, 3/2014, 349-362.
- *Sports debacle and the protection of sponsor's expectations of advertising return*, note to Italian Supreme Court, sez. III, 8 April 2014, n. 8153, *Il diritto industriale*, 4/2014, 385.
- *Intellectual property rights and the growing interest in legal protection for culinary creations*, in Nobile M. (eds.), *World Food Trends and the Future of Food*, Ledizioni, Milano, 2015, 15-31 (ISBN print 978-88-6705-392-6, ISBN ebook 978-88-6705-404-6).
- *A competition Law Oriented Look at the Application of Data Protection and IP Law to the Internet of Things: towards a wider "holistic approach"*, in Bakhoun M., Conde Gallego B., Mackenrodt M.-O., Surblytė-Namavičienė G. (eds.), *Personal Data in Competition, Consumer Protection and IP Law – Towards a Holistic Approach?*, MPI Studies on Intellectual Property and Competition Law, vol 28. Springer, Berlin, Heidelberg, pp. 215-249, (Print ISBN 978-3-662-57645-8, Online ISBN 978-3-662-57646-5, [https://doi.org/10.1007/978-3-662-57646-5\\_9](https://doi.org/10.1007/978-3-662-57646-5_9)).
- *Property rights model v. contractual approach: How protecting non-personal data in cyberspace?*, in *Diritto del Commercio Internazionale*, 4/2017, 831-854.
- Ciani J., Tavella M., *The last frontiers of stealth marketing: "native advertising", duty of disclosure and difficulty of enforcement*, in *Informatica e diritto*, 1-2/2017, 485-517.
- *Governing Data Trade in Intelligent Environments: a Taxonomy of Possible Regulatory Regimes between Property and Access Rights*, in Chatzigiannakis, I., Tobe, Y., Novais, P., Amft, O. (eds.), *Intelligent Environments 2018*, vol. 23 *Ambient Intelligent and Smart Environments*, IOS Press, 285-297, ISSN 1875-4163, available at <http://ebooks.iospress.nl/volumearticle/49373> and at <https://ssrn.com/abstract=3204612>
- Ciani J., Bresciani M., *Pattern protection in the fashion industry: An overview of Italian and European case law*, in *Journal of Intellectual Property and Practice*, vol. 13, issue 11/2018, 884-889 (<https://doi.org/10.1093/jiplp/jpy132>)
- *Outside the GDPR: the delicate balance between privacy and security as a considerable challenge in ensuring and effective protection of personal data. The Russian case*, in Bonavita S. (ed.), *Società delle tecnologie esponenziali e General Data Protection Regulation: la circolazione internazionale dei dati personali*, vol. II, Ledizioni, Milano, 2019, ISBN: 9788867059898,
- Atkinson V., Ciani J., Ghidini G., van Caenegem W., *A comparative study of fashion and IP: Trademark law in Italy and Australia*, *IIC*, 2019, 50, 9, pp 1101–1130
- *Learning from Monkeys: Authorship Issues Arising from AI Technology*, in P.M. Oliveira, P. Novais, L. P. Reis, *Progress in Artificial Intelligence*, 19th EPIA Conference on Artificial Intelligence, Vila Real, Portugal, September 3–6, 2019, *Proceedings, Part I*, Springer, 2019, pp. 275-286

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CONFERENCES  
WORKSHOPS  
ROUNDTABLES

- Speech @ "Proposals for changing Trademark Regulation and Directive", 19 May 2015, University of Milan, on "Freihaltebedurfnis or the right to keep free: a missed opportunity?"
- Speech @ "*Personal Data in Competition, Consumer Protection and IP Law – Towards a Holistic Approach?*", Max Planck Institut for Innovation and Competition, 21 October 2016, Munich, on *A competition Law Oriented Look at the Application of Data Protection and IP Law to the Internet of Things: towards a wider "holistic approach"*
- Speech @ "*Internet Governance, Big Data and the Challenges for International Organizations*", University of Turin, 19 May 2017, on "*Big Data and Intellectual Property Rights*".
- Speech @ "*Workshop on the Normative Challenges of Converging Technologies: AI, Big Data, and the Internet of Everything*", held at IACAP (The International Association for Computing and Philosophy) 2017 Annual Meeting, 26-28 June 2017, Stanford University, Palo Alto, on "*Towards a proprietization of data?*"
- Speech @ "*Social media and rights. Law and social media*", 20 December 2017, Florence, Museo del 900, on "Recognizing the advertising or commercial nature of communication in digital environments".
- Speech @ "*LIIE'2018 – Legal Issues in Intelligent Environments' 18*" (<https://liie2018.weebly.com>), within the 14<sup>th</sup> International Conference on Intelligent Environments – IE'18 (<http://www.intenv.org/>), DIAG La Sapienza University of Rome, 25-28 June 2018 on "*Governing Data Trade in IEs: a taxonomy of possible regulatory regimes between property and access*"

Speech @ “Privacy, Big Data and Law from a EU Law and International Law perspective” on “Data and Big Data: between property rights and freedom of contract” @ Pavesio e Associati, Torino (18 October 2018)

- Discussant @ “6<sup>th</sup> Göttingen International Research Forum on Law and ICT/IP 2018”, funded by Ministry of Science and Culture of Lower Saxony and Univertätsbund Göttingen, 8-9 November 2018, Convention Centre, Göttingen

- Speech @ “19th EPIA Conference on Artificial Intelligence”, Vila Real, Portugal, September 3–6, 2019 on “Learning from Monkeys: Authorship Issues Arising from AI Technology”

- Organiser @ “3rd International Comparative Colloquium - Ip and fashion: from creator to consumer”, University of Milan, 29 May 2019

## LECTURES COURSES

- Lectures on “Digital Copyright”, “Legal Design”, “Data Ownership”, “ISP Liability” to Prof. Pagallo and Prof. Durante’s class of Law and Technology and Philosophy of Law, University of Turin (2017-2019).

- Lecture on “Big Data and Internet of Things. Technical and Normative Challenges”, to LAST-JD Joint International Doctoral Degree in Law Science and Technology class, University of Turin, 14 March 2016.

- Lectures on “Advertising Law” to Prof. Bellia’s class of Intellectual Property Law, University of Verona (2015-2018).

- Lectures on “The essentials of IP protection in Europe” (4-6 December 2018) to Prof. Riganti’s class of Contract and Business Law @ ESCP Europe Business School, Turin Campus, Bachelor in Management (BSc)

- Lectures on “Guide to the GDPR” (29-31 January 2019) to Prof. Riganti’s class of International and European Business Law @ ESCP Europe Business School, Turin Campus, Bachelor in Management (BSc)

- Lecture on “Key facts on the EU Consumer Rights Directive” (6 February 2019) to Prof. Riganti’s class of International and European Business Law @ ESCP Europe Business School, Turin Campus, Bachelor in Management (BSc)

- Course of International & European Business Law and Taxation @ ESCP Europe Business School, Turin Campus, Bachelor in Management (BSc), Academic Year 2019-2020 (54 teaching hours)

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## HONOURS & AWARDS

OPTIME, Industrial Union of Turin Award 2010/2011 for the best graduates of University and Polytechnic of Turin.

“Alfredo Canessa” 2012/2013 Award for the best dissertation on IP law.

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## MEMBERSHIPS

AIPPI (International Association for the Protection of Intellectual Property), Italian Group.

IPLens blog fellow ([www.iplens.org](http://www.iplens.org))

Milan, 28 April 2020

