

# Diritto Digitale

**Lourdes Mella Méndez, Nuno Cerejeira Namora, Duarte Abrunhosa e Sousa**

**Handbuch Soziale Praktiken und Digitale Alltagswelten** Heidrun Friese, Marcus Nolden, Gala Rebane, Miriam Schreiter, 2020-03-02 Mit der Entwicklung des Web 2.0. sind digitale Medien und Netzwerke zum Teil unseres Alltags geworden. Von Facebook und Twitter zu YouTube und Blogspot: Soziale, kulturelle, religiöse, ökonomische und politische Räume entwickeln sich mittlerweile auch im weltumspannenden Netz, erlauben die Verständigung über die gegenwärtige Situation und lassen die einstige Unterscheidung zwischen ‚online und offline-Welten‘, dem ‚virtuellen‘ und dem ‚realen, physischen‘ Raum obsolet werden. Diese digitalen Räume werden inzwischen nicht mehr als abgegrenzt betrachtet, sondern vielmehr als Kontinuum sozialer Felder verstanden, die von unterschiedlichen Praktiken und transnationaler Kommunikation gekennzeichnet sind.

Die digitale Dimension der Grundrechte Christian Hoffmann, 2015 Der zweite Band untersucht die Auswirkungen der zunehmenden Bedeutung digitaler Infrastrukturen, des Internets und seiner Anwendungen auf die Wirkungsweise und Schutzbereiche der einzelnen Grundrechte. Hierfür werden Sachverhalte mit Internet- und Grundrechtsbezug, vor allem solche, die bereits die Rechtsprechung beschäftigt haben, systematisch den Schutzbereichen der Grundrechte zugeordnet. Dafür wird zunächst das Konzept der digitalen Dimension der Grundrechte allgemein vorgestellt, bevor eine Detailbetrachtung der Einzelgrundrechte erfolgt. Dabei wird deutlich, dass sich grundrechtlicher Schutz des Handels im Internet nicht in der allgemeinen Handlungsfreiheit des Art. 2 Abs. 1 GG erschöpft, sondern auch viele andere Grundrechte zunehmend durch eine digitale Komponente zu ergänzen sind.

*Digital Platforms and Global Law* Bassan, Fabio, 2021-11-17 Digital Platforms and Global Law focuses on digital platforms and identifies their relevant legal profiles in terms of transnational and international law. It qualifies digital platforms as private legal orders, which exercise the legislative, executive, and (para)jurisdictional power within them. Starting from this assumption, the author studies the relationship between these orders and state, transnational, and international orders and concludes that the power of states to impose rules on platforms is different in terms of their external (in relation to other platforms and states) and internal (in their own legal system) action.

Digital New Deal Riccardo Genghini, 2021-11-15 Digital New Deal analyses the origins of law and its relationship to language and economics and identifies 12 symptoms that point to an authoritarian involution of our democracies. It refuses

to indulge in pro-forma techno-optimism. Neither does it pessimistically predict inescapable doom. A bright future is still possible, if we correctly understand the digital equivalents of categories such as identity, persona, home, document, signature, freedom and the close relationship between our fundamental rights and their digital equivalents. Riccardo Genghini's research on a natural law for a digital society has been influenced in particular by Galgano, Popper, Sebeok, Rawls, Ong, Irti, Searle and Ferraris. As professor at the Università Cattolica del Sacro Cuore in Milano, his lessons (2007-2017) on commercial law focussed on comparing the law merchant of the Middle Ages with the commercial practices of IT companies as Microsoft, eBay, Amazon, Apple, Google, Facebook and Microsoft. First with CEN, now with ETSI, he steers the European standardisation on PKI and trust services since 1999.

#### **ArcheoFOSS XIV 2020: Open Software, Hardware, Processes, Data and Formats in Archaeological Research**

Julian Bogdani, Riccardo Montalbano, Paolo Rosati, 2021-12-02 Proceedings of the 14th edition of ArcheoFOSS, 18 high-level and peer reviewed papers are well distributed between two thematic sections—Application Cases and Development, and Open Data—contributed by more than forty Italian and foreign scholars, researchers and freelance archaeologists working in the field of Cultural Heritage.

**Digital Law** Raoul Hoffer, Stephan Heckenthaler, Emanuel Welten, Christian Wimpissinger, Angelika Pallwein-Prettner, Markus Uitz, Michael Kutschera, Johannes Barbist, Tibor Fabian, Ivo Rungg, Hellmut Buchroithner, Gottfried Gassner, Christian Klausegger, Johannes Bammer, Thomas Schirmer, Philipp Spring, Elisabeth Tretthahn-Wolski, Barbara Gangl, Felix Augustus Kirkovits, Balint Ozsvar, Brigita Rakar, 2020

**Recht 2030** Martin R. Schulz, Anette Schunder-Hartung, 2019-04-04 Die Zukunftsaussichten für Juristen ändern sich derzeit rapide; bloßes Legal Tech wird auf dem Rechtsmarkt der Zukunft nicht genügen. Der digitale Umbruch zwingt auch die Rechtsbranche zu einer tiefgreifenden Transformation, denn Algorithmen und künstliche Intelligenzen stellen zunehmend das Kerngeschäft in Frage. Schon heute bescheinigt der IAB-Job-Futuromat der Bundesanstalt für Arbeit Wirtschaftsjuristen, aber auch vielen Fachanwälten nur noch eine mittlere Unersetzlichkeit - keineswegs mehr eine hohe. Vor diesem Hintergrund müssen sich alle, die auch künftig noch teuren Rechtsrat an ihre Mandanten oder im Unternehmen verkaufen wollen, neu erfinden. Was das in der Praxis bedeutet, erörtern die Herausgeber zusammen mit über 30 Autorinnen und Autoren aus Sozietäten, Unternehmen und Hochschulen. Ihr Werk untersucht zunächst die interne Steuerung der digitalen Transformation in Kanzleien und Unternehmen, um sich dann den externen Wirkungsbereichen zuzuwenden. Das Prozess-, Wissens- und Innovationsmanagement kommt ebenso zur Sprache wie Datenschutz und IT-Security, Auswirkungen auf Nachwuchsgewinnung und Preisgestaltung, Akquisestrategien, Branding und aktuelle Formen des Networking. Das Werk liefert erstmals eine umfassende Gesamtbetrachtung über die Zukunft juristischer Arbeit als solcher und lässt dabei die Praktiker zu Wort kommen.

**Marktermöglichung durch Recht im Digitalen Zeitalter.** Robert Freitag, Jochen Hoffmann, Franz Hofmann, Klaus Ulrich Schmolke, 2023-02-09 Der technologische Fortschritt in der digitalen Datenverarbeitung hat die vergangenen Jahrzehnte geprägt. Die Übersetzung dieser Innovationen in Produkte und Dienstleistungen verspricht Effizienzgewinne: Digitale Lösungen senken Transaktionskosten für die Marktteilnehmer und schaffen neue Produkte. Freilich begründet die digitale Transformation der Märkte auch erhebliche Risiken und Nachteile. Für Juristen stellt sich vor diesem Hintergrund sogleich die Frage nach einem hieraus folgenden rechtlichen Handlungsbedarf. Dabei gilt, dass Regeln »vordigitaler Märkte« auch für digitale Märkte zu erhalten sind. Wird die Aufgabe der Marktermöglichung durch das Recht erfüllt, kann das Recht auch für die digitale Ära Märkte simulieren. Diesen, gerade im digitalen Zeitalter umso mehr zusammenhängenden Aufgaben ist der vorliegende Band gewidmet.

La cultura del diritto nell'epoca della globalizzazione Gunther Teubner,

**Der digitale Werkgenuss im Urheberrecht** Reinhard Sucker, 2014-03-04 Das Urheberrecht ist im Informationszeitalter von grundlegenden rechtlichen Veränderungen betroffen. Dies zeigt der Werkgenuss, dessen Freiheit seit jeher als ein Grundprinzip des Urheberrechts gilt, der jedoch im digitalen Nutzungsumfeld unmittelbar verwertungsrechtlich erfasst wird. Reinhard Sucker greift diesen Paradigmenwechsel im Urheberrecht auf und untersucht erstmals grundlegend das urheberrechtliche Regelungsregime des digitalen Werkgenusses. Ausgehend von der Zweckbestimmung des urheberrechtlichen Schutzgegenstands entwickelt er den Begriff und die Bedeutung des Werkgenusses. Darauf aufbauend ordnet er sowohl den analogen als auch den digitalen Werkgenuss in das System der Verwertungsrechte ein und untersucht Art und Legitimation der jeweiligen verwertungsrechtlichen Erfassung. Eingehend widmet sich Reinhard Sucker den urheberrechtlichen Schrankenregelungen, wobei er anhand einer Systematisierung der relevanten Privilegierungsvorschriften die Regelungsstruktur und den Umfang der Freiheit des digitalen Werkgenusses im Urheberrecht herausarbeitet.

**The Transformation of Private Law - Principles of Contract and Tort as European and International Law** Maren Heidemann,

*Die digitale Dimension der Grundrechte* Christian Hoffmann, 2015 Der zweite Band untersucht die Auswirkungen der zunehmenden Bedeutung digitaler Infrastrukturen, des Internets und seiner Anwendungen auf die Wirkungsweise und Schutzbereiche der einzelnen Grundrechte. Hierfür werden Sachverhalte mit Internet- und Grundrechtsbezug, vor allem solche, die bereits die Rechtsprechung beschäftigt haben, systematisch den Schutzbereichen der Grundrechte zugeordnet. Dafür wird zunächst das Konzept der digitalen Dimension der Grundrechte allgemein vorgestellt, bevor eine Detailbetrachtung der Einzelgrundrechte erfolgt. Dabei wird deutlich, dass sich grundrechtlicher S.

**Digital Media & Intellectual Property** Nicola Lucchi, 2006-09-27 The book provides a comparative and comprehensive

analysis of the current technical, commercial and economical development in digital media describing the impact of new business and distribution models, the current legal and regulatory framework, social practices and consumer expectations associated with the use, distribution, and control of digital media products. In particular the author analyze the anti-circumvention provisions for technological protection measures and digital rights management systems enacted in the United States and in Europe.

*Digital Justice* Ethan Katsh,Orna Rabinovich-Einy,2017-03-09 Improving access to justice has been an ongoing process, and on-demand justice should be a natural part of our increasingly on-demand society. What can we do for example when Facebook blocks our account, we're harassed on Twitter, discover that our credit report contains errors, or receive a negative review on Airbnb? How do we effectively resolve these and other such issues? Digital Justice introduces the reader to new technological tools to resolve and prevent disputes bringing dispute resolution to cyberspace, where those who would never look to a court for assistance can find help for instance via a smartphone. The authors focus particular attention on five areas that have seen great innovation as well as large volumes of disputes: ecommerce, healthcare, social media, labor, and the courts. As conflicts escalate with the increase in innovation, the authors emphasize the need for new dispute resolution processes and new ways to avoid disputes, something that has been ignored by those seeking to improve access to justice in the past.

*Economic and Policy Implications of Artificial Intelligence* Domenico Marino,Melchiorre A. Monaca,2020-05-20 This book presents original research articles addressing various aspects of artificial intelligence as applied to economics, law, management and optimization. The topics discussed include economics, policies, finance, law, resource allocation strategies and information technology. Combining the input of contributing professors and researchers from Italian and international universities, the book will be of interest to students, researchers and practitioners, as well as members of the general public interested in the economic and policy implications of artificial intelligence.

*The Risk of Discrimination in the Digital Market* Sara Tommasi,2023-11-29 The book starts with an analysis of what is new in the Digital Services Act. The aim is to see whether this new Regulation is appropriate both for not halting technological innovation and for addressing the risks that technological innovation poses to society and to the people who use digital services. The focal point is the risk of discrimination as people are often helpless in the face of the potential discriminations in the digital services sector. In particular, the book analyses how the Digital Services Act can make a concrete contribution to the protection against discrimination. To this end, it focuses on the responsibility of digital service providers and the fact that discrimination may also depend on the way in which algorithms and artificial intelligence systems are used. Therefore, a comparison is made between the Digital Services Act and the proposed Artificial Intelligence Act. The comparison discloses that the risk-based approach is the common thread followed by the EU in regulating the digital market.

The book elaborates also on the practical implications of the risk-based approach. Highlighting advantages and limitations leading the author to conclude that the risk-based approach is the way forward only if the differences between risk and danger, the limits of law, and the limits of the tendency to humanise artificial intelligence systems are considered. With specific reference to the risk of discrimination, the need for a systemic and multi-level approach is highlighted, which reinforces the contribution that can be made not only by the Digital Services Act, but also by more general and cross-cutting legislation as those on data protection and unfair commercial practices.

SMEs in the Digital Era Emanuela Carbonara, Maria R. Tagliaventi, 2023-03-02 With an interdisciplinary approach this book elaborates and discusses the strategic, regulatory and economic scenario that the sponsorship of a European Digital Single Market has been generating for small- and medium-sized companies (SMEs).

**Legal Challenges in the New Digital Age** Ana Mercedes Lopez Rodriguez, Michael D. Green, Maria Lubomira Kubica, 2021-02-01 Legal Challenges in the New Digital Age addresses a wide range of legal issues related to emerging technologies. These technologies pose prominent legal challenges, in particular, how to wedge new phenomena into old frameworks; whether we can and should delegate responsibilities to technologies and how to cope with newly created powers of manipulation. Edited by Ana Mercedes Lopez Rodriguez, Michael D. Green and Maria Lubomira Kubica, the book's sixteen chapters are written by highly qualified international practitioners and academics from different jurisdictions. Familiarity with the intricacies of emerging technologies is essential for judges, practitioners, legal staff, business people and scholars. This book's combination of highly thought-provoking topics and in-depth analysis will prove indispensable to all interested parties.

Investigating and Preventing Crime in the Digital Era Lorena Bachmaier Winter, Stefano Ruggeri, 2022-10-07 The aim of this book is to delve into the impact of the Information and Communications Technologies in the criminal prevention and investigation, by addressing the state of the art of different measures and its implementation in different legal systems vis à vis the protection of human rights. Yet this research not only pursues a diagnostic goal but furthermore aims at providing a reconstruction of this problematic area in light of modern, human rights-oriented notion of criminal justice. This broadens the scope of this investigation, which encompasses both unprecedented safeguards to traditional, or anyway widely recognized individual rights and the emergence of new rights, such as the right to informational self-determination, and the right to information technology privacy. The book addresses the problems and potentials in the areas of criminal prevention and criminal investigation, taking into account that due to electronic surveillance and the progress in the use of big data for identifying risks, the borders between preventive and investigative e-measures is not clear-cut.

Digital Work and Personal Data Protection Lourdes Mella Méndez, Nuno Cerejeira Namora, Duarte Abrunhosa e Sousa, 2018-12-21 This book gathers contributions related to the most pressing problems and challenges that new

information and communications technologies (ICT) and digital platforms introduce into the labour market, and the impact they have on the way that people work, their rights and even their health and dignity. In addition, there are also chapters studying personal data protection, which is currently a topic of maximum interest due to the New European Regulation about it. The contributors here are drawn from around the world, with several countries represented, such as Portugal, Spain, Italy, Brazil, Australia and Venezuela. The book will appeal lawyers, legal and human resources experts, economists, judges, academics and staff from trade unions, and employers' representation. The volume features insights and contributions in different languages, with chapters in Spanish (12), English (6) and Portuguese (4).

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