



UIA

Union Internationale des Avocats
International Association of Lawyers
Unión Internacional de Abogados

Forum presented by the UIA

11th Annual Business Law Forum

Geography and the Digital World

AMSTERDAM

THE NETHERLANDS

Thursday, January 30 & Friday, January 31, 2020

#UIABusinessLaw



www.uianet.org

ORGANISING COMMITTEE

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Introduction

Digital commerce and the Internet are creating an **increasingly complex challenge to traditional legal concepts** concerning jurisdiction, regulation, taxation, digital privacy, competition and freedom of speech. What may be normal and permissible in one country may be prohibited in another. Yet these issues impact our everyday life like never before, and the Internet knows no border and transnationalism has become the new normal.

This seminar will focus on the **issues created by a world of commerce without borders** and **why traditional legal systems may not have yet adapted to these changing times**. We will highlight several major industries which are in full digital transition from a multi-jurisdictional angle. Questions to be addressed include, for example, whether a seller of pharmaceutical products in India must obtain marketing authorization in Europe and the United States simply because someone there could purchase it digitally. Can regulatory obstacles to the offering of financial services be removed or avoided by doing business digitally without being physically present in the jurisdiction? What are the tax and anti-trust consequences of being digitally present in a country or region? Similarly, can speech permissible in the country where it originates be regulated in a country where it is read?

Within this context, we will ask whether today's laws can adapt to rapidly changing times, or if there needs to be a supernational regime to regulate the Internet and digital commerce.

Save the date and make sure to register! **We are looking forward to welcoming you to Amsterdam!**



The UIA would like to thank the following sponsors:



Thursday, January 30

08:30 – 09:00 REGISTRATION OF PARTICIPANTS

AKD BENELUX LAWYERS

Gustav Mahlerlaan 2970, 1081 LA Amsterdam

09:00 – 09:15 WELCOME AND OPENING OF THE FORUM

- **Jerome ROTH**, *UIA President, Munger Tolles & Olson LLP, San Francisco, CA, USA – or his Representative*
- **Sebastiaan MOOLENAAR**, *UIA Director of Congresses, AKD Benelux Lawyers, Rotterdam, The Netherlands*

09:15 – 10:15 Panel 1 – Transnationalism and The Internet: Legal Concepts Under Stress

The ubiquitous nature of the Internet in the daily life of billions engaged in cross-border contacts, commerce and trade, even when the user does not know it, exposes need to reconcile territorial regulation, mores and taboos with a facility that operates without regard to where the actor is located. Laws and regulations adapted to the customs and practices of a particular territory need to evolve to the transcendent nature of the Internet if the Internet, itself, is going to survive. At the same time, the regulation of the Internet cannot be a “race to the bottom” where cross-border intercourse operates without restraint. This session will explore the impact of expression or transactions, legal in one jurisdiction, crossing into regions where they are not, whether the Internet needs a super-national regulatory body to harmonize laws and regulations where communications and transactions cross frontiers, and how to address many of the challenges posed by the lack of maturation of local laws and enforcement systems in an increasingly borderless world.

Moderator: • **James D. ROSENER**, *President of the UIA Corporate Law and Mergers & Acquisitions, Partner, Pepper Hamilton LLP, New York, NY, USA*

Speakers:

- **Gilles CUNIBERTI**, *Professor of Private International Law and Comparative Law, University of Luxembourg, Luxembourg*
- **Alain ALBERINI**, *Sigma Legal, Geneva/Lausanne, Switzerland*
- **Viktória SZILÁGYI**, *Nagy Es Trocsanyi Ügyvadi Iroda, Budapest, Hungary*

10:15 – 10:45 Coffee break

10:45 – 12:00 Panel 2 – M&A Issues in Cross-Border Transactions Involving Digital Platforms

M&A professionals are increasingly involved in cross-border transactions as even the smallest deals seem to have a transnational component. Given the pervasiveness of digital content used by virtually every potential target company, practitioners need to be aware of the impact of regulations such as GDPR, California’s privacy laws, increased scrutiny of regulators of transactions viewed as anticompetitive and super-national compacts on the business sought to be acquired. In addition, more and more “non-digital” businesses are highly affected by the digital world (online commerce, national authorizations, cybersecurity, etc.) so many of the topics discussed by the earlier panels need to be incorporated in transaction agreements and diligence checklists to ensure the proper evaluation of the risks associated with such transactions.

Moderator & speaker: • **Francisco Luis SOLER CABALLERO**, *J&A Garrigues S.L.P, Valencia, Spain*

Speakers:

- **Laura DE JONG**, *AKD Benelux Lawyers, Rotterdam, The Netherlands*
- **Federico TORZO**, *Ughi e Nunziante, Milan, Italy*

12:00 – 13:00 Panel 3 – Financial and other Services on the Internet – Scope of Applicable Regulations and State Intervention

Internet and smart devices are completely modifying the way banking and financial services sector works. Technology helps consumers to have access to financial services wherever they are and it also enables financial institutions to offer services worldwide without having a physical presence. The limits to such international offering of services are the

applicable financial regulations. This panel will discuss the general principles governing the application of national regulations to the offering of financial services on Internet and on a cross-border basis, the practical solutions implemented by the industry to comply with such regulations and the need to harmonize them.

Moderator: • **Olivier NICOD**, *President of the UIA Banking & Financial Services Law, Walder Wyss SA, Lausanne, Switzerland*

Speakers:

- **Travis L. GERING**, *Wuersch & Gering LLP, New York, NY, USA*
- **Silvestre TANDEAU DE MARSAC**, *FTMS Avocats, Paris, France*
- **Thomas GOOSSENS**, *Bianchischwald, Geneva, Switzerland*

13:00 – 14:30 Lunch

14:30 – 15:45 Panel 4 – Taxation of Digital Commerce: The Digital World Goes Tax

Digitalization changes the world and the tax world. In the digital world, it is easy for multinationals to reduce their tax burdens beyond an acceptable rate. Attempts to go for special companies or special business situations seem to fail. It seems difficult or impossible to introduce special rules for internet companies because the differentiation between the “old” world and the “new” world disappears as the whole economy goes digital. Therefore, new rules for worldwide international taxation might be necessary. The seminar will explain the existing basic concept of international taxation of businesses, the currently discussed ideas and their political and economic background. It will also address matters such as why the current tax system does not work for digital businesses, the introduction of digital services taxes and other unilateral measures, the EU proposals and the OECD approach (the so-called Pillar 1 and Pillar 2: beyond the digital permanent establishment, beyond the arm’s length principle).

Moderator: • **Marti ADROER**, *President of the UIA Tax Law Commission, Cuatrecasas, Barcelona, Spain*

Speakers:

- **Mayra O. LUCAS**, *Advisor at OECD, Centre for Tax Policy and Administration, Paris, France*
- **Margriet LUKKIEN**, *Loyens & Loeff, Amsterdam, The Netherlands*
- **Sławomir ŁUCZAK**, *Sołtysiński Kawecki & Szlęzak, Warsaw, Poland*
- **Riccardo CAJOLA**, *Cajola & Associati, Milan, Italy*

15:45 – 16:05 Coffee break

16:05 – 17:30 Panel 5 – Recent Competition Issues – Arising from New Technology

The panel will address hot topics in the regulatory line of fire throughout the globe, with a particular focus on growing technology. Issues will include price fixing and policing of distributors through algorithms, the application of competition principles to the growing use of block chain technology, and advertising conduct that is alleged to exclude competitors.

Moderator: • **Gerhard FUSSENEGGER**, *bpv Hügel Rechtsanwälte, Vienna, Austria*

Speakers:

- **Aleksandra DZIURKOWSKA**, *WKB Wierciński, Kwieciński, Baehr, Warsaw, Poland*
- **Jeremy HEEP**, *Partner, Pepper Hamilton LLP, Philadelphia, PA, USA*
- **Robert HARDY**, *Counsel, Simmons & Simmons LLP, Amsterdam/Brussels, The Netherlands/Belgium*
- **Beatrice STANGE**, *Heuking Kühn Lüer Wojtek, Dusseldorf, Germany*

17:30 – 19:15 Welcome Cocktail Reception

Kindly offered by AKD Benelux Lawyers

Gustav Mahlerlaan 2970, 1081 LA Amsterdam

19:30 Optional Dinner

Vascobelo V-bar NoMa House

Parnassusweg 400, 1081 LC Amsterdam

Friday, January 31

09:00 – 09:15 REGISTRATION OF PARTICIPANTS

AKD BENELUX LAWYERS

Gustav Mahlerlaan 2970, 1081 LA Amsterdam

09:15 – 10:15 Panel 6 – Liability of Companies & Managers: Online Communications, Telecom Restrictions, Information Requests and Lawful Intercepts

With the present day's ubiquity of telecommunication devices and the ease of access to encryption tools, remote storage space and so forth, the legal landscape needs to adapt. Many jurisdictions look at the current situation from a security stand-point, thereby looking to bolster their lawful intercept and telecommunications surveillance rights. This panel will focus on telecommunications surveillance, the definition of what actually constitutes a telecommunications service and, more broadly, what hurdles telecommunications companies face when entering a new jurisdiction, either physically or virtually.

Moderator & speaker: • **Hugh REEVES**, *Senior Associate, Walder Wyss SA, Lausanne, Switzerland*

Speakers:

- **Charlotte LE ROUX**, *Hogan Lovells, Paris, France*
- **Anthony ROSEN**, *Bird & Bird, Legal Director, London, UK*
- **Raoul GRIFONI WATERMAN**, *Bird & Bird, Associate, The Hague, The Netherlands*

10:15 – 11:30 Panel 7 – Compliance for multinational companies: Cybercrime, Unfair Competition, Privacy and Data Security Across Borders

Moderator: • **James D. ROSENER**, *President of the UIA Corporate Law and Mergers & Acquisitions, Partner, Pepper Hamilton LLP, New York, NY, USA*

Speakers:

- **Dominik SUONIEMI**, *Geodis, Regional Legal Counsel North, East and Central Europe, Frankfurt, Germany*
- **Fernando DE LA MATA**, *Cortés, Abogados, Barcelona, Spain*

11:30 – 11:45 Coffee break

11:45 – 12:30 Panel 8 – Online Sales of Retail Goods and Services - Digital Consumers, Businesses and the Law

The single digital market has been a key target of the European Union since the Directive on information society services and e-commerce almost two decades ago. However, the single digital market is still a project under construction which necessitated additional legal texts such as the Geo-Blocking Regulation and amendments to Directives concerning consumer protection in the sphere of online sales of goods and services. Intellectual Property laws are also constantly evolving in an effort to keep up with developments in technology and consequent changes to market practices. This panel will analyse the legal challenges for retailers seeking to commercialise their products and services in a global digital market mostly governed by national rules (with few exceptions such as the existing harmonised legal framework in the European Union).

Speakers:

- **Gavin LLEWELLYN**, *Immediate Past President of the UIA Intellectual Property Commission, Stone King LLP, London, UK*
- **Francisco Javier GARCÍA PÉREZ**, *President of the UIA Fashion Law Commission, Uría Menéndez Abogados, S.L.P., Barcelona, Spain*

12:30 – 13:00 Closing Remarks

- **James D. ROSENER**, *President of the UIA Corporate Law and Mergers & Acquisitions, Partner, Pepper Hamilton LLP, New York, NY, USA*



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GENERAL INFORMATION

SEMINAR VENUE

AKD Benelux Lawyers
Gustav Mahlerlaan 2970
1081 LA Amsterdam
T +31 88 253 50 00

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lawyers

CONTINUING LEGAL EDUCATION

Every participant attending the Forum will receive a "Certificate of Participation" at the end of the event that may be used to obtain "Credits" for "Continuing Legal Education" – "Continuing Professional Development" purposes, depending on national rules.

For more information, please contact the UIA.

LANGUAGE

The working language will be **English** without simultaneous translation.

REGISTRATION FEES

	On or before December 12	From December 13
<i>*Amounts exclusive of VAT</i>		
UIA MEMBER	<input type="checkbox"/> € 395*	<input type="checkbox"/> € 445*
UIA MEMBER - YOUNG LAWYER (<35) **	<input type="checkbox"/> € 330*	<input type="checkbox"/> € 380*
NON-MEMBER	<input type="checkbox"/> € 445*	<input type="checkbox"/> € 495*
NON-MEMBER - YOUNG LAWYER (<35) **	<input type="checkbox"/> € 380*	<input type="checkbox"/> € 430*

Fees include:

- Attendance at all working sessions
- Coffee breaks on January 30 & 31
- Lunch on January 30
- Forum documentation
- Welcome cocktail on January 30

The dinner on Thursday, January 30 is optional and at additional charge.

* **The VAT (21%) can be applied to the amount** stated above according to the European Directive 2006/112/CE of November 28, 2006. **If you provide an EU VAT ID number, the VAT will not be charged.** For more information, please contact the UIA.

** *Please attach proof of age to the registration form to benefit from young lawyers fee.*

Please note that the number of places at the Forum is limited. The organisers reserve the right to refuse registrations in the event of excess applications.

In order for your name to appear in the **list of participants**, which will be distributed during the Forum, your registration form must be received by **January 20** at the latest. An updated electronic list will be sent by email to all the participants after the Forum.

HOTEL RESERVATION

A limited number of rooms has been pre-booked at a preferential rate. Reservations should be made directly through the hotel. Credit card details must be given in order to secure your reservation. Please note that the number of rooms is limited. We recommend that you proceed with your reservations as soon as possible.

HOTELS

APOLLO HOTEL AMSTERDAM (4*)

At 3.4 km from the Seminar Venue (around 10min. by car)
Apollolaan 2, 1077 BA Amsterdam, The Netherlands
T +31 20 673 5922
reception.apolloamsterdam@apollohotels.nl

<https://www.marriott.com/event-reservations/reservation-link.mi?id=1569316924703&key=GRP&app=resvlink>

HILTON AMSTERDAM (5*)

At 3.1 km from the Seminar Venue (around 10min. by car)
Apollolaan 138, 1077 BG Amsterdam, The Netherlands
T +31 20 710 6000
events.amsterdam@hilton.com

RATES

Single Deluxe Queen Room € 155
Double Deluxe Queen Room € 175

Breakfast and VAT included. **NOT included: 7% city tax per pers./per night + € 3.00 per pers./per night**
Reservations should be made online by clicking on the following link **working until January 22 :**

Benefit from a 10% discount on the lowest rates available at the time of your reservation.

Reservations should be made online by clicking on the following link:

<http://eventsathilton.com/show/5da5c385598c21288b9139af>

CANCELLATION AND GENERAL CONDITIONS

CANCELLATION CONDITIONS

All cancellations will be subject to a 50% deduction and will have to be sent in writing, to be received by the Union Internationale des Avocats **no later than December 30, 2019**. No refund will be made for cancellations received after this date.

VISAS

Anyone who requires a visa invitation letter in order to attend the Forum should register and pay their registration fees **no later than December 30, 2019** to ensure there is enough time to obtain a visa.

All cancellations will be refunded in full, minus €50 + VAT to cover administrative costs, provided that the UIA has received the registration documents and **total registration fees no later than December 30, 2019**.

If you register after this date, only 50% of the amount paid minus €50 + VAT to cover administrative costs will be refunded for cancellations due to visa refusals.

All cancellations due to a visa refusal must be sent in writing and reach the UIA **before the Forum**. Cancellations must be accompanied by a **proof of visa refusal**.

If your visa is issued after the Forum date or if you do not have proof of visa refusal, you will not be entitled to a refund.

GENERAL CONDITIONS

All registrations received by the Union Internationale des Avocats (UIA) along with the full payment of fees corresponding to the events selected will be confirmed in writing.

The UIA reserves the right to cancel or postpone the Forum to a later date, change the seminar venue and/or programme, make any corrections or modifications in the information published in the Forum programme and cancel any invitation to participate in the Forum, at any time and at their entire discretion, without having to provide any reasons for the same.

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature, suffered (directly or indirectly) by a delegate, accompanying person or a third party following any cancellations, changes, postponements or modifications.

The UIA strongly advises participants to subscribe to modifiable and/or refundable services, as well as to take out a cancellation insurance.

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature whatever, suffered (directly or indirectly) by a delegate or accompanying person, except in case of death or personal injury due to gross negligence by the UIA.

The contractual relations between the UIA and each participant (delegate or accompanying person) in relation to the Forum are subject to French law and jurisdiction, to the exclusion of any other law. Paris is the city of jurisdiction.

FORMALITIES

It is the responsibility of participants to ensure compliance with police, customs and health formalities for their journey. Participants unable to take part in the Forum because of their inability to take a flight or any other means of transportation due to being unable to provide the documents required (passport, visa, vaccination certificate, etc.) cannot claim any reimbursement.

FORCE MAJEURE

“Force majeure” means any events external to the parties, of both an unforeseeable and insurmountable nature that prevents either the client or the participants, or the agency or service providers involved in organising the Forum, from executing all or part of the obligations provided for in the present agreement. By express agreement, such will be the case in the event of a strike affecting the means of transport, hotel staff, air traffic controllers, an

insurrection, a riot or any prohibition whatsoever decreed by governmental or public authorities.

It is expressly agreed that for the parties, a case of force majeure would suspend the execution of their reciprocal obligations. At the same time, each of the parties shall bear the burden of all the expenses incumbent upon them, resulting from the case of force majeure.

HEALTH

The organisers decline any responsibility in case of any health problems existing prior to the Forum that may lead to complications or be aggravated during the entire period of the stay: pregnancy, cardio-vascular problems, any allergies, special diets, any disorders under treatment and not yet consolidated on the day the Forum starts, psychic or mental or depressive illness, etc. (Non exhaustive list).

PERSONAL DATA PROTECTION

The personal data that you communicate to us shall be processed by the International Association of Lawyers (UIA – Union Internationale des Avocats), with its registered office at 20 rue Drouot, 75009 Paris (Tel: +33 1 44 88 55 66 - Fax: +33 1 44 88 55 77 - privacy@uianet.org), in accordance with Act No. 78-17 of January 6, 1978 relating to data, files and freedoms and Regulation No. 2016/679 on data protection, as of its entry into force on May 25, 2018. Your data will be managed by UIA's General Services, Events and Accounts Section:

- For the purpose of administering your registration for the event and your on-site access to the event;
- In order to pay for the selected services - your bank details will be deleted after receipt of your payment;
- In order to communicate information messages from UIA.

To the extent necessary for the execution of their respective tasks, our subcontractors in charge of our Forum organisation, our IT infrastructure, our management, the production and maintenance of our website and extranet, are likely to gain access to your data from time to time. Their servers are located in the European Union.

Data relating to your participation in the event shall be stored for a period of 10 years. We are obliged to archive billing data until the end of the period required for our tax and accounting obligations, i.e. for 7 full tax years. We shall store your contact information to keep you informed until you ask us to stop. You have the right to access your data and have it corrected if necessary. You may object to any processing of your data undertaken by us for the purposes of our legitimate interests. If you wish for more information, or to lodge a complaint, please contact CNIL (French Data Protection Authority).



Union Internationale des Avocats
International Association of Lawyers
Unión Internacional de Abogados

11th Annual Business Law Forum

AMSTERDAM, THE NETHERLAND THURSDAY, JANUARY 30 & FRIDAY, JANUARY 31, 2020

Register online at: www.uianet.org

or please complete and return this form, by email, fax or post, to:

UIA (International Association of Lawyers)

20 rue Drouot, 75009 Paris, FRANCE

Tel: +33 1 44 88 55 66 ■ Fax: +33 1 44 88 55 77 ■ Email: uiacentre@uianet.org

Family Name:

First Name:

UIA Identification number (if you already have one): M I _____

Firm:

Address:

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Date of Birth:

EU VAT ID-Number:

Special requests (special diet, allergies, handicap...):

Arrival/departure times & flight numbers:

Hotel:

SEMINAR REGISTRATION FEES

*Amounts exclusive of VAT	On or before December 12	From December 13
UIA MEMBER	<input type="checkbox"/> € 395*	<input type="checkbox"/> € 445*
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NON-MEMBER	<input type="checkbox"/> € 445*	<input type="checkbox"/> € 495*
NON-MEMBER - YOUNG LAWYER (<35) **	<input type="checkbox"/> € 380*	<input type="checkbox"/> € 430*

*** The VAT (21%) can be applied to the amount stated above according to the European Directive 2006/112/CE of November 28, 2006.**

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For more information, please contact the UIA.

** Please attach proof of age to the registration form to benefit from young lawyers fee.

SEMINAR SOCIAL ACTIVITIES

Please indicate below whether you plan to attend the following events **included** in the cost of your registration.

- Lunch – Thursday, January 30
- Welcome Cocktail Reception – Thursday, January 30

OPTIONAL DINNER

(**not included** in the registration fees)

- Optional Dinner – **Thursday, January 30**

• Please book person(s) for the dinner

€ 60 (Excl. VAT) x ___ / pers

Total (C) (Excl. VAT) €

TOTAL

TOTAL (A) Excl. VAT – Registration Fees €

TOTAL (C) Excl. VAT – Optional Dinner €

TOTAL (A + C) Excl. VAT €

VAT if applicable (21%)* €

If you provide an EU VAT ID number, the VAT will not be charged.

TOTAL (A + C + VAT) €

* **The VAT (21%) can be applied to the amount stated above according to the European Directive 2006/112/CE of November 28, 2006. If you provide an EU VAT ID number, the VAT will not be charged. For more information, please contact the UIA.**

CANCELLATION CONDITIONS AND GENERAL CONDITIONS

I, the undersigned, confirm having read and accepted the cancellation policy and the general terms and conditions given on page 6 of the registration programme. My registration will only be taken into account after receipt of my payment.

The participant is aware that his/her image and/or voice may be recorded or filmed during the entire duration of the seminar and, by signing this registration form, grants UIA the right to use, reproduce and distribute the concerned images and recordings by any known or unknown means and on all types of media, for an unlimited duration, completely free of charge.

The undersigned acknowledges having been informed of the processing of the personal data contained in this form by UIA, as detailed on page 6 of the registration programme.

METHOD OF PAYMENT

- By bank transfer in €, without charges to the payee, in favour of the Union Internationale des Avocats, quoting “**2020 Amsterdam Forum**”, to the following bank and account:

Société Générale – Paris Elysées Entreprise – 91 avenue des Champs Elysées – 75008 Paris – France

BIC / SWIFT N°: SOGEFRPP

IBAN: FR76 3000 3033 9200 0503 4165 164

Kindly attach a copy of your bank transfer order to your registration form

- By credit card: Visa Mastercard

Card N°: _____ Expiry date: ___/___ 3 digits: ___

Name of card holder:

I authorise the Union Internationale des Avocats to debit the above mentioned credit card in the amount of € (EUR)

Date: / /

Signature: