

Florence Conference on IP, Competition and Innovation

Call for Papers

Florence (Italy) - EUI Campus, 3 - 4 October 2024

Two years after the [Florence SEP Seminar](#), the [European University Institute](#) (EUI) jointly with the [Max-Planck Institute for Innovation and Competition](#) (MPI-IC) invite submissions to their scientific conference on 'IP, Competition and Innovation' to be held in Florence at the EUI Campus on 3-4 October 2024.

MAIN DESCRIPTION

The relationship between intellectual property (IP) rights and competition law is complex. There is broad high-level consensus that IP laws and competition law, each with its specific legal instruments, share the common objective of enhancing consumer welfare and promoting innovation and are, as such, complementary. Though straightforward in theory, the extent to and how innovation considerations inform the competition law enforcement in general, and in IP-related cases in particular, pose significant challenges. Moreover, technological and societal developments are changing innovation processes and market competition. These changes, in turn, impact the role and use of IP rights in the market. Additionally, differences in how IP rights are treated under competition law across jurisdictions can be the source of geopolitical tensions, given the pivotal role that IP protection has acquired in international trade and the extraterritorial reach of competition laws.

Key topics at the intersection of IP and competition emerge across several innovative industries. As one of the most R&D-intensive industries, IP-related competition cases have been most prominent in the pharmaceutical sector. While competition authorities have focused much on reverse-payment settlements in the past years, the potential anticompetitive nature of other patenting and licensing strategies is becoming the focus of interest. Likewise, competition law enforcers are increasingly testing new innovation-related theories of harm in their assessment of pharmaceutical mergers. In the information and communications technology (ICT) sector, issues concerning licensing and enforcing standard essential patents (SEPs) have been hotly debated for years. At the same time, as the Internet of Things advances, novel questions arise from integrating ICT technologies in more traditional industries. Finally, competition law challenges to copyright exclusivity are expanding beyond the area of collective management organisations into digital markets. In this context, recent discussions revolve around restrictions on open-source licensing by dominant IP rightsholders and on interoperability obligations of digital platforms.

Policy developments in Europe are also reshaping the interplay of IP rights and competition law. Since April 2023, a proposal for a Regulation on SEPs, representing the most significant change in the standardisation context since the SDOs' adoption of IPR policies in the early 1990s, is undergoing the legislative process. Moreover, starting in June 2023, the Unitary Patent system finally provides a single patent right and a court system for 17 EU Member States. The Unified Patent Court can significantly contribute to the EU competition law jurisprudence by hearing defences related to dominance abuses in patent infringement actions and making preliminary references to the CJEU.

Furthermore, the Commission is working to introduce by 2025 new guidelines on exclusionary abuses, including IP-related practices. In parallel, the European Commission has just launched the process for reforming the Block Exemption Regulation on Technology Transfer Agreements, which expires in 2026. This regulation and the accompanying Guidelines are the primary reference source of the EU policy on IP licensing and serve as a role model for other jurisdictions.

Against this background, the Florence Conference on IP, Competition and Innovation welcomes unpublished papers from lawyers and economists both on cross-cutting and sector-specific IP and competition policy issues. In particular, we invite theoretical and empirical contributions on the following topics:

1. IP and competition within innovation networks and ecosystems
2. IP as an economic competitiveness index at the micro and macro levels
3. IP valuation and royalty rate calculation
4. Market definition and market power analysis in IP-related cases
5. The role of competition law and IP in R&D agreements
6. Bilateral and multilateral IP licensing, including the reform of EU Block-Exemption Regulation for Technology Transfer Agreements
7. The role of IP and innovation in merger control cases
8. IP, competition and innovation in digital markets, including challenges related to artificial intelligence
9. IP enforcement, alternative dispute resolution and competition law defences
10. Sector-specific IP and competition law issues (e.g., pharmaceuticals, standards and SEPs, open-source software).

PROGRAM: The goal of the Florence Conference on IP, Competition and Innovation is to stimulate an in-depth discussion of selected academic papers with particular emphasis on the policy impact of the research findings. Each paper will be allocated 30 minutes, divided between 15 minutes for the author's presentation and the rest for discussion by a pre-assigned fellow participant and questions from invited attendees.

KEYNOTE SPEAKER: The Florence Conference on IP, Competition and Innovation will feature a keynote lecture by [Herbert Hovenkamp](#) (University of Pennsylvania).

SUBMISSION: Please submit extended abstracts (min. five pages) or full papers to the following link by 2 June 2024: <https://rscas.eu/view-form/call-for-papers-florence-seminar-on-ip-rights-and-competition-law/>. Acceptance notifications will be sent by the end of June 2024. The final paper versions of the selected submissions are due by 15 September 2024.

BEST JUNIOR PAPER AWARDS: Two Best Junior Paper Awards will be given for the best contribution among those submitted by authors not older than 35 years, respectively in the fields of law and of economics. Scholars will be required to provide proof of their date of birth to be eligible for this award. All co-authors of joint papers must meet the age criteria.

SCIENTIFIC COMMITTEE:

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ORGANISING COMMITTEE:

- **Niccolò Galli** | EUI
- **Leonardo Mazzoni** | EUI

COSTS: The cost of participating in the conference is EUR 150, including an evening social event, meals and refreshments at the venue. Participants bear their travel and accommodation costs. For information about accommodation facilities and logistics issues, please write to Marsida Nence at digital.society@eui.eu.

VENUE: Villa Schifanoia, European University Institute, Via Giovanni Boccaccio 121, Florence, Italy.

CONTACTS: For further information about submissions and the programme, please contact niccolo.galli@eui.eu.