



Program

*2024 Annual Meeting
American Society of Comparative Law*

*Texas A&M University School of Law
Fort Worth, Texas*

October 17 – 19, 2024



TEXAS A&M UNIVERSITY
School of Law



Welcome Message

Dear Colleagues,

Welcome to the 2024 Annual Meeting of the American Society of Comparative Law (ASCL)! This event represents the Society's yearly premiere gathering, and its objective is to give Comparative Law scholars the opportunity to meet and present their cutting-edge work, share news in the field, and network with each other.

No need to say, the coordination of such a large event always relies on many minds and hands. We sincerely thank all presenters, chairs, and participants for their support and commitment to travel, present, and attend the Annual Meeting. We also extend our warm gratitude to this year's local host, Texas A&M University School of Law, and the many colleagues from across the United States and beyond who helped organize this year's program. Likewise, we would like to thank the staff and students who helped during the several months preceding the event. The Annual Meeting would not be possible without their tireless work.

Following last year's success, this year's Annual Meeting is again organized in coordination with the 2024 Younger Comparativists Committee Meeting (YCC), which will take place on Thursday, before the Annual Meeting, and again on Saturday, after the conclusion of the Annual Meeting. We encourage all Annual Meeting participants to join the YCC or part of it to provide feedback to junior scholars. This is an integral part of our mission, and we are delighted to support the scholars who represent the future of our important field of research.

We trust you will find the next three days insightful and enjoy discussing Comparative Law-related topics with friends, old and new. Thank you again for enriching the house of knowledge with your research and works-in-progress!

Maximo Langer, President ASCL

The Organizers of the 2024 Annual Meeting

Annual Meeting Program

THURSDAY, OCTOBER 17, 2024 (DAY 1)

REGISTRATION

3.00 pm – 4.00 pm

Hallway Outside Amon Carter Lecture Hall

PLENARY SESSION

4.00 pm – 6.00 pm

Amon Carter Lecture Hall

WELCOME REMARKS

4.00 pm – 4.15 pm

Robert B. Ahdieh, Dean, Texas A&M University School of Law

Máximo Langer, President, American Society of Comparative Law; UCLA School of Law

KEYNOTE ADDRESS

4.15 pm – 5.00 pm

Anu Bradford, Columbia Law School, Columbia University

Digital Empires: The Global Battle to Regulate Technology

Introduction by Glynn Lunney, Texas A&M University School of Law

PANEL DISCUSSION

INNOVATION AND SUSTAINABILITY: COMPARATIVE LAW FOR A BETTER WORLD

5.00 pm – 6.00 pm

CHAIR:

Irene Calboli, Texas A&M University School of Law

PANELISTS:

Marketa Trimble, William S. Boyd School of Law, University of Nevada, Las Vegas

Gianmaria Ajani, Faculty of Law, University of Torino

Nicholas Bryner, Paul M. Hebert Law Center, Louisiana State University

GROUP PICTURE

Opening Reception

6.00 pm – 8.00 pm

Conference Center

END OF DAY 1 OF THE ANNUAL MEETING (See next page for the program of Day 2)

FRIDAY, OCTOBER 18, 2024 (DAY 2)

REGISTRATION

8.00 am – 8.30 am

Hallway Outside Amon Carter Lecture Hall

PARALLEL SESSIONS (1)

8.30 am – 10.30 am

PARALLEL SESSION 1.A

COMPARATIVE JUDICIAL POLITICS: EMPIRICAL APPROACHES

Room 201

CHAIR

David Law, University of Virginia School of Law

PRESENTERS:

Deepa Das Acevedo, Emory University School of Law, Emory University

Solving for Justice in Twenty-First Century India

Emilia Justyna Powell, Political Science/Concurrent Law School, University of Notre Dame

Compliance with Decisions of the Permanent Court of Arbitration

Weijia Rao and **Nuno Garoupa**, Antonin Scalia Law School, George Mason University

Judicial Legitimacy and Citation to Foreign Cases: A Study of the Hong Kong Court of Final Appeal

Julio Antonio Ríos Figueroa, Department of Law, Instituto Tecnológico Autónomo de México

The Chief Justice in Mexico in Periods of Democratic Stress: The Double-Edged Sword of Judicial Corporatism

PARALLEL SESSION 1.B

TEACHING COMPARATIVE LAW IN THE XXI CENTURY

Room 202

CHAIR

Hannah Buxbaum, Indiana University Maurer School of Law

PRESENTERS:

Fernanda Nicola, American University Washington College of Law

Teaching Comparative Law as a Critical Legal Practice

Sabrina Ragone, Department of Political and Social Science, University of Bologna

The Challenges of Teaching Comparative Law

Elizabeth Trujillo, University of Houston Law Center, University of Houston

Comparative Law in Trade and Sustainable Development

Mila Versteeg, School of Law, University of Virginia

Teaching Comparative Constitutional Law and Politics

PARALLEL SESSION 1.C

NAVIGATING SUSTAINABILITY AND INNOVATION: INCLUSIVE ECONOMIES, TECHNOLOGICAL ADVANCEMENTS, AND STRATEGIC REGULATIONS

Room 204

CHAIR

Marketa Trimble, William S. Boyd School of Law, University of Nevada, Las Vegas

PRESENTERS:

Matjaz Nahtigal, Faculty of Social Sciences, University of Ljubljana

Inclusive Knowledge Economy and Sustainability: Diverse Development Strategies and New Institutional Innovation

Paolo Farah, Eberly College of Arts and Sciences, West Virginia University

Technoclimate: Technology Transfer, Environmentally Sound Technologies and Climate Change

Martin Švec, Institute of Law and Technology, Masaryk University

EU Energy Transition: Focus on Critical Raw Materials

Carrie (Shu) Shang, College of Business Administration, California State Polytechnic University

American and Chinese Ridesharing Regulations

PARALLEL SESSION 1.D

RECENT INNOVATIONS IN FINANCE AND SUSTAINABILITY

Room 212

CHAIR

Jason Yackee, University of Wisconsin Law School

PRESENTERS:

Caroline Bradley, School of Law, University of Miami

Sharing Law: Climate Finance Contracting

Christopher Henkel, Drake University Law School, Drake University

Applying the ESG Double Materiality Principle and ESG Ratings to Domestic and Cross-Border Insurance Recovery

Virginia Harper Ho, School of Law, City University of Hong Kong

Transnational Sustainable Finance & Clashing Conceptions of Materiality in East Asia

Fahad AlZumai, College of Law, Kuwait University

Common Law Oasis in the Arabian Desert: The Impact of Financial Free Zones on Local Laws and Sustainability

Coffee Break

10.30 am – 11.00 am

Conference Center

PARALLEL SESSIONS (2)

11.00 am – 1.00 pm

PARALLEL SESSION 2.A

GLOBAL AGRICULTURE IN TRANSITION: TRADE, SOVEREIGNTY, ETHICS, AND INNOVATION FOR A SUSTAINABLE FUTURE

Room 201

CHAIR

Srividhya Ragavan, Texas A&M University School of Law

PRESENTERS:

Paolo Farah, Eberly College of Arts and Sciences, West Virginia University

Seeds of Sovereignty: Intellectual Property, Biodiversity, and Indigenous Knowledge in Protecting Farmers' Rights

Alessandra Guida, School of Law, Queen's University Belfast

International Trade Rules on Agricultural Pesticides in Europe, Argentina, and Australia

Francesco Celentano, Department of Law, University of Bari Aldo Moro

Animal Welfare Policies and New Plant-Based Solutions in the Climate Change Era: What About the Human Rights to Adequate Food?

Monika Ehrman, Dedman School of Law, Southern Methodist University

Cloud Seeding and Its Impact on Water Security, Food Security and Agriculture

PARALLEL SESSION 2.B

REGULATORY AND JUDICIAL RESPONSES TO THE CLIMATE CRISIS

Room 202

CHAIR

Gabriel Eckstein, Texas A&M University School of Law

PRESENTERS:

Ruona Qi, School of Law, Duke University

Legal Perspectives on China's Climate Change Efforts: Insights from Carbon Trading Disputes

Stefania Cirillo, Department of Law, Bocconi University

Access to Court in Climate Change Litigation

Susanne Augenhof, Department of Business Law, University of Innsbruck, and Yale Law School

Contract Law in the Age of the Green Transition

Mandy (Meng) Fang, School of Law, City University of Hong Kong

Green Electricity Certificates in China's Renewable Energy Transition: Lessons from the EU and the US

PARALLEL SESSION 2.C

AI AND DIGITAL REGULATION IN THE UNITED STATES, THE EU, AND CHINA

Room 204

CHAIR

Peter K. Yu, Texas A&M University School of Law

PRESENTERS:

Fernanda Nicola, Washington College of Law, American University

The End of EU Law Stories? Over-Anonymization at the CJEU

Nathalie A. Smuha, NYU School of Law and KU Leuven Faculty of Law

AI Regulation: Comparing Regulatory Approaches by the EU, the US and China

Ioanna Tourkochoriti, School of Law, University of Baltimore

Regulating Hate Speech Online: the DSA's impact in the United States Following SCOTUS's Latest Decisions

Gianmaria Ajani, Faculty of Law, University of Torino

AI, Arts, and Human Creativity: a Challenge to Classical Regulations

Parallel Session 2.D

INTELLECTUAL PROPERTY, ANTITRUST, AND SUSTAINABILITY

Room 212

CHAIR

Glynn Lunney, Texas A&M University School of Law

PRESENTERS:

Nicola Lucchi, Facultat de Dret, Universitat Pompeu Fabra, and **Enrico Bonadio**, The City Law School, City University of London

Standard Essential Patents and Ecological Transition: A Comparative Perspective

Luke (Hung-Yu) Chuang, College of Commerce, National Cheng Chi University

Post-Qualcomm in East Asia

Massimiliano Granieri, Department of Mechanical and Industrial Engineering, University of Brescia

Does Sustainability Enter the Legal Framework for Antitrust Treatment of Technology Transfer Agreements?

Manveen Singh, Jindal Global Law School, O.P. Jindal Global University

The European Commission's Draft SEP Regulation: A Slippery Slope or a Renewed Hope?

Parallel Session 2.E

COMPARATIVE PERSPECTIVES ON LAW AND AUTHORITARIANISM

Room 207

CHAIR

Clare Ryan, School of Law, The University of Alabama

PRESENTERS:

Leigha Crout, Syracuse University College of Law

Comparative Legal Mobilization Under Authoritarianism

Mahir Hazim, School of Law, University of Washington

Executive Authoritarianism in Lawmaking in the Afghan Republic

Shruti Rana, School of Law, University of Missouri

The Role of International Law in the Rise of Populism

Lunch Break

1.00 pm – 2.00 pm

Conference Center

PARALLEL SESSIONS (3)

2.00 pm – 4.00 pm

PARALLEL SESSION 3.A

CONSUMER RIGHTS AND PROTECTION IN THE DIGITAL ECONOMY

Room 201

CHAIR

Monika Leszczynska, Texas A&M University School of Law

PRESENTERS:

Hannibal Travis, College of Law, Florida International University

Antitrust Counterclaims in Generative AI Copyright Litigation and Enforcement

Gianmaria Ajani, Faculty of Law, University of Torino

Innovation and Sustainable Development: A Comparative Law Approach to Longtermism

Mateusz Grochowski, Tulane Law School, Tulane University

Tangled Paths: Dilemmas of Comparative Study in EU-US Digital Market Regulation

Claudia (Yi) Lu, School of Transnational Law, Peking University

Consumer Protection in the Era of Algorithm: A Case Study of China

PARALLEL SESSION 3.B

LEGAL HETERODOXY: CONTRACT, CORPORATE AND TORT LAW IN THE GLOBAL SOUTH

Room 202

CHAIR

Jacques deLisle, University of Pennsylvania Carey Law School, University of Pennsylvania

PRESENTERS:

Weitseng Chen, Faculty of Law, National University of Singapore

Contracts, Inequality, and the State: Contract Law Ultra-heterodoxy in China

María Guadalupe Martínez Alles, IE Law School, IE University

Reducing Inequality in Consumer Transactions: The Significance of Aggravated Vulnerabilities

Kevin Davis, School of Law, New York University

Legal Heterodoxy in the Global South: Adapting Private Laws to Local Contexts

Benjamin Liebman, Columbia Law School, Columbia University

Tort Law Heterodoxy in China

PARALLEL SESSION 3.C

CHALLENGES TO FUNDAMENTAL AND HUMAN RIGHTS

Room 204

CHAIR

Meg Penrose, Texas A&M University School of Law

PRESENTERS:

Jonathan Hafetz, School of Law, Seton Hall University

Freedom of Expression and International Law: A Comparative Analysis

Christopher Whytock, School of Law, University of California, Irvine

Human Rights and Conflict of Laws in Europe and the United States: A Comparative Perspective

Julia Steggerda-Corey, Drake University Law School, Drake University

ESG, Human Rights, and the CSDDD

Jeffery Brown, College of Law, Florida A&M University

Judicial “Cross-Talking”: Cross Sector Normative Signaling in African LGBTQ+ Equality Litigation

PARALLEL SESSION 3.D

LAW IN ACTION: IMPACT ON SUSTAINABILITY AND THE RULE OF LAW

Room 212

CHAIR

Huyen Pham, Texas A&M University School of Law

PRESENTERS:

Ilaria Pretelli, Swiss Institute of Comparative Law

Achieving Social Sustainability by Deconstructing the Public/Private Law Divide

Shitong Qiao, School of Law, Duke University

Rule of Law for Neighborhood Democracy

Matthew Erie, Faculty of Asian and Middle Eastern Studies, University of Oxford

Adversarial Comparativism

Margaret Woo, School of Law, Northeastern University

Comparative Civil Procedure in a More Sustainable World

Coffee Break

4.00 pm – 4.30 pm

Conference Center

PLENARY SESSION

4.30 pm – 6.30 pm

Amon Carter Lecture Hall

KEYNOTE ADDRESS

4.30 pm – 5.15 pm

Edward Kwakwa, World Intellectual Property Organization

Building Our Common Future with Innovation and Creativity: IP, the SDGs, and the Role of Comparative Law

Introduction by **Peter K. Yu**, Texas A&M University School of Law

PANEL DISCUSSION

INNOVATION AND SUSTAINABILITY IN COMPARATIVE LAW TEACHING AND RESEARCH

5.15 pm – 6.15 pm

CHAIR:

Charlotte Ku, Texas A&M University School of Law

PANELISTS:

Hannah Buxbaum, Indiana University Maurer School of Law

David Law, University of Virginia School of Law

Gary Bell, Secretary General, International Academy of Comparative Law; Faculty of Law, National University of Singapore

GROUP PICTURE

Gala Dinner

7.00 pm – 9.30 pm

Sheraton Fort Worth Downtown Hotel, Cypress Ballroom

END OF DAY 2 OF ANNUAL MEETING (See next page for the program of Day 3)

SATURDAY, OCTOBER 19, 2024 (DAY 3)

REGISTRATION

8.00 am – 8.30 am

Hallway Outside Amon Carter Lecture Hall

PARALLEL SESSIONS (4)

8.30 am – 10.00 am

PARALLEL SESSION 4.A

INTER-ASIAN LAW

Room 201

CHAIR

Margaret Woo, School of Law, Northeastern University

PRESENTERS:

Matthew Erie, Faculty of Asian and Middle Eastern Studies, University of Oxford

The Travels and Travails of Chinese Law in Inter-Asia

Yvonne Tew, Georgetown University Law Center, Georgetown University

Judicial Rhetoric and Constitutional Comparativism Toward Empowered Courts: Two Asian Case Studies

Jacques deLisle, University of Pennsylvania Carey Law School, University of Pennsylvania

Legal Influence in the Shadow of Sovereignty: China and Hong Kong

PARALLEL SESSION 4.B

LEGAL HETERODOXY IN THE GLOBAL SOUTH

Room 202

CHAIR

Elizabeth Trujillo, University of Houston Law Center, University of Houston

PRESENTERS:

Mariana Pargendler, Harvard Law School, Harvard University

Corporate Law in the Global South: Heterodox Stakeholderism

Carlos Portugal-Gouvêa, University of São Paulo Law School, University of São Paulo

Heterodoxy of the Brazilian Supreme Court: Setting a New Precedent as Response to Ultra-Orthodoxy of the Patent Law System

Bianca Tavolari, FGV São Paulo Law School, Fundação Getulio Vargas (FGV)

Evictions During the Pandemic: An Empirical Discussion from the Brazilian Law Perspective

PARALLEL SESSION 4.C

JUST TRANSITION: CRITICAL AND CREATIVE VOICES, MOVEMENTS, AND INNOVATIONS IN LATIN AMERICA

Room 204

CHAIR

Nicholas Bryner, Paul M. Hebert Law Center, Louisiana State University

PRESENTERS:

Raquel Aldana, School of Law, University of California, Davis

Latin American Climate Displacement: Adaptations and Responses

Patricia Galvão-Ferreira, Schulich School of Law, Dalhousie University

Latin America Contributions for Just Energy Futures: Assessing Promises and Realities

Rachael Salcido, McGeorge School of Law, University of the Pacific

Defending the Earth Defenders in Latin America

PARALLEL SESSION 4.D

PROMOTING SUSTAINABILITY THROUGH INTELLECTUAL PROPERTY

Room 212

CHAIR

Jeff Slattery, Texas A&M University School of Law

PRESENTERS:

Tabrez Ebrahim, Lewis & Clark Law School, Lewis & Clark College

Comparative Intellectual Property & Religion

Yang Chen, School of Law, City University of Hong Kong

Copyright Infringement Test (Re)Visited: U.S. Spillover into China Yielding a Similar Test?

Niharika Bhattacharya, Rajiv Gandhi School of Intellectual Property Law, Indian Institute of Technology Kharagpur (IIT Kharagpur)

Exploring Geographical Indication and Sustainability in Eastern and Western Contexts

Parallel Session 4.E

LAW, CORPORATIONS, AND MARKETS

Room 207

CHAIR

Virginia Harper Ho, School of Law, City University of Hong Kong

PRESENTERS:

Zehra Kavame Eroglu, Deakin Law School, Deakin University

The Ever-Expanding Horizon of Directors' and Officers' Duties: An Analysis of Recent Developments in the U.S. and Australia

David Nows, Thomas R. Kline School of Law, Duquesne University

Nonsensical Securities Laws, Alternate Options, and the Role of Societal Attitudes in Rulemaking

Chenghuai Xu, Maurer School of Law, Indiana University Bloomington

Rethinking the Regulation of the US Green Bonds Market

Coffee Break

10.00 am – 10.15 am

Conference Center

PLENARY SESSION

10.15 am – 12.30 pm

Amon Carter Lecture Hall

CLOSING REMARKS

10.15 am – 10.30 am

Máximo Langer, President American Society of Comparative Law; UCLA School of Law

Irene Calboli, Texas A&M University School of Law

ASCL BUSINESS MEETING

10.30 am – 12.30 pm

All ASCL members are invited to the Business Meeting

Farewell Lunch

12.30 pm – 1.30 pm

Conference Center

END OF THE ANNUAL MEETING

*** All participants in the Annual Meeting are kindly invited to join the Younger Comparativists Committee Meeting (YCC), which takes place on Thursday, October 17, 2024, from 12.30 pm to 3.00 pm and resumes on Saturday, October 19, 2024 from 12.30 pm to 3.30 pm (see attached program for details).*