



## Program

*2024 Annual Meeting  
American Society of Comparative Law*

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

**October 17 – 19, 2024**



# 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*

**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*

## ***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 (8.30 am to 10.50 am))**

#### **CHAIR**

**Jason Yackee**, University of Wisconsin Law School

#### **PRESENTERS:**

**Christoph 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*

**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*

**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**

**Felix Mormann**, 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*

**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*

### **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:**

**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:**

**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 – 6.15 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***

**6.15 pm**

**Amon Carter Lecture Hall**

## ***Gala Dinner***

**7.00 pm – 9.30 pm**

**Sheraton Fort Worth Downtown Hotel, Cypress Ballroom**

**(2nd floor, stairs & elevator behind 1st floor bar, turn right at the top of the stairs, Cypress is then on your left)**

- 7:00 - 7:30 pm: Cocktails
- 7:30 pm: Dinner Buffet opens

Parking options:

- Park for free in the Texas A&M Howdy Lot directly behind the school on Calhoun St
- Street meters are free after 6:00 pm
- Valet parking at the Sheraton is \$25

***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*

**Weitseng Chen**, Faculty of Law, National University of Singapore

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

## ***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:**

**Nicola Lucchi**, Facultat de Dret, Universitat Pompeu Fabra

*Standard Essential Patents and Ecological Transition: A Comparative Perspective*

**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?*

## ***Coffee Break***

**10.00 am – 10.15 pm**

**Conference Center**

## ***PLENARY SESSION***

**10.00 am – 10.15 am**

**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**

Amon Carter Lecture Hall

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).*