

**13 - 14 octobre 2022
(Montpellier)**

**Université de Montpellier & Université Paul Valéry - Montpellier 3
présentent**

**7ÈME CONFÉRENCE
ANNUELLE DE
L'ASSOCIATION
FRANÇAISE
D'ÉCONOMIE DU
DROIT**



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L'ASSOCIATION FRANÇAISE D'ÉCONOMIE DU DROIT

<https://afed.fr>

L'Association Française d'Économie du Droit (AFED), créée en 2016, a pour objectif de conduire et d'encourager des recherches théoriques et empiriques ainsi que d'organiser des manifestations scientifiques dans le domaine de la recherche interdisciplinaire en droit et économie en France et à l'étranger. Elle vise également à constituer et à participer à des réseaux scientifiques œuvrant dans le même domaine. À partir de son réseau d'experts juristes et économistes, l'AFED se veut une association ouverte au débat public concernant l'évaluation économique des questions juridiques de notre époque. Elle se fixe enfin pour but de participer à la réflexion sur l'évolution des formations et de l'enseignement interdisciplinaire en droit et économie et d'émettre des propositions dans ces domaines en concertation avec les milieux académiques et professionnels.

The **FRENCH LAW AND ECONOMICS ASSOCIATION**

<https://afed.fr>

The French Law and Economics Association was born in 2016. It aims to conduct and encourage theoretical and empirical research as well as to organize scientific events in the field of interdisciplinary research in law and economics in France and abroad. It also aims to build and participate in scientific networks working in the field. Based on its network of legal experts and economists, AFED is open to public debate on the economic evaluation of legal issues of our time. Finally, the aim of the association is to participate in the reflection on the evolution of interdisciplinary training and education in law and economics and to make proposals in these fields in consultation with academic and professional circles.

Keynote lecture

Peter Leeson

Anarchy Reconsidered

Friday 14 October 2022, 11:00 – 12:30

chair: Alain Marciano



Peter T. Leeson is the Duncan Black Professor of Economics and Law, at George Mason University. His research focuses on "unusual" topics to use Steve Levitt's terms, including piracy, animals trials, "harmful magic", superstition, piracy and many others. In addition, Peter Leeson made important contributions on less unusual topics such as "prenups" or no-fault divorce, humanitarian assistance and also the methodology of economics. He has published dozens of articles in the most prestigious journals in economics (such as the *Journal of Political Economy*, the *European Economic Review*, the

Economic Journal, *Public Choice*, the *Journal of Law and Economics*, the *Journal of Legal Studies*, the *Journal of Institutional Economics*, the *International Review of Law and Economics*, the *Journal of Economic Behavior and Organization*, or the *European Journal of Law and Economics*). **Peter Leeson** has also published many books: *The Invisible Hook: The Hidden Economics of Pirates* (2009), *The Secrets of Pirate Management* (2012), *Anarchy Unbound: Why Self-Governance Works Better Than You Think* (2014), *WTF?! An Economic Tour of the Weird* (2017). Formerly, **Peter Leeson** was a Visiting Professor of Economics at the University of Chicago, a Visiting Fellow in Political Economy and Government at Harvard University, and the F.A. Hayek Fellow at the London School of Economics.

Programme - Outline

Thursday 13/10	
8:00 – 8:30 Welcome - Registration	
8:30 – 10:00: SESSIONS 1	
Session 1a <i>Judicial decision making</i>	Session 1b <i>Firms, regulation and the law</i>
10:30 – 11:00 Coffee break	
11:00 – 12:30: SESSIONS 2	
Session 2a <i>Crime and corruption</i>	Session 2b <i>Decision making, efficiency, welfare</i>
12:30 – 14:00 Lunch	
14:00 – 15:30: SESSIONS 3	
Session 3a <i>Intellectual Property, Patents</i>	Session 3b <i>Law and the COVID crisis</i>
15:30 – 16:00 Coffee break	
16:00 – 17:00 General Assembly AFED	
18:00 Social Event	
20:30 Awards Gala Dinner	

Friday 14/10	
8:00 – 9:30: SESSION 4	
Session 4 <i>Contract</i>	
9:30 – 10:30: SESSIONS 5	
Session 5a <i>Liability rules</i>	Session 5b <i>Institutions and social governance</i>
10:30 – 11:00 Coffee break	
11:00 – 12:30 KEYNOTE LECTURE	
12:30 – 14:00 Lunch	
14:00 – 15:00: SESSIONS 6	
Session 6a <i>Platforms and regulation</i>	Session 6b <i>Competition and digital economy</i>
15:00 – 15:30 Coffee break	
15:30 – 16:30 : SESSIONS 7	
Session 7a <i>Public policy, regulation and the environment</i>	Session 7b <i>Wealth, inequality and the law</i>
16:30 End of the conference	

Detailed sessions

THURSDAY 13th OCTOBER

8:00 – 8:30

Welcome and registration

8:30 – 10:00

Parallel sessions 1

Session 1a — Judicial decision making

Chair: **Juan Mora-Sanguinetti** (Banco de España, Spain)

Roe Sarel* (Universität Hamburg, Germany), & **Anne Van Aaken** (Universität Hamburg, Germany), *Proportionality Analysis, Framing, Judges, Behavioral Law and Economics*

J. Shahar Dillbary (The University of Alabama School of Law, U.S.A.), *Liability Reconsidered: Experimental Evidence*

Giovanni Battista Ramello (Università di Torino, Italy), *Justice without Lawyers? Insights from Italian Mediation*

Session 1b — Firms, regulation and the law

Chair: **Nadia Von Jacobi** (Università di Trento, Italy),

Miguel Garcia-Posada* (Banco de España, Spain), **Fernando Gomez** (Universitat Pompeu Fabra, Spain) & **Marco Celentani** (Universidad Carlos III, Spain), *Fresh start policies and small business activity: evidence from a natural experiment*

Adam Feher (Universiteit van Amsterdam, The Netherlands), *Non-competition Agreements and Dedicated Human Capital*

Sophie Harnay* (Université Paris Nanterre, France), **Riyad Manseri** (Ladyss, France) & **Antoine Rebérioux** (Ladyss, France), *The empowerment of worker representatives in French company boards: the making of an institution*

10:30 – 11:00

Coffee break

11:00 – 12:30

Parallel sessions 2

Session 2a — Crime and corruption

Chair: **Marie Obidzinski** (Université Paris Panthéon Assas, France)

Benjamin Monnery* (Université Paris Nanterre, France) & **Alexandre Chirat** (Université Paris Nanterre, France), *Trust in the fight against political corruption: Evidence from a survey experiment in France*

Umberto Nizza (Università di Verona, Italy), *Love never betrays. Deputies do. An empirical study of parliamentarians' productivity at the time of bunga bunga*

Jean-Baptiste Fleury (Sorbonne Université, France), *Social sciences and the rationalization of crime combat policies in the 1960s and 1970s*

Session 2b: Decision making, efficiency, welfare

Chair: **Stefan Voigt** (Universität Hamburg, Germany)

Juan Mora-Sanguinetti (Banco de España – Eurosystem, Spain), *Sector-Level Economic Effects of Regulatory Complexity: Evidence from Spain*

Alessandro Melcarne (Université Paris Nanterre, France), **Giovanni Battista Ramello** (Università di Torino, Italy) & **Paige Skiba** (Vanderbilt University, USA) *The Role of Adjudication Procedures in Judicial Timeliness: Quasi-Experimental Evidence*

Alexandre Mayol* (Université de Lorraine, France) & **Stéphane Saussier** (Sorbonne Business School, France), *Love vs. Arranged Marriages: Does Merging Public Utilities Save Money? The Case of Water in France*

12:30 – 14:00

Lunch

14:00 – 15:30

Parallel Sessions 3

Session 3a: Intellectual Property, Patents

Chair: **Giovanni Battista Ramello** (Università di Torino, Italy)

Armelle Mazé (INRAE, Université Paris-Saclay, France), *Geographical Indications and the Economics of Trademark Law: an extended Demsetz/Allen model*

Xuan Huang (Università di Torino, Italy), *Effect of Informational Function of Patents on Earn-Out Application*

Anton-Giulio Manganelli (EADA Business School, Spain), *Pay-for-Delay Settlements and Patent Expansion Practices*

Session 3b — Law and the COVID crisis

Chair: **Jean-Baptiste Fleury** (Sorbonne Université, France)

Jerg Gutmann (Universität Hamburg, Germany), **Roe Sarel** ((Universität Hamburg, Germany) & **Stefan Voigt*** (Universität Hamburg, Germany), *Measuring Constitutional Loyalty: Evidence from the Covid-19 Pandemic*

Andreea Cosnita-Langlais (Université Paris-Nanterre, France) & **Éric Langlais*** (Université Paris-Nanterre, France), *Product liability in pandemic times—Product liability vs exemption when consumers under-assess network benefits/over-assess riskiness*

Giuseppe Di Vita (Università di Catania, Italy), *The administrative justice in Italy at time of covid-19. Lights and shadows*

15:30 – 16:00

Coffee break

16:00 – 17:00

General Assembly AFED

18:00 – 20:00

Social Event – City tour

20:30

Awards

Dinner (*La Brasserie du Théâtre*)

FRIDAY 14th OCTOBER

8:00 – 9:30

Session 4

Session 4 — Contract

Chair: **Sophie Harnay** (Université Paris-Nanterre, France)

Sophie Bienenstock* (Université Paris 1-Panthéon Sorbonne, France) & **Claudine Desrieux** (Université Paris Panthéon Assas, France), *The duty to mitigate in tort law*

Joshua Teitelbaum* (Georgetown University, U.S.A.) & **Tim Friehe** (Universität Marburg, Germany), *Duality in Contact and Tort*

Yuval Procaccia (Reichman University, Israel), *The Laws of the Unreasonable Victim: Care, Mitigation, and Strategic Deferral*

9:30-10:30

Parallel sessions 5

Session 5a — Liability rules

Chair: **Myriam Duban** (Université de Lorraine, France)

Luigi Alberto Franzoni (Università di Bologna, Italy), *Efficient liability law when parties genuinely disagree*

Marie Obidzinski* (Université Paris Panthéon Assas, France) & **Yves Oytana** (Université de Franche-Comté, France), *Advisory algorithms and liability rules*

Session 5b — Institutions and social governance

Chair: **Nora Memeti** (Kuwait International Law School, Kuwait)

Samuel Ferey (Université de Lorraine), *Lockean proviso, property rights and inheritance in Nozick's thought. An analytic narrative*

Sara Lorenzini (Università di Trento, Italy) & **Nadia Von Jacobi*** (Università di Trento, Italy), *Forests as Collective Goods: from polycentricity to conflict transformation*

10:30 – 11:00

Coffee break

11:00 – 12:30

KEYNOTE LECTURE:

Anarchy Reconsidered, **Peter T. Leeson**, George Mason University (U.S.A)

chair: Alain Marciano (Université de Montpellier)

12:30 – 14:00

Lunch

14:00 – 15:00
Parallel Sessions 6

Session 6a: Competition and digital economy
Chair: **Jean-Christophe Poudou** (Université de Montpellier, France)

Axel Gautier* (Université de Liège, Belgium) & **Laureen De Barys** (Université de Liège, Belgium), *Acquisitions in the Digital Economy: Are GAFAM Killing the Next Big Thing?*
Patrice Bougette* (Université Côte d'Azur, France), **Oliver Budzinski** (Technische Universität Ilmenau, Allemagne), **Frédéric Marty** (Université Côte d'Azur, France), *Should we Make Merger Remedies Flexible?*

Session 6b: Wealth, inequality and the law
Chair: **Valérie Clément** (Université de Montpellier, France)

Nora Memeti (Kuwait International Law School, Kuwait), *The consumer welfare standard: a never-ending saga*
Illan Barriola* (Université Paris Panthéon Assas, France), **Bruno Deffains** (Université Paris Panthéon Assas, France), & **Olivier Musy** (Université Paris Cité, France), *Law and Inequality: A Comparative Approach of the Distributive Implications of Legal Systems*

15:00 – 15:30
Coffee break

15:30 – 16:30
Parallel sessions 7

Session 7a: Platforms and regulation
Chair: **Thomas Cortade** (Université de Montpellier, France)

Marco Giraudo (Università di Torino, Italy), *The emerging market of ideas: remaking the institutional conditions for spontaneous order*
Pierre Garelo* (Aix-Marseille Université, France) & **Pierre Bentata** (Aix-Marseille Université, France), *La complexité des phénomènes marchands et son implication pour le droit de la concurrence*

Session 7: Public policy, regulation and the environment
Chair: **Sandrine Michel** (Université de Montpellier, France)

Francesca Leucci* (Università di Bologna, Italy,) & **Michael Faure** (Maastricht University Faculty of Law, and Erasmus School of Law, The Netherlands), *Efficient remedies for environmental harm*
Riccardo Fornasari (Université Paris-Nanterre, France), *Pour la reconnaissance d'un lien de causalité entre le changement climatique et les activités polluantes des entreprises*

16:30 END OF THE CONFERENCE

List of Participants

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Committees

Scientific committee

Edmond Baranes (Université de Montpellier), **Patrice Bougette** (Université Côte d'Azur), **Karine Brisset** (Université de Franche-Comté), **Christophe Charlier** (Université Côte d'Azur), **Thomas Cortade** (Université de Montpellier), **Bruno Deffains** (Université Paris Panthéon-Assas), **Marc Deschamps** (Université de Franche-Comté), **Claudine Desrieux** (Université Paris Panthéon-Assas), **Myriam Duban** (Université de Lorraine), **Cécile Dubois** (Université de Lorraine), **Jean-Baptiste Fleury** (Sorbonne Université), **Samuel Ferey** (Université de Lorraine), **Rosa Ferrer** (Universitat Pompeu Fabra), **Yannick Gabuthy** (Université de Lorraine), **Pierre-Yves Gadhoun** (Université de Montpellier), **Emma Galli** (Università di Roma), **Pierre Garello** (Aix-Marseille Université), **Sophie Harnay** (Université Paris-Nanterre), **Frédéric Marty** (Université Côte d'Azur), **Benjamin Monnery** (Université Paris-Nanterre), **Olivier Musy** (Université Paris Cité), **Marie Obidzinski** (Université Paris Panthéon-Assas), **Yves Oytana** (Université de Franche-Comté), **Giovanni Ramello** (Università di Torino), **Agnès Robin** (Université de Montpellier), **Alexandre Viala** (Université de Montpellier), **Stefan Voigt** (Universität Hamburg)

Organizing committee

Valérie Clément (Université de Montpellier), **Marie Daou** (Université de Montpellier), **Marlène Guilhon** (Université de Montpellier), **Alain Marciano** (Université de Montpellier), **Nathalie Moureau** (Université Paul Valéry-Montpellier).

**October 13 - 14, 2022
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