

## Programme

### Friday, September 13 2013

#### Room D102

13.00 Opening Session

Rooms E220, E221, E211, E522

13.30-15.00 Parallel sessions

*Coffee break*

#### Room D102

15.30-17.00 Plenary session on  
"Liability of scientists"

Rooms E220, E221, E211, E522

17.15-18.15 Parallel sessions

#### Room D102

18.30-19.00 GRÖ Annual Meeting

*Conference Dinner at Mareccio Castle*

### Saturday, September 14 2013

#### Room D102

09.00-09.30 GRÖ Annual Meeting

Rooms E220, E221, E211, E522

09.30-11.00 Parallel sessions

*Coffee break*

Rooms E220, E221, E211, E522

11.30-13.00 Parallel sessions

*Farewell Lunch*

### GLEA Board

Roland Kirstein

Dominique Demougin

Thomas Eger

Tim Friehe

Georg von Wangenheim

### Local Organizers

Paolo Giudici

Stefano Lombardo

Matteo Rizzolli

### Conference Secretariat

Alessandra Volpato

Valentina Rossi

<http://www.unibz.it/en/economics/GLEA.html>



FREIE UNIVERSITÄT BOZEN

LIBERA UNIVERSITÀ DI BOLZANO

FREE UNIVERSITY OF BOZEN · BOLZANO

## Gesellschaft für Recht und Ökonomik e.V. German Law and Economics Association (GLEA)

### 11th ANNUAL MEETING

13, 14 Sep 2013

Rooms

D102, E220, E221, E211, E522

hosted by

School of Economics and Management  
Free University of Bozen-Bolzano

Piazza Università 1, Universitätsplatz  
Bolzano Bozen

Friday, Sep 13 2013

13.00 – 13.30

**D102: Opening Session**

**Prof. Lucie Courteau**, PhD Dean, School of Economics and Management, Free Univ. of Bolzano

**Prof. Avv. Paolo Giudici** Director of the Center for Research in Law & Economics (CRELE)

**Prof. Dr. Roland Kirstein** President of GLEA, Otto-von-Guericke-Univ. Magdeburg

13.30 – 15.00

**E220: Session A1 Constitutions (CHAIR Kimmerle)**

**Kimmerle (comment by Maggio)**

After Lisbon - revival of the national parliaments by reasoned opinions?

**Maggio or Romano (comment by Buiten)**

Piecemeal Legal Origins

**Buiten (comment by Kimmerle)**

The (Un)desirability of Decentralized Enforcement of Harmonized Laws - A Simple Model for Consumer Protection

**E221: Session A2 IPR (CHAIR Eger)**

**Eger (comment by Kupzok)**

The Determinants of Open Access Publishing: Survey Evidence from Germany

**Kupzok (comment by Stazi)**

Law and Economics of the unitary patent protection in the European Union

**Stazi (comment by Eger)**

Biotechnological inventions and limits of patentability between EU and US

**E211: Session A3 Crime (CHAIR Baumann)**

**Baumann (comment by Ghasemi)**

Status concerns as a motive for crime?

**Ghasemi (comment by Hoepfner)**

An Economic Analysis of Islamic Criminal Law of Homicide: a Coasian Approach to Criminal Law

**Hoepfner (comment by Baumann)**

Sanction Frames: Gains, Losses, Endowments

**E522: Session A4 Finance (CHAIR Engert)**

**Engert (comment by Fedele)**

Can network effects impede optimal contracting in debt securities?

**Fedele (comment by de Caria)**

Corporate Taxation and Financial Strategies under Asymmetric Information

**de Caria (comment by Engert)**

Perseverare diabolicum: the shortcomings of the pre-crisis financial regulation and the repetition of the same mistake in the regulatory response of the crisis

*Coffee Break*

15.30 - 17.00

**D102: PLENARY SESSION on "Liability of Scientists"**

**ARCURI** Alessandra (Rotterdam University)

The "L'Aquila" Case

**ENGERT** Andreas (Mannheim University)

Scientific Misconduct

**HELSTROFFER** Jenny (Nancy University)

Ethical Guidelines of the AFSE

**KIRSTEIN** Roland (Magdeburg University)

Coase, Calabresi and Liability of Scientists

17.15 – 18.15

**E220: SESSION B1 Courts (CHAIR Jonski)**

**Beldowski (comment by Doménech)**

How to reform commercial courts' delay. What Doing Business tells us about determinants of reform paths?

**Doménech (comment by Jonski)**

IN DUBIO CONTRA CIVEM Standards of evidence for pre-trial detentions

**E221: SESSION B2 Real Estate (CHAIR Lueck)**

**Lueck (comment by Backhaus)**

Land Demarcation and the Great Roman Network

**Backhaus (comment by Lueck)**

Does the Coase Theorem also hold for the New Federal States?

**E211: SESSION B3 Institutions (CHAIR Mendez-Reátegui)**

**Mendez-Reátegui (comment by Jabotinsky)**

An Introduction to the Paradigm of Institutional Coordination as an Alternate Mechanism for an Extensive Economic Analysis

**Jabotinsky (comment by Mendez-Reátegui)**

Consolidation or Fragmentation for Financial Regulators? A Story of Information Flow

**E522: SESSION B4 Liability (CHAIR Romano)**

**Romano (comment by Hiriart)**

Information Tort Law and Economics

**Hiriart (comment by Romano)**

liability Rules under Asymmetric Information

18.30 – 19.00

**D102: Annual Meeting of the Gesellschaft für Recht und Ökonomik e.V.**

*Conference Dinner at Mareccio Castle*

Saturday, Sep 14 2013

09.00 – 09.30

**D102: Annual Meeting of the Gesellschaft für Recht und Ökonomik e.V.**

09.30 – 11.00

**E220: SESSION C1 Constitutions (CHAIR Michel)**

**Michel (comment by Vaubel)**

Endogenous Parliamentarism

**Vaubel (comment by Eckardt)**

The Breakdown of the Rule of Law at the EU Level: Implications for the Reform of the EU Court of Justice

**Eckardt (comment by Michel)**

European Grouping of Territorial Cooperation (EGTC) as Legal European Company Form to Realize Cross Border FOCJ – Functional Overlapping Competing Jurisdictions

**E221: SESSION C2 Corporate (CHAIR Stef)**

**Stef (comment by Xu)**

Voting Rules in Bankruptcy Law

**Xu (comment by Marcisz)**

Asymmetric information, minority shareholder protection and firms' propensity to issue external equity

**Marcisz (comment by Stef)**

Can Efficiency Reasoning Amount to Public Interest? – The Critical Analysis of a Squeezeout rule

**E211: SESSION C3 Crime (CHAIR Obidzinski)**

**Obidzinski (comment by Montag)**

Elected versus Appointed Law Enforcers: the Case of Crime Deterrence

**Montag (comment by Pieroni)**

Should Paris Hilton receive a lighter Prison Sentence because she is rich? Evidence from a survey experiment

**Pieroni (comment by Obidzinski)**

Probation and Recidivism in Italian Juvenile Crime: estimating the effect of intergenerational transmission of crime through a cohort of young criminals

**E522: SESSION C4 Basic Concepts (CHAIR Wulf)**

**Fabbri (comment by Puchades)**

When choosing the Social Welfare Function really matters: a quantitative analysis

**Wulf (comment by Fabbri)**

Jurists, Clerics and Merchants – The Rise of Learned Law in Medieval Europe and its Impact on Economic Growth

**Guerra (comment by Wulf)**

Productive Rent-Seeking

*Coffee Break*

11.30 – 13.00

**E220: SESSION D1 Courts (CHAIR Ippoliti)**

**Saraceno (comment by Shastitko, Andrey)**

Justice: More Access, Less Costs

**Ippoliti, Falavigna (comment by Saraceno)**

Courts efficiency and judges productivity: the case study of Italian tax justice

**Shastitko, Andrey (comment by Ippoliti)**

Effects of the Third Party Errors

**E221: SESSION D2 Competition (CHAIR Marty)**

**Marty (comment by Yusupova)**

As-efficient competitor test in exclusionary prices strategies: Does really Post-Danmark pave the way towards a more economic approach?

**Yusupova (comment by Shastitko, Anastasia)**

Leniency Program and Cartel Deterrence in Russia: Effects Assessments

**Shastitko, Anastasia (comment by Marty)**

Competition Policy. The role of Economic Analysis in the Question of the Competition Law Enforcement

**E211: SESSION D2 Liability (CHAIR Guerra)**

**Guerra (comment by Ferey)**

Sharing Residual Liability: cheapest cost avoider revisited

**Ferey (comment by Paces)**

How to share joint liability: a cooperative game approach

**Paces (comment by Guerra)**

A new liability regime: how to align CRAs incentives with investors demand for reliable ratings

**E522: SESSION D4 Property Rights (CHAIR von Wangenheim)**

**Casari, Lisciandra (comment by Arrunada)**

Gender-biased Property Rights on the Commons: a case study from the Italian Alps

**von Wangenheim (comment by Casari)**

Take or Buy – just compensation for government takings and court delays

**Arrunada (comment by von Wangenheim)**

An Economic Interpretation of the Role of Possession in Impersonal Exchange

*Farewell Lunch*