

## CURRENT PROFESSIONAL ACTIVITIES

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Assistant Professor

Executive Dean | Católica Global School of Law

Co-coordinator of the LL.M. Law in a Digital Economy (Católica Global School of Law)

## CONTACTS

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## AREAS OF EXPERTISE

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Intellectual Property Law | Law and Digital Technologies

## LANGUAGES

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- Portuguese (mother tongue)
- English (fluent)
- French (working knowledge)
- Spanish (working knowledge)
- Italian (working knowledge)

## ACADEMIC BACKGROUND

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- 2020 | Ph.D. | Católica Global School of Law (Lisbon) | Thesis: *Exceptions in EU Copyright Law: In Search of a Balance between Flexibility and Legal Certainty*
- 2016-2018 | Visiting Researcher | Max Planck Institute for Innovation and Competition (Munich)
- 2012 | LL.M. | Harvard Law School (Cambridge, MA)

- 2011 | LL.M. Law in a European and Global Context | Católica Global School of Law (Lisbon)
- 2010 | Licenciatura em Direito (LL.B. in Law) | Universidade Católica Portuguesa | Faculdade de Direito (Lisbon)

#### ACADEMIC EXPERIENCE

- Assistant Professor at Católica Global School of Law and at the Lisbon Law School of Universidade Católica Portuguesa
  - Industrial Property Law
  - Copyright Law
  - Trade Secret Law
  - Introduction to Law – Case Method
- Researcher at the Católica Research Centre for the Future of Law
- Guest Professor
  - LL.M. in European Intellectual Property Law | Stockholm University (2021)
  - LL.M. in Business, Competition and Regulatory Law at Freie Universität Berlin (2020 – present)
  - University of Cape Town | Law Schools Global League Summer School (2015)
- Member of the board of the Harvard European Law Association (2011-2012)
- Member of the Submissions Committee of the Harvard International Law Journal (2011-2012)

#### NON-ACADEMIC PROFESSIONAL EXPERIENCE

- Head of Intellectual Property | CCA Law Firm (2019-2021)
- Agent for the Portuguese Republic before the Court of Justice of the European Union in numerous preliminary references in the fields of intellectual property and online intermediary liability
- Secretary | Commission for the Reform of Green Taxation (2014)

#### PUBLICATIONS (BOOKS)

*Exceptions in EU Copyright Law: In Search of a Balance Between Flexibility and Legal Certainty* (Kluwer Law International, 2021)

*Método do Caso – Uma Introdução ao Direito* (Universidade Católica Editora, 5th ed., 2021) (co-authored with Gonçalo Almeida Ribeiro, Patrícia Fragoso Martins and Pedro Garcia Marques)

*ColloquLA – Política do medo, ou o mundo de hoje entre a privacidade e a segurança* (Universidade Católica Editora, 2021) (co-edited with Pedro Garcia Marques)

*Direito de Autor nos Tribunais* (Universidade Católica Editora, 2015 and 2019) (co-authored with Nuno Sousa e Silva)

#### **PUBLICATIONS (ARTICLES AND CONTRIBUTIONS TO MONOGRAPHS)**

*Fundamental Rights in EU Copyright Law: An Overview*, Eleonora Rosati (ed.), The Routledge Handbook of EU Copyright Law 18 (Routledge, 2021)

*As Exceções no Direito de Autor da EU: Em busca do equilíbrio entre flexibilidade e certeza jurídica*, 1 Revista de Direito Intelectual 7 (2021)

*Da suscetibilidade de proteção jusautorais de obras geradas por sistemas de inteligência artificial*, Católica Talks – Direito e Tecnologia 129 (Universidade Católica Editora, 2021)

*O segredo dos segredos de negócio: Breves reflexões acerca da justificação para a atribuição de proteção à luz da Diretiva (UE) 2016/943*, Estudos em homenagem ao Professor Doutor Germano Marques da Silva 2833 (Universidade Católica Editora, 2020)

*Advocate General Szpunar in Spiegel Online (or why we need fair use in the EU)*, 14(4) Journal of Intellectual Property Law & Practice 265 (2019)

*Comentário ao Acórdão C-163/16, Christian Louboutin, do Tribunal de Justiça da União Europeia*, 2 Revista de Direito Intelectual 259 (2018) (co-authored with Nuno Sousa e Silva)

*EU Copyright Law and the Cloud: VCAST and the intersection of private copying and communication to the public*, 13(9) Journal of Intellectual Property Law & Practice 711 (2018) (co-authored with João Pedro Quintais)

*Copyright protection of designs in the EU: How many originality standards is too many?*, 13(6) Journal of Intellectual Property Law & Practice 439 (2018)

*Copyright, Technology and the CJEU: An Empirical Study*, 49(2) IIC – International Review of Intellectual Property and Competition Law 153 (2018)

*Spiegel Online: Do copyright exceptions and fundamental rights make easy bedfellows?*, 13(1) Journal of Intellectual Property Law & Practice 10 (2018)

*As alterações à (nova) lei da gestão coletiva do direito de autor e dos direitos conexos (Decreto-Lei n.º 100/2017, de 23 de agosto*, 2 Revista de Direito Intelectual 23 (2017)

*Form and Substance in the Value Gap Proposal*, in Julia Reda (org.), *Better Regulation for Copyright: Academics Meet Policymakers*, pp. 39-45 (2017)

*How Playboy Photos Compromised EU Copyright Law: The GS Media Judgment*, 20(11) Journal of Internet Law 11 (2017)

*Hyperlinking para obras colocadas à disposição sem autorização: reflexões iniciais sobre o acórdão GS Media*, 2 Revista de Direito Intelectual 337 (2016);

*Cloud computing and copyright law: Cloud-based video recording reaches the CJEU*, 11(11) Journal of Intellectual Property Law & Practice 808 (2016);

*Does “lending” include “e-lending”? Yes, says Advocate General Szpunar*, 11(10) Journal of Intellectual Property Law & Practice 730 (2016);

*Social Rights in Portugal*, in Krzysztof Wojtyczek (ed.), *Social Rights as Fundamental Rights: XIXth International Congress of Comparative Law* (Eleven, 2016) (co-authored with Jorge Pereira da Silva)

*A alteração à lei da cópia privada: Uma (má) ideia cujo tempo não chegou*, 4 *Propriedades Intelectuais* 86 (2015);

*Fair Use na União Europeia (ou os estereótipos das Copyright Wars)*, 3 *Propriedades Intelectuais* 26 (2015);

*“Para o infinito e mais além”? O prazo de protecção do direito de autor*, *Cadernos Mateus DOC VIII* (2015);

*Lex Specialis(sima): Videogames and Technological Protection Measures in EU Copyright Law*, 37(1) *European Intellectual Property Review* 39 (2015);

*Time-Shifted Morality: A Critique of the Legal Discourse on Online Copyright Infringement*, 5(1) *Queen Mary Journal of Intellectual Property* 28 (2015);

*Copyright of Academic Works in the U.S.*, 2 *Revista de Direito Intelectual* 31 (2014);

*The Online Copyright Infringement “Speech Code”*, *Cadernos Mateus DOC VI* 70 (2014);

*Mind Sciences in the Harvard Law School Curriculum: Tracing the History, Proposing the Proliferation, Digital Access to Scholarship at Harvard*, at <http://dash.harvard.edu/handle/1/9299796> (2012)

## COMMENTARIES

Anotação ao artigo 1303.º, in: Henrique Sousa Antunes (coord.), *Comentário ao Código Civil – Direito das Coisas* (Universidade Católica Editora, 2021)

Anotações ao artigo 13.º, pp. 169-182 (co-authored with José Lobo Moutinho and Miguel Gorjão-Henriques), ao artigo 59.º, pp. 588-591, e ao artigo 83.º, pp. 807-809 (co-authored with José Lobo Moutinho), *in*: Lei da Concorrência – Comentário Conimbricense (Almedina, 2013)

#### NON-ACADEMIC PUBLICATIONS

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*Não, não devíamos suspender as patentes das vacinas*, *Jornal Económico* – September 2, 2021, available at [https://jornaleconomico.sapo.pt/noticias/nao-nao-deviamos-suspender-as-patentes-das-vacinas-780422?fbclid=IwAR0FzQuFXGjarb1iKSLj36sN8Ihwre0HnsSc7nXe7Bfx5lQQiSdNaMkhW\\_g](https://jornaleconomico.sapo.pt/noticias/nao-nao-deviamos-suspender-as-patentes-das-vacinas-780422?fbclid=IwAR0FzQuFXGjarb1iKSLj36sN8Ihwre0HnsSc7nXe7Bfx5lQQiSdNaMkhW_g)

*Desconfinem os livros*, *Expresso* – February 4, 2021, available at <https://expresso.pt/opiniao/2021-02-04-Desconfinem-os-livros?fbclid=IwAR0Vf985vJ1iECg7BNbdVJuCNGI5YLcuF1NXcN72BepsWiXKT2lw7HJ0udc>

*Os livros (e as estantes) da covid-19*, *Expresso* – April 22, 2020, available at [https://expresso.pt/opiniao/2020-04-22-Os-livros--e-as-estantes--da-covid-19?fbclid=IwAR3TFnq\\_SgCWqbRwyA6CERJ9ZvsYHYY3HbdZ-mBFfaGf4LUCT0bj95QRP5Y](https://expresso.pt/opiniao/2020-04-22-Os-livros--e-as-estantes--da-covid-19?fbclid=IwAR3TFnq_SgCWqbRwyA6CERJ9ZvsYHYY3HbdZ-mBFfaGf4LUCT0bj95QRP5Y)

*Vender fraldas é diferente de vender políticos*, *Jornal Económico* – November 15, 2019, available at [https://jornaleconomico.sapo.pt/noticias/vender-fraldas-e-diferente-de-vender-politicos-513436?fbclid=IwAR1G0-GX8PGR\\_UhU-QpyjBkMbNKDy4YwCpnIjzy92ziOyRLyzPslkC3Aak](https://jornaleconomico.sapo.pt/noticias/vender-fraldas-e-diferente-de-vender-politicos-513436?fbclid=IwAR1G0-GX8PGR_UhU-QpyjBkMbNKDy4YwCpnIjzy92ziOyRLyzPslkC3Aak)

*A arte de insultar políticos no Facebook*, *Jornal Económico* – October 18, 2019, available at [https://jornaleconomico.sapo.pt/noticias/a-arte-de-insultar-politicos-no-facebook-502832?fbclid=IwAR3E2ni1IYHoOS7zXQBYQNeWYfANHV1y-FFNRHg0N60ASCZqzp\\_ElQCfzc0](https://jornaleconomico.sapo.pt/noticias/a-arte-de-insultar-politicos-no-facebook-502832?fbclid=IwAR3E2ni1IYHoOS7zXQBYQNeWYfANHV1y-FFNRHg0N60ASCZqzp_ElQCfzc0)

*O meu bebé rende mais likes que o teu*, Jornal Económico – August 9, 2019, available at <https://jornaleconomico.sapo.pt/noticias/o-meu-bebe-rende-mais-likes-que-o-teu-476871>

*Artigo 13.º (ou esta Europa não é para académicos)*, Jornal Económico – April 5, 2019, available at <https://jornaleconomico.sapo.pt/noticias/artigo-13-o-ou-esta-europa-nao-e-para-academicos-430114>

*Querida Graça Fonseca*, Público – November 28, 2018, available at <https://www.publico.pt/2018/11/28/tecnologia/opiniao/querida-graca-fonseca-1852740>

*Para que serve a blockchain?*, Jornal Económico – August 24, 2018, available at <https://jornaleconomico.sapo.pt/noticias/para-que-serve-a-blockchain-347415>

*Os Louboutin da minha mulher*, Jornal Económico – June 30, 2018, available at <https://jornaleconomico.sapo.pt/noticias/os-louboutin-da-minha-mulher-327369>

*Tony Carreira, Diogo Piçarra e Eça de Queirós entram num bar*, Jornal Económico – March 23, 2018, available at <https://jornaleconomico.sapo.pt/noticias/tony-carreira-diogo-picarra-e-eca-de-queiros-entram-num-bar-284403>

*O ponto G da UE*, Jornal Económico – July 14, 2017, available at <http://www.jornaleconomico.sapo.pt/noticias/o-ponto-g-da-ue-184641>

*De Uber rumo ao penta*, Jornal de Negócios – May 21, 2017, available at [http://www.jornaldenegocios.pt/opiniao/colunistas/detalhe/de-uber-rumo-ao-penta?ref=Colunistas\\_grupo1](http://www.jornaldenegocios.pt/opiniao/colunistas/detalhe/de-uber-rumo-ao-penta?ref=Colunistas_grupo1)

*A miúda que encornou Wall Street*, Jornal Económico – May 2, 2017, available at <http://www.jornaleconomico.sapo.pt/noticias/a-miuda-que-encornou-wall-street-153048>

*Donald Trump, Jorge Jesus e a monitorização das redes sociais*, Público – January 4, 2017, available at <https://www.publico.pt/2017/01/04/tecnologia/noticia/donald-trump-jorge-jesus-e-a-monitorizacao-das-redes-sociais-1757109>

*De cavalo para Uber*, Público – June 24, 2015, available at <http://www.publico.pt/economia/noticia/de-cavalo-para-uber-1699846>

*Cópia privada, vetos políticos e o timing das coisas*, Público – April 3, 2015, available at <http://www.publico.pt/tecnologia/noticia/copia-privada-vetos-politicos-e-o-timing-das-coisas-1691157>

*O dilema da cópia privada*, P3 – January 19, 2015, available at <http://p3.publico.pt/cultura/mp3/15324/o-dilema-da-copia-privada>

*Piratas de cabelo branco: o combate à violação do direito de autor*, Público – September 25, 2014, available at <http://www.publico.pt/sociedade/noticia/piratas-de-cabelo-branco-o-combate-a-violacao-do-direito-de-autor-1670715>

*Eu, violador do direito de autor, me confesso*, Jornal de Negócios – September 24, 2014, available at <http://www.jornaldenegocios.pt/opiniao/colunistas/detalhe/eu-violador-do-direito-de-autor-me-confesso.html>

*Só eu sei porque (não) fico em casa*, Jornal de Negócios – May 26, 2014, available at <http://www.jornaldenegocios.pt/opiniao/colunistas/detalhe/so-eu-sei-porque-nao-fico-em-casa.html>

*“Sei o que fizeste no Verão passado”... Ou não*, Público – May 18, 2014, available at <http://www.publico.pt/opiniao/jornal/sei-o-que-fizeste-no-verao-passado-ou-nao-28301117>

## CONFERENCES

**Associação Portuguesa de Direito Intelectual**, Lisbon, Portugal

V Congresso de Propriedade Intelectual – November 12, 2021

Topic: *A comunicação ao público, as hiperligações e o artigo 17.º da Diretiva 2019/790*

**Universidade Católica Portuguesa, Faculdade de Direito**, Lisbon, Portugal



*Book launch – Exceptions in EU Copyright Law – October 8, 2021*

With Henrique Sousa Antunes, P. Bernt Hugenholtz and Eleonora Rosati

**Portugal XXI**, Lisbon, Portugal

*O Futuro dos Direitos de Autor na Era Digital – September 21, 2021*

**Católica Research Centre for the Future of Law**, Lisbon, Portugal

Café IA – May 27, 2021

Topic: *LA e Propriedade Intelectual*

**Institute for Intellectual Property and Market Law**, Stockholm, Sweden

Seminar: *EU Copyright Law – State of Play and Future Directions – May 26, 2021*

Topic: *Fundamental Rights in EU Copyright Law*

**Institute for Intellectual Property and Market Law**, Stockholm, Sweden

Seminar: *Tales of the New Doctors of Law – December 17, 2020*

Topic: *Exceptions in EU Copyright Law*

**European Parliament**, Brussels, Belgium

Seminar: *Intermediary Liability – November 25, 2020*

Topic: *“Illegal” and “Harmful” Content*

**University of Liège**, Liège, Belgium

Seminar: *Artificial Intelligence and Human Skills – June 18, 2020*

Topic: *AI-Generated Works and EU Copyright Law*

**International Chamber of Commerce**, Lisbon, Portugal

Seminar: *Direito Procedimental e Processual da Propriedade Intelectual – March 3, 2020*

Topic: *A tutela dos segredos de negócio*

**Católica Research Centre for the Future of Law**, Lisbon, Portugal

Católica Talks – January 13, 2020

Topic: *Direito de Autor e Inteligência Artificial*

**University of Luxembourg**, Luxembourg

Conference: *Freedom of Expression v. Copyright before the European Courts* – November 7, 2019

Topic: *Spiegel Online (or why we need fair use in the EU)*

**Associação Portuguesa de Direito Intelectual**, Lisbon, Portugal

II Jornada Luso-Brasileira de Direito de Autor – October 26, 2019

Topic: *Direito de Autor: Interesse privado e interesse público no Brasil e em Portugal*

**Feira do Livro**, Lisboa, Portugal

June 7, 2019

Book presentation: *Direito de Autor nos Tribunais*

**University of Szeged**, Szeged, Hungary

4<sup>th</sup> Workshop on Intellectual Property Law – May 10, 2019

Presentation: *Reforming the InfoSoc framework of exceptions*

**Festival Política**, Lisboa, Portugal

April 27, 2019

Topic: *A abordagem da UE à regulação da Internet*

**Universidade de Lisboa**, Lisboa, Portugal

Conferência *Os Segredos no Direito* – February 19, 2019

Paper: *O segredo dos segredos de negócio*

**Biblioteca Nacional**, Lisboa, Portugal

Conferência *A Reforma Europeia do Direito de Autor e o interesse público* – December 4, 2018

Panel: *A responsabilidade das plataformas pelos conteúdos dos utilizadores*

**University of Brno**, Brno, Czech Republic

Cyberspace Conference 2018 – November 30, 2018

Presentation: *Flexibility and legal certainty in EU copyright law*

**Universidade Nova de Lisboa**, Lisboa, Portugal

*Direito e Blockchain* – September 28, 2018

Topic: *Blockchain & IP*

**Hanken School of Economics**, Helsinki, Finland

*ATRIP 2018 Congress* – August 5-9, 2018

Paper: *Flexibility and Legal Certainty in EU Copyright Law*

**Universidade de Coimbra**, Coimbra, Portugal

*Encontros com a Propriedade Intelectual* – April 28, 2018

Presentation: *Forma e substância do artigo 13.º da Proposta de Diretiva*

**CCA/UPTEC**, Porto, Portugal

February 1, 2018

Presentation: *Estratégias de Propriedade Intelectual para Startups*

**Católica Research Centre for the Future of Law**, Lisbon, Portugal

*Católica Graduate Legal Research Conference 2017* – September 21, 2017

Paper: *Copyright, Technology and the CJEU: An empirical study*

**European Parliament**, Brussels, Belgium

*Better Regulation for Copyright: Academics Meet Policymakers* – September 6, 2017

Panel: *Platform Liability*

**PLMJ**, Porto, Portugal

*Direito Mega Wave* – May 25, 2017

Panel: *Perdidos na Jukebox Celestial (copyright 0 ou 0.2?)*

**Tilburg University**, Tilburg, The Netherlands

*TILTing Perspectives 2017* – May 17-19, 2017

Paper: *Copyright, Technology and the CJEU: An empirical study*

**CopyCamp 2016**, Warsaw, Poland

*The Future of Copyright in Europe* – October 27-28, 2016

Paper: *Copyright, Technology and the CJEU: An empirical study*

**Transportes em Revista**, Lisbon, Portugal

*Apresentação do livro comemorativo das 150 edições da Transportes em Revista* – November 18, 2015

Panel: *Desafios para o futuro*

**University of Glasgow**, Glasgow, Scotland

*European Policy for Intellectual Property 2015* – September 2, 2015

Paper: *Destereotyping the Copyright Wars: The “fair use vs. closed list” debate in the EU*

**Universidade Católica Portuguesa, Faculdade de Direito**, Lisbon / Porto, Portugal

*Alterações recentes (e vindouras?) ao Código do Direito de Autor* – May 7 (Lisbon) and 14 (Porto), 2015

With Nuno Sousa e Silva

**European University Institute**, Florence, Italy

*EUI InfoSoc Workshop* – April 24, 2015

Paper: *Destereotyping the Copyright Wars: The “fair use vs. closed list” debate in the EU*

**Instituto Internacional Casa de Mateus**, Vila Real, Portugal

*Mateus DOC VIII* – November 30, 2014

Topic: *“Para o infinito e mais além”? O prazo de protecção do direito de autor*

**Universidade Católica Portuguesa, Faculdade de Direito**, Lisbon, Portugal

*Católica Talks – Fair Use in Europe? A View from Across the Atlantic* (James Boyle & Jennifer Jenkins)

– October 23, 2014

Commentator

**European Parliament**, Brussels, Belgium

*European Policy for Intellectual Property 2014* – September 5, 2014

Paper: *Lex Specialis(sima): Videogames and Technological Protection Measures in EU Copyright Law*

**Universidade Católica Portuguesa, Faculdade de Direito**, Lisbon, Portugal

*Intellectual Property Summer School*, European Law Students’ Association – July 21-22, 2014

Topic: *The Copyright Wars* (July 21), *File Sharing* (July 22)

**Queen Mary University of London, School of Law**, London, UK

*Postgraduate Legal Research Conference* – June 5, 2014

Paper: *Lex Specialis(sima): Videogames and Technological Protection Measures in EU Copyright Law*

**Universidade Católica Portuguesa, Faculdade de Direito**, Lisbon, Portugal

*Dia do Candidato* – April 2, 2014

Topic: *O direito a ser esquecido na Internet*

**Instituto Internacional Casa de Mateus**, Lisbon, Portugal

*Debate Mateus DOC Europa* – February 25, 2014

Topic: *Que percepção têm hoje os europeus da UE?*

**Instituto Internacional Casa de Mateus**, Vila Real, Portugal

*Mateus DOC VI* – January 25, 2014

Topic: *The Online Copyright Infringement ‘Speech Code’*

**Yale Law School**, New Haven, CT, USA

*2013 Doctoral Scholarship Conference* – December 6, 2013

Paper: *Time-Shifted Morality: A Critique of the Legal Discourse on Online Copyright Infringement*

**Tel Aviv University, Faculty of Law**, Tel Aviv, Israel

*Law in a Changing Transnational World* – October 30, 2013

Paper: *Time-Shifted Morality: A Critique of the Legal Discourse on Online Copyright Infringement* (discussant: Professor Shai Lavi)

**Universidade do Porto, Faculdade de Direito**, Porto, Portugal

*Ciclo de Conferências* – April 22, 2013

Title: *A Pirataria e a Propriedade Intelectual na Era da Internet*

**Cornell Law School**, Ithaca, NY, USA

*9<sup>th</sup> Cornell Law School Inter-University Graduate Conference* – April 13, 2013

Paper: *Time-Shifted Morality: A Critique of the Legal Discourse on Online Copyright Infringement*

**Universidade Católica Portuguesa, Faculdade de Direito**, Lisbon, Portugal

*Course in “Internet and the Law”, European Law Students’ Association* – March 13, 2013

Title: *Partilha de Ficheiros: Uma Abordagem Interdisciplinar*

**Católica Global School of Law**, Lisbon, Portugal

*Total Law Conference* – June 29, 2012

Paper: *EU Sports Policy and the Lisbon Treaty: A Marketplace of Arguments?* (discussants: Professors Joseph Weiler, Miguel Poiares Maduro, Damian Chalmers, Kieran Bradley and José María de Areilza)

