



# UNIVERSITÀ DEGLI STUDI DI PALERMO

<b>DEPARTMENT</b>	
<b>ACADEMIC YEAR</b>	
<b>ANNO ACCADEMICO EROGAZIONE</b>	
<b>SUBJECT</b>	
<b>CODE</b>	
<b>SCIENTIFIC SECTOR(S)</b>	
<b>HEAD PROFESSOR(S)</b>	PIRAINO FABRIZIO      Professore Ordinario      Univ. di PALERMO
<b>OTHER PROFESSOR(S)</b>	
<b>CREDITS</b>	
<b>PROPAEDEUTICAL SUBJECTS</b>	
<b>MUTUALIZATION</b>	
<b>YEAR</b>	
<b>TERM (SEMESTER)</b>	
<b>ATTENDANCE</b>	
<b>EVALUATION</b>	
<b>TEACHER OFFICE HOURS</b>	

DOCENTE: Prof. FABRIZIO PIRAINO

<b>PREREQUISITES</b>	No proficiency or basic knowledge is required for participation in the course. Undoubtedly, understanding and learning are facilitated by the scholastic study of general notions of public law and private law.
<b>LEARNING OUTCOMES</b>	Knowledge and understanding. Knowledge of Italian and European Union legislation on law information technology and the processing of personal data. Acquisition of technical language. Ability to apply knowledge and understanding. Ability to frame the concrete cases, identifying the discipline applicable legislation, through the combined reading of the provisions of the code civil and special national and European legislation. Autonomy of judgment. Ability to analyze jurisprudential orientations, even in a critical sense and doctrinal positions in the light of social and economic changes and the technological progress that characterize this regulatory sector. Communication skills. Acquisition of the technical language and of the basic conceptual heritage as well be able to develop a suitable discourse to indicate the technical arguments which support the interpretative solutions in the field of IT law e of data processing. Acquisition of a double register of language: the practical-casuistic register and the theoretical-speculative register. Learning skills. Ability to adapt knowledge by analyzing new texts normative, of the supervening jurisprudential orientations and of the production scientific essay.
<b>ASSESSMENT METHODS</b>	Verification of learning takes place through an oral interview which will consist of at least three open questions aimed at verifying: a) the knowledge acquired by the student on the three groups of topics into which the course program is divided: general notions of law, privacy law and IT law and the ability to establish connections between the contents covered by the different parts of the program b) the acquisition of legal terminology d) the processing skills and above all that of providing independent judgments regarding the disciplinary contents. The threshold of sufficiency of the oral exam is reached when the student demonstrates knowledge and understanding of the topics in the general lines (fundamental notions and sufficient depth of the related legal issues examined by doctrine and jurisprudence and analyzed in the textbooks and in the course of the lessons) and a language property not sufficiently articulated. Below this threshold, the examination will be insufficient. A more than sufficient mark corresponds to the greater argumentative and expository skills and to a mastery of the sectoral language, which is quantified following the evaluation methods listed below. DESCRIPTION OF ASSESSMENT METHODS The final judgment of the exam is pronounced by the Commission of selection made up of the teacher in charge of the course (chairman) and at least one other Professor, Researcher or Teacher of the same or similar disciplinary sector (component / s) according to the following assessment methods: To pass the exam, thus obtaining a grade of not less than 18/30, the student must demonstrate that they have acquired a basic knowledge of the topics described in the program, that they are able to make minimal connections between them , demonstrating that they have acquired a limited autonomy of judgment; her language must be sufficient to communicate with the examiners. To achieve a score of 30/30 cum laude, the student must, on the other hand, demonstrate full command of the topics covered by the program and strong linguistic and argumentative skills. In the evaluation of the oral exam, 4 distinct elements are taken into consideration in particular: a) the degree of knowledge of the program topics; b) the ability to apply the knowledge acquired even in contexts that are different / new / advanced than those of teaching c) the lexical competence d) the ability to develop and express autonomous judgments based on the knowledge acquired. To these elements are added, for the purposes of an overall assessment, the context factors of the exam such as, for example, active participation in lessons, the presence of some disability, or linguistic problems, in the case of foreign students
<b>EDUCATIONAL OBJECTIVES</b>	The course aims to identify the legal issues related to the process of computerization of contemporary society, offering students a updated panorama of Italian and European legislation and Case Law. Students must be able to recognize and interpret critically the principles and rules governing the processing of personal data; the news introduced by the c.d. digital administration code and the discipline of internet, with particular regard to the issues of the protection of domain names, web search engines, social networks, the responsibility of the internet service provider, e-commerce and legal protection of software and software databases
<b>TEACHING METHODS</b>	The course will take place with lessons, actively involving students with the reading of regulations and important Italian and European leading cases.

<b>SUGGESTED BIBLIOGRAPHY</b>	<p>Nozioni introduttive: S. MAZZAMUTO (a cura di), Manuale del diritto privato, III ed., Giappichelli, 2019, capitoli I- II-III-IV-XXI.</p> <p>Diritto dell'informatica e del trattamento dei dati personali:  ALESSANDRA QUARTA-GUIDO SMORTO, Diritto privato dei mercati digitali, Le Monnier Università, Mondadori Education, 2020.</p> <p>AA.VV., GDPR tra novità e discontinuità, a cura di R. Caterina, in Giurisprudenza italiana, Dicembre 2019, 2777- 2810 (contributi di R. Caterina, G. Finocchiaro, D. Poletti, F. Piraino, A. Montelero, R.Caterina S. Thobani).</p> <p>N.B. È imprescindibile la consultazione di un'edizione del codice civile con annessa legislazione speciale aggiornata all'anno in corso.</p>
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### SYLLABUS

Hrs	Frontal teaching
4	Introduction to the law and the legal system of sources
2	The regulatory framework of digital private law
4	Person and legal entity. The rights of the personality and the inviolable rights of the person
4	Liability for non-pecuniary damage
8	Outlines of the law of obligations and of the contract in general
10	From the Italian Privacy Code to the 2016/679 EU Regulation, General Data Protection Regulation (GDPR)
10	Consumer contract, distance contracts, the regulation of electronic commerce. The responsibility of the internet service providers and IT contract. Smart contracts
4	Legal system of remedies
2	Algorithms and artificial intelligence