

## Programa de Pós-graduação *Stricto Sensu* em Direito da Regulação Plano de Ensino

- **Disciplina:** Digital Platform Governance
- **Tipo Disciplina:** Eletiva Específica
- **Carga Horária:** 45h (3 créditos)
- **Horário:** 18h às 21h **Dia da semana:** Terça-feira
- **Professor Responsável:**

**Nicolo Zingales** – PhD, is a Professor of information law and regulation at FGV law school in Rio de Janeiro, where he also heads the E-Commerce Research Group. His research focuses on the role and responsibilities of digital intermediaries across distinct but overlapping legal regimes such as competition law, data protection, intellectual property and consumer law. His work was cited, among others, by the OCDE, the Council of Europe, the UN Special Rapporteur on Freedom of Expression, the Brazilian Competition Authority, the UK House of Lords and the European Parliament. He is a Director of CPDP LatAm; a founding member of the MyData Organisation and the host of its Brazilian hub; an affiliate scholar at the Stanford Center for Internet and Society and the Tilburg Institute for Law, Technology and Society; and a consultant on digital markets for CADE, the Brazilian competition authority. Prior to establishing his academic home at FGV, he worked for three years in the United Kingdom (Leeds and Sussex University), and for two years in the Netherlands (Tilburg Law School). He held visiting appointments at the law schools of the University of Western Australia, the Graduate Institute of Geneva, New York University, Harvard University, and at the Max Planck Institute for Competition and Innovation. He was a Google Policy Fellow at Research ICT Africa, a consultant on Internet freedom for APC and CIPESA, and practiced law with two international law firms, the European Commission and the European Court of Justice. He holds a JD from the University of Bologna and a PhD in international law and economics from Bocconi University. Further information about his work can be found on his [Lattes](#), [LinkedIn](#) or [Twitter](#) profiles.

- **Ementa:**

I. Regulation and governance of online communities; II. The dilemma of content moderation; III. The evolving framework for content moderation and the blurring boundaries of private-public; IV. Big Tech = big responsibilities in content moderation; V. Intermediaries, platforms and secondary liability; VI. Intermediary safe harbors and the scope of liability limitations ; VII. Economic analysis of liability; VIII. Human rights analysis of intermediary liability; IX. The rise of platform responsibility; X. The role of intermediaries in combating copyright infringement; XI. The role of intermediaries in combating fake news; XII. The Digital Services Act and its implications for digital intermediaries; XIII. Platform regulation as risk regulation; XIV. Platform Transparency: Expectations and Frustrations. XV. Regulating AI Platforms: Substantive and Procedural Challenges.

- **Objetivos:**

This course aims at providing an understanding of the evolving law regarding digital platforms and how this subject may vary across different national frameworks. Upon successful completion, students will be able to critically discuss the pros and cons of different approaches to regulation of and by digital platforms, considering the impact of their activity on the economy and society more broadly. Specifically, students will be able to:

1. Describe the multi-faceted notion of power, and the ways in which it acquires relevance in the process of law formation, particularly around digital platforms.
2. Distinguish among different types of intermediation to the actions of third parties that occur on the Internet, and different forms of responsibilities that attach.
3. Explain the legal and policy rationale behind the adoption of specific types of intermediary liabilities, and highlight potential unintended (or underestimated) consequences.
4. Identify and critically analyse the most important regulatory mechanisms for the imposition and the enforcement of platform liabilities.
5. Articulate a vision for the future direction of the evolving framework for platform governance in Brazil, and comparing that with other jurisdictions.
6. Manage and critique case-studies illustrating the imparted theoretical framework.

▪ **Critérios de avaliação:**

The final grade will be based on the combined result of student participation to debates during class, students' oral presentations, and written take-home exam.

The evaluation of the written exam will correspond to 40% (four out of ten points of the final grade). The written exam must be in English language and shall be delivered by **6 January 2025**.

The evaluation of the oral presentations will correspond to 40% (four out of ten points of the final grade).

The remaining 20% (two out of ten points of the final grade), to reach 100% of the final grade (ten points), will depend on the student's presence and effective participation in the debates held in the classroom.

▪ **Cronograma e Bibliografia:**

AULA	DATA	TEMA
I	13/08/2024	<p><b>REGULATION AND GOVERNANCE OF ONLINE COMMUNITIES</b></p> <p>Lawrence Lessig, The Law Of The Horse: What Cyberlaw Might Teach, 113 Harvard Law Review 501 (1999).</p> <p>Nicolas Suzor, The role of the rule of law in virtual communities, 25 Berkeley Technology Law Journal 1819 (2011).</p> <p><b>Suggested readings:</b></p> <p>Tim Wu, An Introduction to the Law &amp; Economics of Information (March 22, 2016). Columbia Public Law Research Paper No. 14-399; Columbia Law and Economics Working Paper No. 482. Available at SSRN: <a href="https://ssrn.com/abstract=2446577">https://ssrn.com/abstract=2446577</a>.</p> <p>Amy Kapczynski, The Law of Informational Capitalism, 129 Yale L. J. 1460 (2019-2020).</p>
II	20/08/2024	<p><b>THE DILEMMA OF CONTENT MODERATION</b></p> <p>James Grimmelman, The Virtue of Moderation, 17 Yale Journal of Law and Technology 42 (2015).</p> <p>Eric Goldman, Content Moderation Remedies (2021). 28 Michigan Technology Law Review 1 (2021), Santa Clara Univ. Legal Studies Research Paper, Available at SSRN: <a href="https://ssrn.com/abstract=3810580">https://ssrn.com/abstract=3810580</a>.</p>

		<p><b>Suggested readings:</b></p> <p>Robyn Caplan, 'Context or Content Moderation? Artisanal, Community-Reliant, and Industrial Approaches', Data &amp; Society Research Institute (2018). Available at <a href="https://datasociety.net/output/content-or-context-moderation/">https://datasociety.net/output/content-or-context-moderation/</a>.</p> <p>Gillespie, T. (2022). Do Not Recommend? Reduction as a Form of Content Moderation. Social Media + Society, 8(3). Available at <a href="https://doi.org/10.1177/20563051221117552">https://doi.org/10.1177/20563051221117552</a>.</p>
III	27/08/2024	<p><b>THE EVOLVING FRAMEWORK FOR CONTENT MODERATION AND THE BLURRING BOUNDARIES OF PRIVATE AND PUBLIC</b></p> <p>Ivar Hartmann, A new framework for online content moderation. Computer Law &amp; Security Review, v. 35, 2019.</p> <p>Daphne Keller, Who do you sue? State and Platform Hybrid power Over Online Speech, Hoover Institution Aegis Series Paper No. 1902, available at <a href="https://www.hoover.org/sites/default/files/research/docs/who-do-you-sue-state-and-platform-hybrid-power-over-online-speech_0.pdf">https://www.hoover.org/sites/default/files/research/docs/who-do-you-sue-state-and-platform-hybrid-power-over-online-speech_0.pdf</a>.</p> <p><b>Suggested readings:</b></p> <p>Luca Belli, Pedro Augusto Francisco &amp; Nicolo Zingales. (2017). Law of the Land or Law of the Platform? Beware of the Privatisation of Regulation and Police, in Belli L &amp; Zingales (Eds). Platform Regulations How Platforms are Regulated and How They Regulate Us. FGV Direito Rio (2017). Available at <a href="http://bibliotecadigital.fgv.br/dspace/handle/10438/19402">http://bibliotecadigital.fgv.br/dspace/handle/10438/19402</a>.</p> <p>Kebene Wodajo, The user state: an alternative reading of the state role and duty in the age of platformized harm, International Journal of Law and Information Technology, 2023;, eaad009. Available at <a href="https://doi.org/10.1093/ijlit/eaad009">https://doi.org/10.1093/ijlit/eaad009</a>.</p>
IV	03/09/2024	<p><b>BIG TECH = BIG RESPONSIBILITIES IN CONTENT MODERATION</b></p> <p>Sander, Barrie, Freedom of Expression in the Age of Online Platforms: The Promise and Pitfalls of a Human Rights-Based Approach to Content Moderation (May 23, 2020). Fordham International Law Journal, Vol. 43, No. 4, 2020. Available at SSRN: <a href="https://ssrn.com/abstract=3434972">https://ssrn.com/abstract=3434972</a> or <a href="http://dx.doi.org/10.2139/ssrn.3434972">http://dx.doi.org/10.2139/ssrn.3434972</a>.</p> <p>Angelopoulos, C., Brody, A., Hins, W., Hugenholtz, B., Leerssen, P., Margoni, T. , McGonagle, T., van Daalen, O. and van Hoboken, J. (2015) Study of Fundamental Rights Limitations for Online Enforcement through Self-Regulation. Other. Institute for Information Law (IViR). Available at <a href="https://dare.uva.nl/search?identifier=7317bf21-e50c-4fea-b882-3d819e0da93a">https://dare.uva.nl/search?identifier=7317bf21-e50c-4fea-b882-3d819e0da93a</a>.</p> <p><b>Suggested readings:</b></p> <p>Helberger, N., Pierson, J., &amp; Poell, T. (2018). Governing online platforms: From contested to cooperative responsibility. The Information Society, 34(1), 1-14. Available at <a href="https://doi.org/10.1080/01972243.2017.1391913">https://doi.org/10.1080/01972243.2017.1391913</a>.</p>

		<p>Stylianou, Konstantinos and Zingales, Nicolo and Di Stefano, Stefania, Is Facebook Keeping up with International Standards on Freedom of Expression? A Time-Series Analysis 2005-2020 (February 11, 2022). Available at SSRN: <a href="https://ssrn.com/abstract=4032703">https://ssrn.com/abstract=4032703</a>.</p>
V	10/09/2024	<p><b>INTERMEDIARIES, PLATFORMS AND SECONDARY LIABILITY</b></p> <p>OECD, 'The Economic and Social Role of Internet Intermediaries' (2010), at <a href="https://www.oecd.org/internet/ieconomy/44949023.pdf">https://www.oecd.org/internet/ieconomy/44949023.pdf</a>, pp. 6-14.</p> <p>Graeme Dinwoodie, Who are Internet Intermediaries? , Oxford Handbook on Intermediary Liability (Oxford University Press, 2020).</p> <p>Paul Belleflamme and Martin Peitz, Platforms: Definitions and Typology, in The Economics of Platform (Cambridge University Press, 2021). Available at <a href="https://www.cambridge.org/core/books/abs/economics-of-platforms/platforms-definitions-and-typology/EBA51D430F062103A738AFB833FBD7C7">https://www.cambridge.org/core/books/abs/economics-of-platforms/platforms-definitions-and-typology/EBA51D430F062103A738AFB833FBD7C7</a>.</p> <p><b>Suggested readings:</b></p> <p>Tarleton Gillespie, Platforms are not Intermediaries, 2 Georgetown Law Technology Review 198 (2018).</p> <p>Daphne Keller, Internet Platforms. Observations on speech, danger and Money. Hoover Institution White Paper (2018). Available at <a href="https://www.hoover.org/research/internet-platforms-observations-speech-danger-and-money">https://www.hoover.org/research/internet-platforms-observations-speech-danger-and-money</a>.</p>
VI	17/09/2024	<p><b>INTERMEDIARIES SAFE HARBORS AND THE SCOPE OF LIABILITY LIMITATIONS</b></p> <p>Laidlaw, Emily, Mapping Current and Emerging Models of Intermediary Liability (June 15, 2019). Available at SSRN: <a href="https://ssrn.com/abstract=3574727">https://ssrn.com/abstract=3574727</a> or <a href="http://dx.doi.org/10.2139/ssrn.3574727">http://dx.doi.org/10.2139/ssrn.3574727</a>.</p> <p>Goodman, Ellen P. and Whittington, Ryan, Section 230 of the Communications Decency Act and the Future of Online Speech (August 1, 2019). Rutgers Law School Research Paper. Available at SSRN: <a href="https://ssrn.com/abstract=3458442">https://ssrn.com/abstract=3458442</a> or <a href="http://dx.doi.org/10.2139/ssrn.3458442">http://dx.doi.org/10.2139/ssrn.3458442</a>.</p> <p><b>Suggested readings:</b></p> <p>Frosio, Giancarlo, From Horizontal to Vertical: An Intermediary Liability Earthquake in Europe (March 1, 2017). 12 Oxford Journal of Intellectual Property Law and Practice 565 (2017), Available at SSRN: <a href="https://ssrn.com/abstract=2956859">https://ssrn.com/abstract=2956859</a> or <a href="http://dx.doi.org/10.2139/ssrn.2956859">http://dx.doi.org/10.2139/ssrn.2956859</a>.</p> <p>Daphne Keller, The Right Tools: Europe's Intermediary Liability Laws and the EU 2016 General Data Protection Regulation, Berkeley Tech. LJ 33 (2018).</p>

VII	24/09/2024	<p><b>ECONOMIC ANALYSIS OF LIABILITY</b></p> <p>Alexandre De Streel et al., Liability of Online Platforms- Should Exceptionalism End? CERRE Report September 2018</p> <p>Husovec, Martin, Accountable, Not Liable: Injunctions Against Intermediaries (May 2, 2016). TILEC Discussion Paper No. 2016-012, Available at SSRN: <a href="https://ssrn.com/abstract=2773768">https://ssrn.com/abstract=2773768</a> or <a href="http://dx.doi.org/10.2139/ssrn.2773768">http://dx.doi.org/10.2139/ssrn.2773768</a></p> <p><b>Suggested readings:</b></p> <p>Mike Masnick, ‘Don’t shoot the Message Board. How Intermediary Liability Harms Investment and Innovation’ (June 2019), <a href="http://netchoice.org/wp-content/uploads/Dont-Shoot-the-Message-Board-Clean-Copia.pdf">http://netchoice.org/wp-content/uploads/Dont-Shoot-the-Message-Board-Clean-Copia.pdf</a>.</p> <p>Grimmelmann, James and Zhang, Pengfei, An Economic Model of Intermediary Liability (April 19, 2023). Berkeley Technology Law Journal, Forthcoming, Available at SSRN: <a href="https://ssrn.com/abstract=4422819">https://ssrn.com/abstract=4422819</a>.</p>
VIII	01/10/2024	<p><b>HUMAN RIGHTS ANALYSIS OF INTERMEDIARY LIABILITY</b></p> <p>Robert Spano, Intermediary Liability for Online User Comments under the European Convention on Human Rights, Human Rights Law Review, 2017, 1–15.</p> <p>Christina Angelopoulos and Stijn Smet, 'Notice-and-fair-balance: How to Reach a Compromise Between Fundamental Rights in European Intermediary Liability, 8 (2) Journal of Media Law (2016) 266-301.</p> <p>Council of Europe, Recommendation CM/Rec (2018)2 of the Committee of Ministers to member States on the roles and responsibilities of internet intermediaries.</p> <p><b>Suggested readings:</b></p> <p>Nicolo Zingales, Virtues and Perils of Anonymity: Should Intermediaries Bear the Burden 5 (2014) JIPITEC 155, para 1.</p> <p>Aleksandra Kuczerawy, The Power of Positive Thinking: Intermediary Liability and the Effective Enjoyment of the Right to Freedom of Expression, 8 (2017) JIPITEC 226 para 1.</p>
IX	22/10/2024	<p><b>THE RISE OF PLATFORM RESPONSIBILITY</b></p> <p>Nicolo Zingales &amp; Luca Belli, ‘Introduction’, in <i>Platform Regulations: How Platforms Are Regulated and How They Regulate Us</i> (FGV Press, 2017).</p> <p>Frosio, Giancarlo and Husovec, Martin, Accountability and Responsibility of Online Intermediaries (September 10, 2019). in Giancarlo Frosio (ed.), <i>The Oxford Handbook of Online Intermediary Liability</i> (Oxford University Press, 2019, Forthcoming), available at SSRN: <a href="https://ssrn.com/abstract=3451220">https://ssrn.com/abstract=3451220</a> or <a href="http://dx.doi.org/10.2139/ssrn.3451220">http://dx.doi.org/10.2139/ssrn.3451220</a>.</p>

		<p>Giancarlo Frosio, Why Keep a Dog and Bark Yourself? From Intermediary Liability to Responsibility, 26(1) Oxford International Journal of Law and Information Technology 1 (2018).</p> <p>European Commission, Communication on ‘Tackling Illegal Content Online: Towards an enhanced responsibility of online platforms’, COM(2017) 555 final.</p> <p>European Commission, Recommendation on ‘on measures to effectively tackle illegal content online’, C(2018) 1177 final.</p> <p><b>Suggested readings:</b></p> <p>Mac Sithigh, Daithi, The Road to Responsibilities: New Attitudes Towards Internet Intermediaries (October 3, 2019). Information and Communications Technology Law, October 2019. Available at SSRN: <a href="https://ssrn.com/abstract=3463688">https://ssrn.com/abstract=3463688</a> or <a href="http://dx.doi.org/10.2139/ssrn.3463688">http://dx.doi.org/10.2139/ssrn.3463688</a>.</p> <p>Muhammad Ali et al, Discrimination through optimization: How Facebook's ad delivery can lead to skewed outcomes, available at <a href="https://arxiv.org/abs/1904.02095">https://arxiv.org/abs/1904.02095</a>.</p>
X	29/10/2024	<p><b>THE ROLE OF INTERMEDIARIES IN COMBATING COPYRIGHT INFRINGEMENT</b></p> <p>Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC (Text with EEA relevance.).</p> <p>Husovec, Martin, How Europe Wants to Redefine Global Online Copyright Enforcement (April 15, 2019). In: Tatiana Eleni Synodinou (ed.), Pluralism or Universalism in International Copyright Law (Kluwer law, Forthcoming). Available at SSRN: <a href="https://ssrn.com/abstract=3372230">https://ssrn.com/abstract=3372230</a> or <a href="http://dx.doi.org/10.2139/ssrn.3372230">http://dx.doi.org/10.2139/ssrn.3372230</a>.</p> <p>Bridy, Annemarie, The Price of Closing the 'Value Gap': How the Music Industry Hacked EU Copyright Reform (June 30, 2019). Vanderbilt Journal of Entertainment &amp; Technology Law, volume 22, pp. 323-358 (2020). Available at SSRN: <a href="https://ssrn.com/abstract=3412249">https://ssrn.com/abstract=3412249</a> or <a href="http://dx.doi.org/10.2139/ssrn.3412249">http://dx.doi.org/10.2139/ssrn.3412249</a>.</p> <p><b>Suggested readings:</b></p> <p>Thomas Spoerri, On Upload-Filters and other Competitive Advantages for Big Tech Companies under Article 17 of the Directive on Copyright in the Digital Single Market, 10 (2019) JIPITEC 173 para 1.</p> <p>Quintais, João, The New Copyright in the Digital Single Market Directive: A Critical Look (October 14, 2019). European Intellectual Property Review 2020(1) (Forthcoming), Available at SSRN: <a href="https://ssrn.com/abstract=3424770">https://ssrn.com/abstract=3424770</a> or <a href="http://dx.doi.org/10.2139/ssrn.3424770">http://dx.doi.org/10.2139/ssrn.3424770</a>.</p>

<p>XI</p>	<p>05/11/2024</p>	<p><b>THE ROLE OF INTERMEDIARIES IN COMBATING FAKE NEWS</b></p> <p>David Lazer et al., The science of fake news. 359 (6380) Science (09 Mar, 2018).</p> <p>Alberto Alemanno, How to Counter Fake News? A Taxonomy of Anti-fake News Approaches. 9 (1) European Journal of Risk Regulation (2018).</p> <p>European Commission, Communication on Tackling Misinformation: A European Approach, COM/2018/236 final.</p> <p>European Commission, The Strengthened Code of Practice on Disinformation 2022. Available at: <a href="https://digital-strategy.ec.europa.eu/en/policies/code-practice-disinformation#:~:text=The%20Code%20will%20strengthen%20the,challenges%20related%20to%20such%20techniques">https://digital-strategy.ec.europa.eu/en/policies/code-practice-disinformation#:~:text=The%20Code%20will%20strengthen%20the,challenges%20related%20to%20such%20techniques</a>.</p> <p>Griffin, Rachel and Vander Maelen, Carl, Codes of Conduct in the Digital Services Act: Exploring the Opportunities and Challenges (May 30, 2023). Available at SSRN: <a href="https://ssrn.com/abstract=4463874">https://ssrn.com/abstract=4463874</a> or <a href="http://dx.doi.org/10.2139/ssrn.4463874">http://dx.doi.org/10.2139/ssrn.4463874</a>.</p> <p>Draft Bill no. 2630 of 2020, as approved by Brazilian Senate: <a href="https://docs.google.com/document/d/1MHMDHsVJBi45P1R5IAyoLmZvZk8eULHisYFqGy9X2s/edit?ts=5f0478be">https://docs.google.com/document/d/1MHMDHsVJBi45P1R5IAyoLmZvZk8eULHisYFqGy9X2s/edit?ts=5f0478be</a>.</p> <p><b>Suggested readings:</b></p> <p>A multi-dimensional approach to disinformation, Report of the independent High level Group on fake news and online disinformation. Available at <a href="https://ec.europa.eu/digital-single-market/en/news/final-report-high-level-expert-group-fake-news-and-online-disinformation">https://ec.europa.eu/digital-single-market/en/news/final-report-high-level-expert-group-fake-news-and-online-disinformation</a>.</p> <p>P.H. Chase, The EU Code of Practice on Disinformation: The Difficulty of Regulating a Nebulous Problem, August 29, 2019. Available at <a href="https://www.ivir.nl/twg/publications-transatlantic-working-group/">https://www.ivir.nl/twg/publications-transatlantic-working-group/</a>.</p> <p>Richard Mackenzie-Gray Scott, Managing Misinformation on Social Media: Targeted Newsfeed Interventions and Freedom of Thought, 21 Nw. J. Hum. Rts. 109 (2023). Available at <a href="https://scholarlycommons.law.northwestern.edu/njihr/vol21/iss2/1">https://scholarlycommons.law.northwestern.edu/njihr/vol21/iss2/1</a>.</p>
<p>XII</p>	<p>12/11/2024</p>	<p><b>THE DIGITAL SERVICES ACT AND ITS IMPLICATIONS FOR DIGITAL INTERMEDIARY GOVERNANCE</b></p> <p>Husovec, Martin and Roche Laguna, Irene, Digital Services Act: A Short Primer (July 5, 2022). Martin Husovec and Irene Roche Laguna, Principles of the Digital Services Act (Oxford University Press, Forthcoming 2023), Available at SSRN: <a href="https://ssrn.com/abstract=4153796">https://ssrn.com/abstract=4153796</a> or <a href="http://dx.doi.org/10.2139/ssrn.4153796">http://dx.doi.org/10.2139/ssrn.4153796</a>.</p> <p>Nicolo Zingales, The DSA as a paradigm shift for online intermediaries' due diligence, Verfassungblog. Available at <a href="https://verfassungblog.de/dsa-meta-regulation/">https://verfassungblog.de/dsa-meta-regulation/</a>.</p> <p>Martin Husovec, Will the DSA work? On money and effort, Verfassungblog. Available at <a href="https://verfassungblog.de/dsa-money-effort/">https://verfassungblog.de/dsa-money-effort/</a>.</p>



		<p>Daphne Keller, The EU’s new Digital Services Act and the Rest of the World, Verfassungblog. Available at <a href="https://verfassungsblog.de/dsa-rest-of-world/">https://verfassungsblog.de/dsa-rest-of-world/</a>.</p> <p>Sebastian Becker, Jan Pefrat, The DSA fails to reign in the most harmful digital platform businesses – but it is still useful , Verfassungblog. Available at <a href="https://verfassungsblog.de/dsa-fails/">https://verfassungsblog.de/dsa-fails/</a>.</p> <p>Pietro Ortolani, If You Build It, They Will Come, Verfassungblog. Available at <a href="https://verfassungsblog.de/dsa-build-it/">https://verfassungsblog.de/dsa-build-it/</a>.</p> <p>Catalina Goanta, Now What, Verfassungblog. Available at <a href="https://verfassungsblog.de/dsa-now-what/">https://verfassungsblog.de/dsa-now-what/</a>.</p> <p>Aleksandra Kuczerawy, Remediating overremoval, Verfassungblog, at <a href="https://verfassungsblog.de/remediating-overremoval/">https://verfassungsblog.de/remediating-overremoval/</a>.</p> <p><b>Suggested readings:</b></p> <p>Suzanne Vergnolle, Putting collective intelligence to the enforcement of the Digital Services Act Report on possible collaborations between the European Commission and civil society organisations. Available at <a href="https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4435885">https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4435885</a>.</p> <p>Frosio, Giancarlo and Geiger, Christophe, Taking Fundamental Rights Seriously in the Digital Services Act’s Platform Liability Regime. European Law Journal 2022 (forthcoming), Available at SSRN: <a href="https://ssrn.com/abstract=3747756">https://ssrn.com/abstract=3747756</a>.</p>
XIII	26/11/2024	<p><b>PLATFORM REGULATION AS RISK REGULATION</b></p> <p>Alessandro Mantelero, Fundamental rights impact assessments in the DSA. Available at <a href="https://verfassungsblog.de/dsa-impact-assessment/">https://verfassungsblog.de/dsa-impact-assessment/</a>.</p> <p>Evelyn Douek, Content moderation as Systems Thinking, 136 Harv. L. Rev. 526 (2022).</p> <p>Substitute text of P.L. 2630 currently discussed in Brazilian Congress (English translation to be provided).</p> <p>ACT Coalition on Meaningful Transparency, Audit frameworks under the Digital Services Act - an ACT briefing note (April 2023), at <a href="https://www.meaningfulttransparency.tech/post/audit-frameworks-under-the-digital-services-act-an-act-briefing-note">https://www.meaningfulttransparency.tech/post/audit-frameworks-under-the-digital-services-act-an-act-briefing-note</a>.</p> <p>Commission Delegated Regulation (EU) 2024/436 of 20 October 2023 supplementing Regulation (EU) 2022/2065 of the European Parliament and of the Council, by laying down rules on the performance of audits for very large online platforms and very large online search engines. Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL LAYING DOWN HARMONISED RULES ON ARTIFICIAL INTELLIGENCE (ARTIFICIAL INTELLIGENCE ACT) AND AMENDING CERTAIN UNION LEGISLATIVE ACTS, COM/2021/206 final.</p> <p><b>Suggested readings:</b></p> <p>Thomas Kadri, Juridical Discourse for Platforms, 136 Harv. L. Rev. F. 163 (2022).</p>



		<p>Lindsay Sain Jones and Tim R. Samples, On the Systemic Importance of Digital Platforms, 25 J. Bus. L. 141 (2023) Available at: <a href="https://scholarship.law.upenn.edu/jbl/vol25/iss1/5">https://scholarship.law.upenn.edu/jbl/vol25/iss1/5</a>.</p> <p>World Economic Forum, Digital Safety Risk Assessment in Action: A Framework and Bank of Case Studies.</p>
XIV	03/12/2024	<p><b>PLATFORM TRANSPARENCY: EXPECTATIONS AND FRUSTRATIONS</b></p> <p>Goldman, Eric, Zauderer and Compelled Editorial Transparency (2023). Iowa Law Review Online, Forthcoming, Santa Clara Univ. Legal Studies Research Paper No. 4246090, Available at SSRN: <a href="https://ssrn.com/abstract=4246090">https://ssrn.com/abstract=4246090</a> or <a href="http://dx.doi.org/10.2139/ssrn.4246090">http://dx.doi.org/10.2139/ssrn.4246090</a>.</p> <p>Mariana Mazzucato, Ilan Strauss,im O’Reilly,and Josh Ryan-Collins, Regulating Big Tech: the role of enhanced disclosures Oxford Review of Economic Policy, 2023, 39, 47–69.</p> <p>Keller, Daphne, Platform Transparency and the First Amendment (March 3, 2023). Available at SSRN: <a href="https://ssrn.com/abstract=4377578">https://ssrn.com/abstract=4377578</a> or <a href="http://dx.doi.org/10.2139/ssrn.4377578">http://dx.doi.org/10.2139/ssrn.4377578</a>.</p> <p><b>Suggested readings:</b></p> <p>Paddy Leerssen, An end to shadow banning? Transparency rights in the Digital Services Act between content moderation and curation.</p> <p>Rieder, B. &amp; Hofmann, J. (2020). Towards platform observability. Internet Policy Review, 9(4). Available at <a href="https://doi.org/10.14763/2020.4.1535">https://doi.org/10.14763/2020.4.1535</a>.</p>
XV	10/12/2024	<p><b>REGULATING AI PLATFORMS: NEW SUBSTANTIVE AND PROCEDURAL CHALLENGES</b></p> <p>João Quintais, Generative Ai&lt; Copyright and the AI Act. Available at <a href="https://copyrightblog.kluweriplaw.com/2023/05/09/generative-ai-copyright-and-the-ai-act/">https://copyrightblog.kluweriplaw.com/2023/05/09/generative-ai-copyright-and-the-ai-act/</a>.</p> <p>Lee, Katherine and Cooper, A. Feder and Grimmelmann, James and Grimmelmann, James, Talkin’ ‘Bout AI Generation: Copyright and the Generative-AI Supply Chain (July 27, 2023). Forthcoming, Journal of the Copyright Society 2024, Available at SSRN: <a href="https://ssrn.com/abstract=4523551">https://ssrn.com/abstract=4523551</a> or <a href="http://dx.doi.org/10.2139/ssrn.4523551">http://dx.doi.org/10.2139/ssrn.4523551</a>.</p> <p>Robert Gorwa and Michael Veale. Moderating Model Marketplaces: Platform Governance Puzzles for AI Intermediaries. Available at <a href="https://doi.org/10.31235/osf.io/6dfk3">https://doi.org/10.31235/osf.io/6dfk3</a>.</p>

▪ **Informações complementares:**

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