

## Bibliography

### A. Books, book sections, journal articles and public reports

- Abbot C, 'Bridging the Gap – Non-state Actors and the Challenges of Regulating New Technology' (2012) 39 *Journal of Law and Society* 329
- Abdel-Khalik J, 'Is eBay Counterfeiting?' in Hannibal Travis (ed), *Cyberspace law: censorship and regulation of the Internet* (Routledge 2013)
- Akdeniz Y, *Internet Child Pornography and the Law: National and International Responses* (Taylor & Francis Group 2008)
- Andrews L, 'Algorithms, Regulation, and Governance Readiness' in Karen Yeung and Martin Lodge, *Algorithmic regulation* (2019)
- Angelopoulos C, 'Filtering the Internet for Copyrighted Content in Europe' (2009) 4 *iris plus* 12
- , *European Intermediary Liability in Copyright: A Tort-Based Analysis* (Kluwer Law International BV 2017)
- Angelopoulos C and others, 'Study of Fundamental Rights Limitations for Online Enforcement through Self-Regulation' (Institute for Information Law (IViR), University of Amsterdam 2015)
- Apa E and Bassini M, 'Court of Rome Rules Vimeo Liable for Copyright Infringement' [2019] *iris Newsletter* 50
- Ardia DS, 'Free Speech Savior or Shield for Scoundrels: An Empirical Study of Intermediary Immunity under Section 230 of the Communications Decency Act' (2010) 43 *Loyola of Los Angeles Law Review* 373
- Aries N and Vaziri L, 'Online Intermediary Liability and TM Infringement: Stuck in the Middle With You' (2020) 9 *Trade Marks 2020 A practical cross-border insight into trade mark work* 1
- Arnold D (ed), *Handbuch Logistik* (3., neu bearb Aufl, Springer 2008)
- Assaf Hamdani, 'Gatekeeper Liability' (2003) 77 *Southern California Law Review* 53
- Australian Government, Attorney-General's Department, 'Sharing of Abhorrent Violent Material Act - Fact Sheet' <<https://www.ag.gov.au/Crime/federal-offenders/Documents/AVM-Fact-Sheet.pdf>> accessed 3 January 2020
- Autenne A and De Ghellinck É, 'L'émergence et le développement des plateformes digitales: les enseignements de la théorie économique de la firme' (2019) t.XXXIII *Revue internationale de droit économique* 275
- Avia L, Amellal K and Taïeb G, 'Renforcer La Lutte Contre Le Racisme et l'antisémitisme Sur Internet - Rapport à Monsieur Le Premier Ministre' (2018) <<https://www.gouvernement.fr/rapport-visant-a-renforcer-la-lutte-contre-le-racisme-et-l-antisemitisme-sur-internet>> accessed 24 April 2021

- Ayres I and Braithwaite J, *Responsive Regulation: Transcending the Deregulation Debate* (Oxford University Press 1992) <<http://site.ebrary.com/id/10087207>> accessed 19 February 2019
- Baldwin R and Black J, 'Driving Priorities in Risk-based Regulation: What's the Problem?' (2016) 43 *Journal of Law and Society* 565
- Baldwin R, Cave M and Lodge M, *Understanding Regulation: Theory, Strategy, and Practice* (2nd ed, Oxford University Press 2012)
- Ballegooij W van and Bakowski P, *The Cost of Non-Europe in the Fight against Terrorism: Study* (European Parliament, European Parliamentary Research Service 2018)
- Bambauer DE, 'From Platforms to Springboards' (2018) 2 *Georgetown Law Technology Review* 15
- Bamberger KA, 'Technologies of Compliance: Risk and Regulation in a Digital Age' (2009) 88 *Tex. L. Rev.* 669
- Bartolini C, Santos C and Ullrich C, 'Property and the Cloud' (2018) 34 *Computer Law & Security Review* 358
- Barwise P and Watkins L, 'The Evolution of Digital Dominance' in Damian Tambini and Martin Moore (eds), *Digital dominance: the power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)
- Becker M, 'When Public Principals Give up Control over Private Agents: The New Independence of ICANN in Internet Governance' [2019] *Regulation & Governance* rego.12250
- Bednarz T, 'Keyword Advertising before the French Supreme Court and beyond - Calm at Last after Turbulent Times for Google and Its Advertising Clients?' (2011) 42 *International Review of Intellectual Property and Competition Law* 641
- Belli L and Sappa C, 'The Intermediary Conundrum' (2017) 8 *JIPITEC* 183
- Benabou VL, 'Quelle(s) responsabilité(s) des intermédiaires techniques sur Internet?' (2006) 61 *Annales des télécommunications* 865
- Benkler Y, 'From Consumers to Users: Shifting the Deeper Structures of Regulation Toward Sustainable Commons and User Access' (2000) 52 *Fed. Comm. L. J.* 561
- Bernejo F, 'Online Advertising as a Shaper of Public Communication' in Rikke Frank Jørgensen (ed), *Human Rights in the Age of Platforms* (The MIT Press 2019) <<https://direct.mit.edu/books/book/4531/Human-Rights-in-the-Age-of-Platforms>> accessed 28 May 2020
- Bertolini E, Franceschelli V and Pollicino O, 'Analysis of ISP Regulation under Italian Law' in Graeme B. Dinwoodie (ed), *Secondary liability of internet service providers* (Springer Berlin Heidelberg 2017)
- Bilić P, 'Search Algorithms, Hidden Labour and Information Control' (2016) 3 *Big Data & Society* 1
- Bilska A and Kowalski R, 'Food Quality and Safety Management' (2014) 10 *Scientific Journal of Logistics* 351

## *Bibliography*

- Black Julia, 'Decentring Regulation: Understanding the Role of Regulation and Self-Regulation in a "Post-Regulatory" World' (2001) 54 *Current Legal Problems* 103
- Blázquez FJC, 'User-Generated Content Services and Copyright' (2008) 5 *iris plus* 1
- Blocman A, 'Pas d'obligation générale de surveillance du réseau, rappelle la Cour de cassation' [2013] *iris plus*
- Blommaert J, *Durkheim and the Internet: On Sociolinguistics and the Sociological Imagination*. (Bloomsbury Publishing Plc 2018)
- Bohn S, Friederici N and Gümüşay AA, 'Too Big to Fail Us? Platforms as Systemically Relevant' (*Internet Policy Review*, 11 August 2020) <<https://policyreview.info/articles/news/too-big-fail-us-platforms-systemically-relevant/1489>> accessed 20 August 2020
- Boldrin M and Levine DK, *Against Intellectual Monopoly* (Cambridge Univ Press 2010)
- Bonadio E and Santo M, 'Court of Milan Holds Video Sharing Platforms Liable for Copyright Infringement' (2012) 7 *Journal of Intellectual Property Law & Practice* 14
- Bosher H and Yeşiloğlu S, 'An Analysis of the Fundamental Tensions between Copyright and Social Media: The Legal Implications of Sharing Images on Instagram' (2019) 33 *International Review of Law, Computers & Technology* 164
- Boudreau KJ and Hagiu A, 'Platforms Rules: Multi-Sided Platforms as Regulators' in Annabelle Gawer (ed), *Platforms, markets and innovation* (Paperback edition reprinted, Edward Elgar 2014)
- Brey P, Gauttier S and Milam P-E, *Harmful Internet Use. Study Part II, Part II*, (European Parliament, European Parliamentary Research Service 2019) <[http://www.europarl.europa.eu/RegData/etudes/STUD/2019/624269/EPRS\\_STU\(2019\)624269\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2019/624269/EPRS_STU(2019)624269_EN.pdf)> accessed 6 April 2020
- Bridy A, 'Notice and Takedown in the Domain Name System: ICANN's Ambivalent Drift into Online Content Regulation.(Internet Corporation for Assigned Names and Numbers)' (2017) 74
- Brown A and Kennedy R, 'Regulating Intersectional Activity: Privacy and Energy Efficiency, Laws and Technology' (2017) 31 *International Review of Law, Computers & Technology* 340
- Büllesbach A (ed), *Concise European IT Law* (2nd ed, Kluwer Law International 2010)
- Bundesamt für Verbraucherschutz und Landwirtschaft (BVL), 'Gemeinsame Zentralstelle "Kontrolle Der Im Internet Gehandelten Erzeugnisse Des LFGB Und Tabakerzeugnisse" - Jahresbericht 2018' (2019) <[https://www.bvl.bund.de/DE/Aufgaben/06\\_Onlinehandel/onlinehandel\\_node.html](https://www.bvl.bund.de/DE/Aufgaben/06_Onlinehandel/onlinehandel_node.html)> accessed 16 July 2020
- Bundesministeriums der Justiz und für Verbraucherschutz, 'Together against Hate Speech - Ways to Tackle Online Hateful Content Proposed by the Task Force against Illegal Online Hate Speech' (2015)
- Bunting M, 'Keeping Consumers Safe Online: Legislating for Platform Accountability for Online Content' (Communication Chambers 2018)

- Burk DL, 'Toward an Epistemology of ISP Secondary Liability' (2011) 24 *Philosophy & Technology* 437
- Busch C, 'Crowdsourcing Consumer Confidence - How to Regulate Online Rating And Review Systems in the Collaborative Economy' in Alberto De Franceschi (ed), *European Contract Law and the Digital Single Market: The Implications of the Digital Revolution* (Intersentia 2016)
- , 'Towards a "New Approach" for the Platform Ecosystem: A European Standard for Fairness in Platform-to-Business Relations' 3
- Calabresi G, *The Costs of Accidents: A Legal and Economic Analysis* (Yale University Press 1970)
- Callamard A, 'The Human Rights Obligations of Non-State Actors' in Rikke Frank Jørgensen (ed), *Human Rights in the Age of Platforms* (The MIT Press 2019) <<https://direct.mit.edu/books/book/4531/Human-Rights-in-the-Age-of-Platforms>> accessed 28 May 2020
- Carbonara E, Guerra A and Parisi F, 'Sharing Residual Liability: The Cheapest Cost Avoider Revisited' (2016) 45 *The Journal of Legal Studies* 173
- Carisimo E and others, 'Studying the Evolution of Content Providers in IPv4 and IPv6 Internet Cores' (2019) 145 *Computer Communications* 54
- Castells M, *The Rise of the Network Society* (2nd ed, Blackwell Publishers 2000)
- Castets-Renard C, 'Online Surveillance in the Fight Against Terrorism in France' in Tatiana-Eleni Synodinou and others (eds), *EU internet law: regulation and enforcement* (Springer Berlin Heidelberg 2017)
- Centre for Strategy & Evaluation Services LLP, 'Impact Assessment on Increased Protection of Internet-Connected Radio Equipment and Wearable Radio Equipment - Annex 5 - Annex 5 – Radio Equipment Forecasts' (European Commission 2020) <<https://ec.europa.eu/docsroom/documents/40763>> accessed 14 July 2020
- Chander A and Krishnamurthy V, 'The Myth of Platform Neutrality' (2018) 2 *Georgetown Law Technology Review* 17
- Chaudhry P and Zimmerman A, *Protecting Your Intellectual Property Rights* (Springer New York 2013)
- Chowdhury N and Wessel RA, 'Conceptualising Multilevel Regulation in the EU: A Legal Translation of Multilevel Governance?' (2012) 18 *European law journal* 335
- Citron DK, 'Extremist Speech and Compelled Conformity' (2018) 93 *NOTRE DAME LAW REVIEW* 43
- Citron DK and Wittes B, 'The Internet Will Not Break: Denying Bad Samaritans Section 230 Immunity' (2017) University of Maryland Francis King Carey School of Law Legal Studies Research Paper No. 2017-22 <[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3007720](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3007720)> accessed 18 September 2017
- , 'The Problem Is Not Just Backpage: Revising Section 230 Immunity' (2018) 2 *Georgetown Law Technology Review* 21
- Clark D and Claffy K, 'Platform Models for Sustainable Internet Regulation' (2014) 4 *Journal of Information Policy* 463

## *Bibliography*

- Clarke R, 'Web 2.0 as Syndication' (2008) 3 *Journal of theoretical and applied electronic commerce research* <[http://www.scielo.cl/scielo.php?script=sci\\_arttext&pid=S0718-18762008000100004&lng=en&nrm=iso&tlng=en](http://www.scielo.cl/scielo.php?script=sci_arttext&pid=S0718-18762008000100004&lng=en&nrm=iso&tlng=en)> accessed 22 July 2019
- Clarke R and Wigan M, 'The Information Infrastructures of 1985 and 2018: The Sociotechnical Context of Computer Law & Security' (2018) 34 *Computer Law & Security Review* 677
- Coase RH, 'The Problem of Social Cost' (1960) 3 *The Journal of Law and Economics* 1
- Cobbe J and Bietti E, 'Rethinking Digital Platforms for the Post-COVID-19 Era' (Centre for International Governance Innovation, 12 May 2020) <<https://www.cigionline.org/articles/rethinking-digital-platforms-post-covid-19-era>> accessed 20 August 2020
- Cohen JE, 'The Regulatory State in the Information Age' (2016) 17 *Theoretical Inquiries in Law* 369
- Cole MD, Etteldorf C and Ullrich C, *Cross-Border Dissemination of Online Content: Current and Possible Future Regulation of the Online Environment with a Focus on the EU E-Commerce Directive*, vol 81 (1st edn, Nomos 2020) <<https://www.nomos-elibrary.de/10.5771/9783748906438/cross-border-dissemination-of-online-content>> accessed 21 April 2021
- Cole MD, Etteldorf C and Ullrich C, *Updating the Rules for Online Content Dissemination: Legislative Options of the European Union and the Digital Services Act Proposal*, vol 83 (1st edn, Nomos 2020) <<https://www.nomos-elibrary.de/10.5771/9783748925934/updated-the-rules-for-online-content-dissemination>> accessed 13 May 2021
- Cole MD and Quintel T, "Is There Anybody out There?" – Retention of Communications Data. Analysis of the Status Quo in Light of the Jurisprudence of the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR)' in Russell L Weaver, Jane Reichel and Steven I Friedland (eds), *Comparative perspectives on privacy in an Internet era* (Carolina Academic Press 2019)
- Collins R, *Three Myths of Internet Governance: Making Sense of Networks, Governance and Regulation* (Intellect Books 2009)
- 'Combating Trafficking in Counterfeit and Pirated Goods - Report to the President of the United States' (US Department of Homeland Security 2020) <<https://www.dhs.gov/publication/combating-trafficking-counterfeit-and-pirated-goods>> accessed 30 June 2020
- Common ME, 'Fear the Reaper: How Content Moderation Rules Are Enforced on Social Media' [2020] *International Review of Law, Computers & Technology* 1
- Constantinides P, Henfridsson O and Parker GG, 'Introduction—Platforms and Infrastructures in the Digital Age' (2018) 29 *Information Systems Research* 381
- 'Copyright Protection On Digital Platforms: Existing Tools, Good Practice And Limitations - Report By The Research Mission On Recognition Tools For Copyright-Protected Content On Digital Platforms' (Conseil Supérieur de la Propriété Littéraire et Artistique (CSPLA), Ministère de la Culture 2017)

- Coraggio G, 'Internet Litigation.' (2015) 21 *IP Litigator* 25
- Cornils DM, 'Designing Platform Governance: A Normative Perspective on Needs, Strategies, and Tools to Regulate Intermediaries' (Algorithm Watch 2020)
- Cornish WR, Llewelyn D and Aplin TF, *Intellectual property: patents, copyright, trade marks and allied rights* (7. ed, Sweet & Maxwell [u.a.] 2010)
- Council of Europe, 'Recommendation CM/Rec(2014)6 of the Committee of Ministers to Member States on a Guide to Human Rights for Internet Users (Adopted by the Committee of Ministers on 16 April 2014 at the 1197th Meeting of the Ministers' Deputies)'
- Craig JDR, 'Invasion of Privacy and Charter Values: The Common-Law Tort Awakens' (1997) 42 *McGill Law Journal* 355
- Crémer J, de Montjoye Y-A and Schweitzer H, 'Competition Policy for the Digital Era - Final Report' (European Commission 2019) <<http://ec.europa.eu/competition/publications/reports/kd0419345enn.pdf>> accessed 31 July 2019
- Dam CC van, *European Tort Law* (Second edition, Oxford University Press 2013)
- Dara R, 'Intermediary Liability in India: Chilling Effects on Free Expression on the Internet' [2011] *SSRN Electronic Journal* <<http://www.ssrn.com/abstract=2038214>> accessed 2 January 2020
- Davies L, 'Internet and the Elephant' (1996) 24 *Int'l Bus. Law*
- Davis BJ, 'Comment: Untangling the "Publisher" versus "Information Content Provider" Paradox of 47 u.s.c. § 230: Toward a Rational Application of the Communications Decency Act in Defamation Suits against Internet Service Providers' (2002) 32 *New Mexico Law Review* 75
- Dawson M, 'Better Regulation and the Future of EU Regulatory Law and Politics' (2016) 53 *Common Market Law Review* 1209
- Derieux E and Granchet A, *Lutte Contre Le Téléchargement Illégal: Lois Dadvsi et Hadopi* (Lamy 2010)
- Determann L, 'Case Update: German CompuServe Director Acquitted on Appeal' (1999) 23 *Hastings International and Comparative Law Review* 17
- Diakopoulos N and others, 'I Vote For—How Search Informs Our Choice of Candidate' in Damian Tambini and Martin Moore (eds), *Digital dominance: the power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)
- Dinwoodie GB, 'Secondary Liability for Online Trademark Infringement: The International Landscape' (2014) 37 *Columbia Journal of Law & the Arts* 463
- , 'A Comparative Analysis of the Secondary Liability of Online Providers' in Graeme B. Dinwoodie (ed), *Secondary liability of internet service providers* (Springer Berlin Heidelberg 2017)
- Dixit P, 'Liability of Indian E-Commerce Websites for Trade Mark Infringement by Sellers' (2019) 14 *Journal of Intellectual Property Law & Practice* 424
- Durkheim É, *De la division du travail social* (1873) (Presses Électroniques de France 2013)
- Dyson E, 'Cyberspace and the American Dream: A Magna Carta for the Knowledge Age (Release 1.2, August 22, 1994)' (1996) 12 *The Information Society* 295

## *Bibliography*

- Edwards L, 'The Changing Shape of Cyberlaw' (2004) 1 SCRIPT-ed 363
- , 'The Fall and Rise Of Intermediary Liability Online', *Law and the Internet* (3rd ed, Hart Pub 2009)
- , 'With Great Power Comes Great Responsibility?: The Rise of Platform Liability' in Lilian Edwards (ed), *Law, policy, and the Internet* (Hart 2019)
- Edwards L and Veale M, 'Slave to the Algorithm? Why a 'Right to Explanation' Is Probably Not the Remedy You Are Looking For' (2017) 16 *Duke Law & Technology Review* 18
- Edwards L and Waelde C, 'Online Intermediaries and Liability for Copyright Infringement', *WIPO Workshop Keynote Paper* (2005) <[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1159640](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1159640)> accessed 15 October 2019
- Elkin-Koren N and Salzberger EM, 'Law and Economics in Cyberspace' (1999) 19 *International Review of Law and Economics* 553
- Eller KH, 'Private Governance of Global Value Chains from within: Lessons from and for Transnational Law' (2017) 8 *Transnational Legal Theory* 296
- Eltis K, 'Can the Reasonable Person Still Be "Highly Offended" - An Invitation to Consider the Civil Law Tradition's Personality Rights-Based Approach to Tort Privacy' [2008] *University of Ottawa Law & Technology Journal* 199
- Engstrom E and Feamster N, 'The Limits of Filtering: A Look at the Functionality & Shortcomings of Content Detection Tools' (*Engine* 2017) <<https://www.engine.is/the-limits-of-filtering/>> accessed 3 March 2020
- Epstein R, 'Manipulating Minds' in Damian Tambini and Martin Moore (eds), *Digital dominance: the power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)
- 'ERGA Position Paper on the Digital Services Act' (European Regulators Group for Audiovisual Media Services (ERGA) 2020) <[https://erga-online.eu/?page\\_id=14](https://erga-online.eu/?page_id=14)> accessed 5 November 2020
- Erickson K and Kretschmer M, 'Analyzing Copyright Takedown of User-Generated Content on YouTube' [2018] *JIPITEC* 75
- Etteldorf C, 'Bill to Combat Right-Wing Extremism and Hate Crime' [2020] *iris Newletter* <<http://merlin-int.obs.coe.int/article/8802>> accessed 16 April 2020
- European Commission, 'Communication from the Commission: Illegal and Harmful Content on the Internet, COM(96) 487 Final' (1996) <<https://core.ac.uk/reader/5078710>> accessed 9 October 2019
- , 'Communication from the Commission on "Europe at the Forefront of the Global Information Society: Rolling Action Plan", COM(96) 607 Final' (1996)
- , 'Communication from the Commission: A European Initiative in Electronic Commerce, COM(97) 157 Final' (1997)
- , 'European Governance - A White Paper, COM(2001) 428 Final' (2001)
- , 'First Report on the Application of Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on Certain Legal Aspects of Information Society Services, in Particular Electronic Commerce, in the Internal Market' (2003) COM(2003) 702 final

- , ‘Communication: A Renewed EU Strategy 2011-14 for Corporate Social Responsibility, COM/2011/0681 Final’ (2011) <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52011DC0681>> accessed 6 August 2020
- , ‘A Single Market for Intellectual Property Rights - Boosting Creativity and Innovation to Provide Economic Growth, High Quality Jobs and First Class Products and Services in Europe, COM(2011) 287 Final’ (2011)
- , ‘A Coherent Framework for Building Trust in the Digital Single Market for E-Commerce and Online Services, COM(2011) 942 Final’ (2011)
- , ‘Bringing E-Commerce Benefits to Consumers - Accompanying Document SEC2011\_1640’ (2011)
- , ‘Online Services, Including e-Commerce, in the Single Market, A Coherent Framework to Boost Confidence in the Digital Single Market of e-Commerce and Other Online Services, Accompanying the Document , SEC(2011) 1641 Final’ (2012)
- , ‘20 Actions for Safer and Compliant Products for Europe: A Multi-Annual Action Plan for the Surveillance of Products in the EU, COM/2013/076 Final’ (2013)
- , ‘E-Commerce Action Plan 2012-2015, State of Play 2013, SWD(2013) 153 Final’ (2013)
- , ‘The European Agenda on Security - COM(2015) 185 Final’ (2015)
- , ‘EU General Risk Assessment Methodology (Action 5 of Multi-Annual Action Plan for the Surveillance of Products in the EU (COM(2013)76))’ (2015)
- , ‘Synopsis Report on the Public Consultation on the Regulatory Environment for Platforms, Online Intermediaries and the Collaborative Economy’ <<https://ec.europa.eu/digital-single-market/en/news/results-public-consultation-regulatory-environment-platforms-online-intermediaries-data-and>> accessed 29 March 2017 (2016)
- , ‘Communication: A European Agenda for the Collaborative Economy - COM(2016) 356 Final’ (2016)
- , ‘Toy Safety Directive 2009/48/EC - An Explanatory Guidance Document Ref. Ares(2016)1594457’ (2016)
- , ‘Communication: ICT Standardisation Priorities for the Digital Single Market COM(2016) 176 Final’ (2016) <<https://ec.europa.eu/digital-single-market/en/news/communication-ict-standardisation-priorities-digital-single-market>> accessed 29 August 2018
- , ‘Commission Staff Working Document Online Platforms Accompanying the Document Communication on Online Platforms and the Digital Single Market SWD(2016) 172 Final’ (2016)
- , ‘Guidance on the Implementation/Application of Directive 2005/29/EC on Unfair Commercial Practices SWD(2016) 163’(2016)
- , ‘Online Platforms and the Digital Single Market Opportunities and Challenges for Europe COM(2016) 288 Final’ (2016)
- , ‘Commission Notice, The “Blue Guide” on the Implementation of EU Products Rules 2016, (2016/C 272/01)’ (2016)



- , 'Commission Staff Working Document - Impact Assessment - Assesment on the Modernisation of the EU Copyright Rules Accompanying the Documents Proposal for a Directive of the European Parliament and of the Council on Copyright in the Digital Single Market and Proposal for a Regulation of the European Parliament and of the Council Laying down Rules on the Exercise of Copyright and Related Rights Applicable to Certain Online Transmissions of Broadcasting Organisations and Retransmissions of Television and Radio Programmes - SWD(2016) 301 Final - Part 1/3' (2016)
- , 'Commission Staff Working Document - Impact Assessment - Assessment on the Modernisation of the EU Copyright Rules Accompanying the Documents Proposal for a Directive of the European Parliament and of the Council on Copyright in the Digital Single Market and Proposal for a Regulation of the European Parliament and of the Council Laying down Rules on the Exercise of Copyright and Related Rights Applicable to Certain Online Transmissions of Broadcasting Organisations and Retransmissions of Television and Radio Programmes - SWD(2016) 301 Final - Part 3/3' (2016)
- , 'Summary of Responses to the Public Consultation on the Evaluation and Modernisation of the Legal Framework for IPR Enforcement' (2016) <<http://ec.europa.eu/DocsRoom/documents/18661>> accessed 17 March 2017
- , 'E-Commerce Control of Food - EU Action Plan' (Advisory Group of the food chain, animal and plant health, 25 November 2016) <[https://ec.europa.eu/food/sites/food/files/safety/docs/adv-grp\\_plenary\\_20161125\\_pres\\_04.pdf](https://ec.europa.eu/food/sites/food/files/safety/docs/adv-grp_plenary_20161125_pres_04.pdf)> accessed 30 November 2018
- , 'Commission Notice on the Market Surveillance of Products Sold Online (2017/C 250/01)' (2017)
- , 'Communication: Tackling Illegal Content Online Towards an Enhanced Responsibility of Online Platforms', COM (2017) 555 final (2017)
- , 'Fintech: A More Competitive and Innovative European Financial Sector, Consultation Document' (2017) <[https://ec.europa.eu/info/sites/info/files/2017-fintech-consultation-document\\_en\\_0.pdf](https://ec.europa.eu/info/sites/info/files/2017-fintech-consultation-document_en_0.pdf)> accessed 9 January 2018
- , 'Overview of the Functioning of the Memorandum of Understanding on the Sale of Counterfeit Goods via the Internet, SWD(2017) 430 Final' (2017)
- , 'A Balanced IP Enforcement System Responding to Today's Societal Challenges, COM(2017) 707 Final' (2017)
- , 'Guidance on Certain Aspects of Directive 2004/48/EC of the European Parliament and of the Council on the Enforcement of Intellectual Property Rights, COM(2017) 708 Final' (2017)
- , 'Commission Staff Working Document -Impact Assessment - Proposal for a Regulation of the European Parliament and of the Council Laying down Rules and Procedures for Compliance with and Enforcement of Union Harmonisation Legislation on Products - SWD(2017) 466 Final - Part 1/4' (2017)
- , 'Commission Staff Working Document -Impact Assessment - Proposal for a Regulation of the European Parliament and of the Council Laying down Rules and Procedures for Compliance with and Enforcement of Union Harmonisation Legislation on Products - SWD(2017) 466 Final - Part 2/4' (2017)

- , ‘The Goods Package: Reinforcing Trust in the Single Market, COM(2017) 787 Final’ (2017)
- , ‘Commission Recommendation of 1.3.2018 on Measures to Effectively Tackle Illegal Content Online, C(2018) 1177 Final’ (2018)
- , ‘The First EU Coordinated Control Plan on Online Offered Food Products - Analysis of the Main Outcome of the Implementation of the Commission Recommendation on a Coordinated Control Plan on the Official Control of Certain Foods Marketed through the Internet, Ref. Ares(2018)893577’ (2018) <[https://ec.europa.eu/food/sites/food/files/oc\\_oof\\_analysis\\_main\\_outcome\\_en.pdf](https://ec.europa.eu/food/sites/food/files/oc_oof_analysis_main_outcome_en.pdf)> accessed 8 October 2018
- , ‘Commission Staff Working Document - Impact Assessment - Proposal for a Regulation of the European Parliament and of the Council on the Marketing and Use of Explosives Precursors - SWD(2018) 104 Final’ (2018)
- , ‘Memorandum of Understanding on Online Advertising and Intellectual Property Rights’ (2018) <<https://ec.europa.eu/docsroom/documents/30226>> accessed 26 June 2020
- , ‘Product Safety Pledge Voluntary Commitment of Online Marketplaces with Respect to the Safety of Non-Food Consumer Products Sold Online by Third Party Sellers’ (2018)
- , ‘Commission Staff Working Document - Impact Assessment - Proposal for a Regulation of the European Parliament and of the Council on Preventing the Dissemination of Terrorist Content Online - SWD(2018) 408 Final’ (TERREG) (2018)
- , ‘2nd Progress Report on the Implementation of the Product Safety Pledge’ (2019) <[https://ec.europa.eu/info/business-economy-euro/product-safety-and-requirements/product-safety/product-safety-rules\\_en](https://ec.europa.eu/info/business-economy-euro/product-safety-and-requirements/product-safety/product-safety-rules_en)> accessed 6 July 2020
- , ‘Report on the Functioning of the Memorandum of Understanding on the Sale of Counterfeit Goods via the Internet, SWD(2020) 166 Final/2’ (2020) SWD(2020) 166 final/2 <<https://ec.europa.eu/docsroom/documents/42701>> accessed 27 August 2020
- , ‘Code of Conduct on Countering Illegal Hate Speech Online - Results of the 3rd Monitoring Exercise - Fact Sheet | January 2018’ <[https://ec.europa.eu/newsroom/just/document.cfm?doc\\_id=49286](https://ec.europa.eu/newsroom/just/document.cfm?doc_id=49286)> accessed 23 August 2018
- , ‘Communication: Better Regulation for Better Results - An EU Agenda - COM/2015/0215 Final’ (2015)
- , ‘Commission Staff Working Document - Impact Assessment - Annexes - Accompanying the Document PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND THE COUNCIL on a Single Market For Digital Services (Digital Services Act) and Amending Directive 2000/31/EC - Part 2’ (2020) <<https://ec.europa.eu/digital-single-market/en/digital-services-act-package>> accessed 8 January 2021

## *Bibliography*

- EUIPO and Europol, 'Intellectual Property Crime Threat Assessment' (2019)
- European Commission (ed), *Free Movements of Goods: Guide to the Application of Treaty Provisions Governing the Free Movement of Goods* (Publ Off of the Europ Union 2010)
- , *Assessment of the Application and Impact of the VAT Exemption for Importation of Small Consignments Final Report*. (European Commission 2015)
- , 'Communication on the on the Mid-Term Review on the Implementation of the Digital Single Market Strategy - A Connected Digital Single Market for All COM(2017) 228 Final' COM(2017) 228 final (2017)
- , *A Multi-Dimensional Approach to Disinformation: Report of the Independent High Level Group on Fake News and Online Disinformation* (2018)
- , 'Communication From The Commission To The European Parliament, The Council, The European Economic And Social Committee And The Committee Of The Regions Tackling Online Disinformation: A European Approach COM(2018) 236 Final' (2018) <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0236>> accessed 19 July 2019
- , 'Assessment of the Code of Conduct on Hate Speech on Line - State of Play (Information Note) - 12522/19' (2019)
- , 'Report on the Protection and Enforcement of Intellectual Property Rights in Third Countries - SWD(2019) 452 Final/2' (2020)
- , 'Commission Launches Consultation to Seek Views on Digital Services Act Package' (European Commission - European Commission, 2 June 2020) <[https://ec.europa.eu/commission/presscorner/detail/en/ip\\_20\\_962](https://ec.europa.eu/commission/presscorner/detail/en/ip_20_962)> accessed 21 August 2020
- , 'Combined Evaluation Roadmap/Inception Impact Assessment - Revision of Directive 2001/95/EC on General Product Safety - Ref. Ares(2020)3256809' (2020)
- European Council, 'European Counter-Terrorism Strategy - 14469/4/05 REV 4' (2005)
- European Data Protection Supervisor, 'Opinion of the European Data Protection Supervisor' (2014) <[https://edps.europa.eu/data-protection/our-work/publication/s/opinions/comprehensive-approach-personal-data-protection\\_en](https://edps.europa.eu/data-protection/our-work/publication/s/opinions/comprehensive-approach-personal-data-protection_en)> accessed 19 August 2020
- European Parliament, 'REPORT on the Proposal for a Regulation of the European Parliament and of the Council on Preventing the Dissemination of Terrorist Content Online - A8-0193/2019' (2019) PE 632.087v02-00 <[https://www.europarl.europa.eu/doceo/document/A-8-2019-0193\\_EN.html](https://www.europarl.europa.eu/doceo/document/A-8-2019-0193_EN.html)> accessed 30 April 2020
- European Union Agency for Law Enforcement Cooperation, *European Union Terrorism Situation and Trend Report 2019*. (2019)
- European Union Council, 'Progress Report - E-Commerce Directive - 8891/99' (1999)
- Europol and EU Intellectual Property Office, '2017 Situation Report on Counterfeiting and Piracy in the European Union' (2017)

- Evans DS, 'Competition and Regulatory Policy for Multi-Sided Platforms with Applications to the Web Economy' [2008] SSRN Electronic Journal <<http://www.ssrn.com/abstract=1090368>> accessed 30 July 2019
- Evans DS and Schmalensee R, 'Network Effects: March to the Evidence, Not to the Slogans' [2017] SSRN Electronic Journal <<https://www.ssrn.com/abstract=3027691>> accessed 31 July 2019
- Favro K and Zolynski C, 'De la régulation des contenus haineux à la régulation des contenus (illicites)' [2019] *Legipresse* 461
- Feintuck M, 'Precautionary Maybe, but What's the Principle? The Precautionary Principle, the Regulation of Risk, and the Public Domain' (2005) 32 *Journal of Law and Society* 371
- Féral-Schuhl C, *Cyberdroit 2018/19 - 7e ed.: Le droit à l'épreuve de l'internet* (Edition 2018-2019, Dalloz 2018)
- Fhima IS, 'Trademark Law and Advertising Keywords', *Research Handbook on EU Internet Law* (Edward Elgar 2014)
- Finck M, 'Digital Co-Regulation: Designing a Supranational Legal Framework for the Platform Economy' <<https://papers.ssrn.com/abstract=2990043>> accessed 3 August 2020
- Floridi L, 'Information Ethics: On the Philosophical Foundation of Computer Ethics' (1999) 1 *Ethics and Information Technology* 33
- Ford C, *Innovation and the State: Finance, Regulation, and Justice* (Cambridge University Press 2017)
- Fox J, Cruz C and Lee JY, 'Perpetuating Online Sexism Offline: Anonymity, Interactivity, and the Effects of Sexist Hashtags on Social Media' (2015) 52 *Computers in Human Behavior* 436
- Francois T, 'Terrorist Content Online' (European Parliament 2020) Members' Research Service PE 649.326
- Frankel S and others (eds), 'After Twenty Years: Revisiting Copyright Liability of Online Intermediaries', *The evolution and equilibrium of copyright in the digital age* (Cambridge University Press 2014)
- Freeman J, 'Consumer Legislation and E-Commerce Challenges' (2015) 2 *Rivista Italiana di Antitrust/Italian Antitrust Review* <<http://iar.agcm.it/article/view/11380>> accessed 19 September 2017
- Frieden R, 'A Primer on Network Neutrality' (2008) 43 *Intereconomics* 4
- Friedmann D, 'Sinking the Safe Harbour with the Legal Certainty of Strict Liability in Sight' (2014) 9 *Journal of Intellectual Property Law & Practice* 148
- Frontier Economics, 'The Economic Impacts of Counterfeiting and Piracy - Report Prepared for BASCAP and INTA'
- Frosio GF, 'Reforming Intermediary Liability in the Platform Economy: A European Digital Single Market Strategy' [2017] *Northwestern University Law Review Online*
- , 'The Death of No Monitoring Obligations' (2017) 8 *J. Intell. Prop. Info. Tech. & Elec. Com. L.* 199

- , 'Why Keep a Dog and Bark Yourself? From Intermediary Liability to Responsibility' (2018) 26 *International Journal of Law and Information Technology* 1
- Frosio GF and Mendis S, 'Monitoring and Filtering: European Reform or Global Trend?' [2019] Center for International Intellectual Property Studies Research Paper No. 2019-05 29
- Gadinis S and Mangels C, 'Collaborative Gatekeepers' (2016) 73 *Wash. & Lee L. Rev.* 797
- Gagliardone I and others, *Countering Online Hate Speech* (UNESCO 2015)
- Galland J-P, 'The Difficulties of Regulating Markets and Risks in Europe through Notified Bodies' (2013) 4 *European Journal of Risk Regulation* 365
- Garcia LD, 'The Evolution of the Internet: A Socio-Economic Account' in Johannes M Bauer and Michael Latzer (eds), *Handbook on the economics of the internet* (Paperback edition, EE, Edward Elgar Publishing 2017)
- Garcia Martinez M, Verbruggen P and Fearne A, 'Risk-Based Approaches to Food Safety Regulation: What Role for Co-Regulation?' (2013) 16 *Journal of Risk Research* 1101
- Garland J and Chakraborti N, 'Divided by a Common Concept? Assessing the Implications of Different Conceptualizations of Hate Crime in the European Union' (2012) 9 *European Journal of Criminology* 38
- Geiger C, 'The Rise of Criminal Enforcement of Intellectual Property Rights...and Its Failure in the Context of Copyright Infringements on the Internet' in Susy Frankel, Daniel J Gervais and New Zealand Centre of International Economic Law (eds), *The evolution and equilibrium of copyright in the digital age* (Cambridge University Press 2014)
- Geiger C and Izyumenko E, 'The Role of Human Rights in Copyright Enforcement Online: Elaborating a Legal Framework for Website Blocking' (2016) 3 *American University International Law Review* 45
- Geiger C and Schönherr F, 'Limitations to Copyright in the Digital Age' in Andrej Savin and Jan Trzaskowski (eds), *Research Handbook on EU Internet Law* (Edward Elgar Publishing 2014)
- Geschke D and others, '#Hass Im Netz - Der schleichende Angriff auf unsere Demokratie' (Institut für Demokratie und Zivilgesellschaft (IDZ) 2019) <<http://www.das-nettz.de/publikationen/hass-im-netz-der-schleichende-angriff-auf-unser-e-demokratie>> accessed 3 April 2020
- Giblin R, 'Beyond Graduated Response' in Susy Frankel, Daniel J Gervais and New Zealand Centre of International Economic Law (eds), *The evolution and equilibrium of copyright in the digital age* (Cambridge University Press 2014)
- Giddens A and Sutton PW, *Sociology* (6. ed, Polity Press 2009)
- Gillespie AA, 'Hate and Harm: The Law on Hate Speech' in Andrej Savin and Jan Trzaskowski (eds), *Research Handbook on EU Internet Law* (Edward Elgar Publishing 2014)
- Gillespie T, *Custodians of the Internet: Platforms, Content Moderation, and the Hidden Decisions That Shape Social Media* (Yale University Press 2018)

- , ‘Platforms Are Not Intermediaries’ (2018) 2 *Georgetown Law Technology Review* 198
- Giovanella F, ‘Online Service Providers’ Liability, Copyright Infringement, and Freedom of Expression: Could Europe Learn from Canada?’ in Mariarosaria Taddeo and Luciano Floridi, *The responsibilities of online service providers* (Springer Berlin Heidelberg 2016)
- Gommers C and De Pauw E, ‘Liability for Trade Mark Infringement of Online Marketplaces in Europe: Are They “Caught in the Middle?”’ (2020) 15 *Journal of Intellectual Property Law & Practice* 276
- Gorwa R, ‘The Platform Governance Triangle: Conceptualising the Informal Regulation of Online Content’ (2019) 8 *Internet Policy Review*
- , ‘As Platforms Rely Less on Human Content Moderators, What’s at Stake?’ (Centre for International Governance Innovation, 31 March 2020) <<https://www.cigionline.org/articles/platforms-rely-less-human-content-moderators-whats-stak-e>> accessed 22 April 2020
- Gorwa R, Binns R and Katzenbach C, ‘Algorithmic Content Moderation: Technical and Political Challenges in the Automation of Platform Governance’ (2020) 7 *Big Data & Society* 205395171989794
- Goyens M, ‘Effective Consumer Protection Frameworks in a Global and Digital World’ (2020) 43 *Journal of Consumer Policy* 195
- Granchet A, ‘Réseaux sociaux, médias en ligne et partage de contenus : le temps de la responsabilité et de la régulation’ [2020] *Legipresse* 93
- Graz J-C, *The Power of Standards: Hybrid Authority and the Globalisation of Services* (1st edn, Cambridge University Press 2019) <<https://www.cambridge.org/core/product/identifler/9781108759038/type/book>> accessed 2 July 2020
- Great Britain and Department for Culture M and S, *Online Harms White Paper*. (2019)
- Griffith SJ, ‘Corporate Governance in an Era of Compliance’ (2015) 57 *Wm. & Mary L. Rev.* 2075
- Griffiths A, ‘The Trade Mark Monopoly: An Analysis of the Core Zone of Absolute Protection under Art. 5(1)(a)’ [2007] *Intellectual Property Quarterly* 312
- Group Les Republicains, ‘Saisine CC – PPL Avia lutte contre les contenus haineux sur internet’ (2020) <[https://www.conseil-constitutionnel.fr/sites/default/files/as/root/bank\\_mm/decisions/2020801dc/2020801dc\\_saisine.pdf](https://www.conseil-constitutionnel.fr/sites/default/files/as/root/bank_mm/decisions/2020801dc/2020801dc_saisine.pdf)>
- Guibault L, ‘Why Cherry-Picking Never Leads to Harmonisation: The Case of the Limitations on Copyright under Directive 2001/29/EC’ (2010) 1 *JIPITEC* 55
- Haas PM, ‘Introduction: Epistemic Communities and International Policy Coordination’ (1992) 46 *International Organization* 1
- Harcourt A, Christou G and Simpson S, *Global Standard Setting in Internet Governance* (First edition, Oxford University Press 2020)
- Hatzopoulos V, *The Collaborative Economy and EU Law* (Hart Publishing 2018)
- , ‘Vers un cadre de la régulation des plateformes?’ (2019) *XXXIII Revue internationale de droit économique* 399

- Hatzopoulos V and Roma S, 'Caring for Sharing? The Collaborative Economy under EU Law' (2017) 54 *Common Market Law Review* 81
- Haucap J and Stühmeier T, 'Competition and Antitrust in Internet Markets' in Johannes M Bauer and Michael Latzer (eds), *Handbook on the economics of the internet* (Paperback edition, EE, Edward Elgar Publishing 2017)
- Hegarty C and Cameron E, 'Case for Minimal Regulation of Electronic Network Communications' 10th BILETA Conference Electronic Communications (1995) <<https://www.bileta.org.uk/conference-papers/10th-annual-conference-1995/>> accessed 3 January 2017
- Helberger N, 'Challenging Diversity - Social Media Platforms and a New Conception of Media Diversity' in Damian Tambini and Martin Moore (eds), *Digital dominance: the power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)
- Helberger N, Kleinen-von Königslöw K and van der Noll R, 'Regulating the New Information Intermediaries as Gatekeepers of Information Diversity' (2015) 17 *info* 50
- Helberger N, Pierson J and Poell T, 'Governing Online Platforms: From Contested to Cooperative Responsibility' (2018) 34 *The Information Society* 1
- Helman L and Parchomovsky G, 'The Best Available Technology Standard' [2011] *Columbia Law Review* 1194
- van Hoboken J, 'The Privacy Disconnect' in Rikke Frank Jørgensen (ed), *Human Rights in the Age of Platforms* (The MIT Press 2019) <<https://direct.mit.edu/books/book/4531/Human-Rights-in-the-Age-of-Platforms>> accessed 28 May 2020
- Hodwitz O, 'Rule-of-Law and Respect for Human Rights Considerations' in John R Vacca (ed), *Online terrorist propaganda, recruitment and radicalization* (2020)
- Hoecke M van, 'Legal Doctrine: Which Method(s) for Which Kind of Discipline?' in Mark van Hoecke (ed), *Methodologies of Legal Research: which kind of method for what kind of discipline?* (Hart 2011)
- Hoeren T and Bensinger V (eds), *Haftung Im Internet: Die Neue Rechtslage* (De Gruyter 2014)
- Hoffman B, *Inside Terrorism* (Columbia University Press 2017)
- Hoffmann A and Gasparotti A, 'Liability for Illegal Content Online - Weaknesses of the EU Legal Framework and Possible Plans of the EU Commission to Address Them in a "Digital Services Act"' (cep | Centre for European Policy 2020)
- Hofmann HCH, 'A European Regulatory Union - The Role of Agencies and Standards' in Panos Koutrakos and Jukka Snell (eds), *Research Handbook on the Law of the EU's Internal Market* (Edward Elgar Publishing 2017)
- , 'Delegation, Discretion and the Duty of Care in the Case Law of the Court of Justice of the European Union' [2018] *SSRN Electronic Journal* <<https://www.ssrn.com/abstract=3169744>> accessed 28 August 2018
- Holbrook D, 'Designing and Applying an "Extremist Media Index"' (2015) 9 (5) *Perspectives on Terrorism* 57

- Holt TJ, Freilich JD and Chermak SM, 'Legislating Extremism and Cyberterror' in John R Vacca (ed), *Online terrorist propaganda, recruitment and radicalization* (2020)
- Holznapel B, 'Das Compliance-System Des Entwurfs Des Netzwerkdurchsetzungsgesetzes' [2017] ZUM 2017 615
- House of Commons, Home Affairs Committee, 'Hate Crime: Abuse, Hate and Extremism Online' (2017) Fourteenth Report of Session 2016–17 <<https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/609/60902.htm>> accessed 14 April 2020
- 'House of Representatives - Digital Millennium Copyright Act of 1998' (1998) Rept. 105–551
- Hugenholtz PB, 'Why the Copyright Directive Is Unimportant and Possibly Invalid Hugenholtz' (2000) 22 *European Intellectual Property Review* 499
- Husovec M, 'Injunctions against Innocent Third Parties': (2013) 4 JIPITEC 14
- , 'General Monitoring of Third-Party Content: Compatible with Freedom of Expression?' (2016) 11 *Journal of Intellectual Property Law & Practice* 17
- Huston G, 'A Quick Look at QUIC' (2019) 22 *The Internet Protocol Journal* 2
- Jacob N and Simonelli F, 'How to Fully Reap the Benefits of the Internal Market for E-Commerce?: New Economic Opportunities and Challenges for Digital Services 20 Years after the Adoption of the e Commerce Directive.' (European Parliament 2020) <<https://data.europa.eu/doi/10.2861/47017>> accessed 20 April 2021
- Jackson BA and others, *Practical Terrorism Prevention: Reexamining U.S. National Approaches to Addressing the Threat of Ideologically Motivated Violence* (RAND 2019)
- Jacob R, Heinz A and Décieux JP, *Umfrage: Einführung in die Methoden der Umfrageforschung* (3., überarb. Aufl, Oldenbourg 2013)
- Jacques S and others, 'The Impact on Cultural Diversity of Automated Anti-Piracy Systems as Copyright Enforcement Mechanisms: An Empirical Study of YouTube's Content ID Digital Fingerprinting Technology' <<http://rgdoi.net/10.13140/RG.2.2.14443.54560>> accessed 5 June 2020
- Jansen H, 'The Logic of Qualitative Survey Research and Its Position in the Field of Social Research Methods' (2010) 11 *Forum Qualitative Sozialforschung / Forum: Qualitative Social Research* <<http://www.qualitative-research.net/index.php/fqs/article/view/1450>> accessed 6 August 2019
- Johnson DR and Post D, 'Law And Borders- The Rise of Law in Cyberspace' (1996) 48 *Stanford Law Review* 1367
- jugendschutz.net, 'Löschung rechtswidriger Hassbeiträge bei Facebook, YouTube und Twitter - Ergebnisse des Monitorings von Beschwerdemechanismen jugendaffiner Dienste' (Bundesministerium für Justiz und Verbraucherschutz, Bundesministerium für Familie, Senioren, Frauen und Jugend 2017) <[https://www.fair-im-netz.de/SharedDocs/Downloads/DE/News/Artikel/03142017\\_Monitoring\\_jugendschutz.net.pdf?\\_\\_blob=publicationFile&v=3](https://www.fair-im-netz.de/SharedDocs/Downloads/DE/News/Artikel/03142017_Monitoring_jugendschutz.net.pdf?__blob=publicationFile&v=3)> accessed 22 September 2020



- , ‘Stellungnahme von jugendschutz.net zum Entwurf eines Gesetzes zur Verbesserung der Rechtsdurchsetzung in sozialen Netzwerken (NetzDG)’ <[https://www.bmjv.de/SharedDocs/Gesetzgebungsverfahren/Stellungnahmen/2017/Downloads/03172017\\_Stellungnahme\\_jugendschutz.net\\_RefE\\_NetzDG.html](https://www.bmjv.de/SharedDocs/Gesetzgebungsverfahren/Stellungnahmen/2017/Downloads/03172017_Stellungnahme_jugendschutz.net_RefE_NetzDG.html)> accessed 22 September 2020
- Jouglex N, ‘The Role of Internet Intermediaries in Copyright Law Online Enforcement’ in Tatiana-Eleni Synodinou and others (eds), *EU internet law: regulation and enforcement* (Springer Berlin Heidelberg 2017)
- Julià-Barceló R and Koelman KJ, ‘Intermediary Liability in the E-Commerce Directive: So Far so Good, but It’s Not Enough’ (2000) 16 *Computer Law & Security Review* 231
- Jütte BJ, ‘The EU’s Trouble with Mashups: From Disabling to Enabling a Digital Art Form’ (2014) 5 *JIPITEC* 172
- , *Reconstructing European Copyright Law for the Digital Single Market: Between Old Paradigms and Digital Challenges* (1. edition, Nomos ; Hart Publishing 2017)
- Kaczorowska A, *European Union Law*. (Taylor and Francis 2013)
- Kamara I, ‘Co-Regulation in EU Personal Data Protection: The Case of Technical Standards and the Privacy by Design Standardisation “Mandate”’ (2017) 8 24
- Katz ML and Shapiro C, ‘Systems Competition and Network Effects’ (1994) 8 *Journal of Economic Perspectives* 93
- Katzenbach C and Ulbricht L, ‘Algorithmic Governance’ [2019] *Internet Policy Review* <<http://policyreview.info/node/1424>> accessed 28 January 2020
- Kempel L and Wege P, ‘Die Haftung von Plattformbetreibern für „eigene Inhalte“ – Welchen Einfluss hat ein Managementsystem auf den Umgang mit Haftungsrisiken?’ in Nadine Klass, Silke von Lewinski and Henning Große Rusekhan, *Nutzergenerierte Inhalte als Gegenstand des Privatrechts: Aktuelle Probleme Des Web 2.0*. (Springer 2010)
- Kerber W and Wendel J, ‘Regulatory Networks, Legal Federalism, and Multi-Level Regulatory Systems’ (2016) 13–2016 <<http://ssrn.com/abstract=2773548>> accessed 6 April 2017
- Khan LM, ‘Amazon’s Antitrust Paradox’ [2017] *The Yale Law Journal* 96
- , ‘Amazon—An Infrastructure Service and Its Challenge to Current Antitrust Law’ in Damian Tambini and Martin Moore (eds), *Digital dominance: the power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)
- Kleinsteuber HJ, ‘The Internet between Regulation and Governance’, *Self-regulation, Co-regulation, State Regulation* (OSCE 2004) <<https://www.osce.org/fom/13844?download=true>>
- Klonick K, ‘The New Governors: The People, Rules, and Processes Governing Online Speech’ (2018) 131 *Harvard Law Review* 1599
- Knieps G and Bauer JM, ‘The Industrial Organization of the Internet’ in Johannes M Bauer and Michael Latzer (eds), *Handbook on the economics of the internet* (Paperback edition, EE, Edward Elgar Publishing 2017)

- Koch H-G, 'Strategies against Counterfeiting of Drugs: A Comparative Criminal Law Study' in Christophe Geiger, *Criminal enforcement of intellectual property: a handbook of contemporary research* (Edward Elgar 2012)
- Koenig TH and Rustad M, *Global Information Technologies: Ethics and the Law* (West Academic 2018)
- Kohl U, 'The Rise and Rise of Online Intermediaries in the Governance of the Internet and beyond – Connectivity Intermediaries' (2012) 26 *International Review of Law, Computers & Technology* 185
- , *The Net and the Nation State - Multidisciplinary Perspectives on Internet Governance* (Cambridge University Press 2017)
- Kohl U and Fox C, 'Introduction: Internet Governance and the Resilience of the Nation State' in Uta Kohl (ed), *The Net and the Nation State Multidisciplinary Perspectives on Internet Governance* (2017)
- Kothari AM, Dwivedi V and Thanki RM, *Watermarking Techniques for Copyright Protection of Videos* (Springer Science+Business Media 2018)
- Koukiadis D, *Reconstituting Internet Normativity: The Role of State, Private Actors, Global Online Community in the Production of Legal Norms* (First edition., 2015)
- Koz A and Legendijk RL, 'Distributed Content Based Video Identification in Peer-to-Peer Networks: Requirements and Solutions' (2017) 19 *IEEE Transactions on Multimedia* 475
- Kranz JJ and Picot A, 'Internet Business Strategies' in Johannes M Bauer and Michael Latzer (eds), *Handbook on the economics of the internet* (Paperback edition, EE, Edward Elgar Publishing 2017)
- Kranz P, Harms H and Kuhr C, 'Kontrolle der im Internet gehandelten Erzeugnisse des LFGB und Tabakerzeugnisse (G@ZIELT)' (2015) 10 *Journal für Verbraucherschutz und Lebensmittelsicherheit* 13
- Ku RSR and Lipton JD, *Cyberspace Law: Cases and Materials* (2nd ed, Aspen Publishers, Inc 2006)
- Kuczerawy A, *Intermediary Liability and Freedom of Expression in the EU: From Concepts to Safeguards* (Intersentia 2018)
- Kumar S, 'The Algorithmic Dance: YouTube's Adpocalypse and the Gatekeeping of Cultural Content on Digital Platforms' [2019] *Internet Policy Review* <<http://policyreview.info/node/1417>> accessed 26 July 2019
- Lachenmeier DW and others, 'Does European Union Food Policy Privilege the Internet Market? Suggestions for a Specialized Regulatory Framework' (2013) 30 *Food Control* 705
- Laidlaw E, 'Notice-and-Notice-Plus: A Canadian Perspective Beyond the Liability and Immunity' in Giancarlo F Frosio (ed), *The Oxford Handbook of Intermediary Liability Online* (Oxford University Press 2019) <<https://ssrn.com/abstract=3311659>> accessed 6 August 2019
- Lametti D, 'The Cloud: Boundless Digital Potential or Enclosure 3.0?' [2012] *Virginia Journal of Law & technology*

## *Bibliography*

- Larrieu J, Le Stanc C and Tréfigny-Goy P, 'Droit Du Numérique Juillet 2010 - Août 2011' *Recueil Dalloz* 2011 2363
- Lavi M, 'Content Providers' Secondary Liability: A Social Network Perspective' (2015) 26 *Fordham Intell. Prop. Media & Ent. LJ* 855
- , 'Evil Nudges' (2018) 21 *Vanderbilt Journal of Entertainment and Technology Law*
- Lee B, Arno M and Salisbury D, 'Searching for Illicit Dual Use Items in Online Marketplaces: A Semi-Automated Approach' (James Martin Center for Nonproliferation Studies, Middlebury Institute of International Studies 2017) 27
- Lehrer A, 'Tiffany V. EBay: Its Impact And Implications On The Doctrines Of Secondary Trademark And Copyright Infringement' (2012) 18 *Boston University Journal of Science & Technology Law* 32
- Leistner M, 'Structural Aspects of Secondary (Provider) Liability in Europe' (2014) 9 *Journal of Intellectual Property Law & Practice* 75
- Leistner M, 'Copyright Law on the Internet in Need of Reform: Hyperlinks, On-line Platforms and Aggregators' [2017] *Journal of Intellectual Property Law & Practice* jpw190
- Leonard P, 'Safe Harbors in Choppy Waters Building a Sensible Approach to Liability of Internet Intermediaries in Australia.' (2010) 3 *Journal of International Entertainment & Media Law* 221
- Lessig L, 'The Zones of Cyberspace' (1996) 48 *Stanford Law review* 1403
- , *Code and Other Laws of Cyberspace* (Basic Books 1999)
- , *Code: Version 2.0* (2. ed., Basic Books 2006)
- Levinson NS and Marzowski M, 'International Organizations and Global Internet Governance: Interorganizational Architecture' in Derrick L Cogburn and others (eds), *Turn to Infrastructure in Internet Governance* (Springer Nature 2016)
- Lewandowski D, 'Is Google Responsible for Providing Fair and Unbiased Results?' in Mariarosaria Taddeo and Luciano Floridi, *The responsibilities of online service providers* (Springer Berlin Heidelberg 2016)
- Lim PH and Longdin L, 'P2P Online File Sharing: Transnational Convergence and Divergence in Balancing Stakeholder Interests' (2011) 33 *European Intellectual Property Review* 2011 690
- Lipton J, 'Law of the Intermediated Information Exchange' (2012) 64 *Florida Law Review* 33
- , *Rethinking Cyberlaw: A New Vision for Internet Law* (Edward Elgar Publishing 2015)
- Lodder AR and Murray AD (eds), *EU Regulation of E-Commerce: A Commentary* (Edward Elgar Publishing 2017)
- Lomba N and Evas T, 'Digital Services Act - European Added Value Assessment' (European Parliament 2020) EPRS\_STU(2020)654180\_EN <[www.europarl.europa.eu/RegData/etudes/STUD/2020/654180/EPRS\\_STU\(2020\)654180\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2020/654180/EPRS_STU(2020)654180_EN.pdf)> accessed 23 October 2020

- Mac Síthigh D, 'The Mass Age of Internet Law' (2008) 17 *Information & Communications Technology Law* 79
- Mackey TK, Aung P and Liang BA, 'Illicit Internet Availability of Drugs Subject to Recall and Patient Safety Consequences' (2015) 37 *International Journal of Clinical Pharmacy* 1076
- MacQueen HL and others, *Contemporary Intellectual Property: Law and Policy* (2nd ed, Oxford University Press 2011)
- Madiega T, 'Reform of the EU Liability Regime for Online Intermediaries: Background on the Forthcoming Digital Services Act : In-Depth Analysis.' (European Parliament 2020) <[https://op.europa.eu/publication/manifestation\\_identifier/PU\\_B\\_QA0420239ENN](https://op.europa.eu/publication/manifestation_identifier/PU_B_QA0420239ENN)> accessed 14 October 2020
- Maistre R-O, 'Point d'étape Vers Un Nouveau Modèle de Régulation Des Plateformes' [2019] *Legipresse* 459
- Manara C, 'Le droit d'auteur contre l'accès à l'information mondiale?' (2011) *t.XXV Revue internationale de droit économique* 143
- Marcellino JJ and Blakeslee M, 'Fair Use in the Context of a Global Computer Network—Is a Copyright Grab Really Going On?' (1997) 6 *Information & Communications Technology Law* 137
- Mariez J-S and Godfrin L, 'Censure de La « loi Avia » Par Le Conseil Constitutionnel : Un Fil Rouge Pour Les Législateurs Français et Européens?' [2020] *Dalloz actualité* 29 juin 2020
- Marsden C, 'Prosumer Law and Network Platform Regulation: The Long View towards Creating Offdata' (2018) 2 *Georgetown Law Technology Review* 376
- , 'Co- and Self-Regulation in European Media and Internet Sectors: The Results of Oxford University's Study [Www.Selfregulation.Info](http://www.selfregulation.info)', *Self-regulation, Co-regulation, State Regulation* (OSCE 2004) <<https://www.osce.org/fom/13844?download=true>>
- , 'Beyond Europe: The Internet, Regulation, and Multistakeholder Governance—Representing the Consumer Interest?' (2008) 31 *Journal of Consumer Policy* 115
- , *Internet Co-Regulation: European Law, Regulatory Governance and Legitimacy in Cyberspace* (Cambridge University Press 2011)
- Marsoof A, *Internet Intermediaries and Trade Mark Rights* (Routledge 2019)
- Martens B, 'An Economic Policy Perspective on Online Platforms' (Institute for Prospective Technological Studies 2016) *Digital Economy Working Paper 2016/05 JRC101501*
- Martinez Mata Y, 'Bolkestein Revisited in the Era of the Sharing Economy' [2017] *Revista Electrónica de Estudios Internacionales* <<http://www.reei.org/index.php/revista/num33/notas/bolkestein-revisited-in-the-era-of-the-sharing-economy>> accessed 12 September 2017
- Mayer-Schönberger V and Foster TE, 'A Regulatory Web: Free Speech and the Global Information Infrastructure' (1997) 3 *Mich. Telecomm. Tech. L. Rev* 17

- McGonagle T, 'The Council of Europe and Internet Intermediaries' in Rikke Frank Jørgensen (ed), *Human Rights in the Age of Platforms* (The MIT Press 2019) <<https://direct.mit.edu/books/book/4531/Human-Rights-in-the-Age-of-Platform-s>> accessed 28 May 2020
- Medienanstalt Hamburg/Schleswig-Holstein, 'MA HSH - Auswertung von Transparenzberichten Nach NetzDG' (Medienanstalt Hamburg/Schleswig-Holstein 2019) <<https://www.ma-hsh.de/infotehk/publikationen/ma-hsh-auswertung-der-transparenzberichte-nach-netzdg.html>> accessed 16 April 2020
- Mehra SK and Trimble M, 'Secondary Liability of Intermediary Service Providers in the United States: General Principles and Fragmentation' in Graeme B. Dinwoodie (ed), *Secondary liability of internet service providers* (Springer Berlin Heidelberg 2017)
- 'Memorandum of Understanding on the Online Sale of Counterfeit Goods, 2016' <<http://ec.europa.eu/DocsRoom/documents/18023/attachments/1/translations/>> accessed 17 March 2017
- 'Memorandum of Understanding on the Sale of Counterfeit Goods over the Internet, 2011' <<https://perma.cc/DF6M-JNJ8>> accessed 29 June 2020
- Merrill K, 'Domains of Control: Governance of and by the Domain Name System' in Derrick L Cogburn and others (eds), *Turn to Infrastructure in Internet Governance* (Springer Nature 2016)
- Meserole C and Byman D, 'Terrorist Definitions and Designations Lists - What Technology Companies Need to Know' [2019] Royal United Services Institute for Defence and Security Studies
- Michaux B and Van Camp S, 'Belgium' in Gerald Spindler and Fritjof Börner (eds), *E-commerce law in Europe and the USA* (Springer 2002)
- Mill JS, *On Liberty and Other Essays* (Digireads (2010 edition) 1859)
- Miller A and Stivachtis YA, 'Investigations of Terrorist Cases Involving the Internet' in John R Vacca (ed), *Online terrorist propaganda, recruitment and radicalization* (2020)
- Miliou I and Pedreschi D, 'Artificial Intelligence (AI): New Developments and Innovations Applied to e Commerce.' (European Parliament 2020) <<https://data.europa.eu/doi/10.2861/2605>> accessed 27 October 2020
- Mills A, 'The Law Applicable to Cross-Border Defamation on Social Media: Whose Law Governs Free Speech in "Facebookistan"?' (2015) 7 *Journal of Media Law* 1
- 'MISSION REPORT: Towards More Effectiveness of Copyright Law on Online Content Sharing Platforms : Overview of Content Recognition Tools and Possible Ways Forward' (Conseil Supérieur De La Propriété Littéraire Et Artistique, Centre National Du Cinéma Et De L'image Animée, Haute Autorité Pour La Diffusion Des Œuvres Et La Protection Des Droits Sur Internet 2020) <<https://perma.cc/4L8X-PBQH>> accessed 2 June 2020
- Moiseienko A, 'Understanding Financial Crime Risks in E-Commerce' [2020] Royal United Services Institute for Defence and Security Studies 34

- Montero E, 'La responsabilité des prestataires intermédiaires sur les réseaux' in Mireille Antoine, *Le commerce électronique européen sur les rails?: analyse et proposition de mise en oeuvre de la directive sur le commerce électronique* (Bruylant 2001)
- Moore M and Tambini D (eds), *Digital Dominance: The Power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)
- Moscon V and Hilty RM, 'Digital Markets, Rules of Conduct and Liability of Online Intermediaries—Analysis of Two Case Studies: Unfair Commercial Practices and Trade Secrets Infringement' [2020] Max Planck Institute for Innovation and Competition Research Paper 27
- Mostardini M, Neirotti L and Travostino M, 'Italy' in Gerald Spindler and Fritjof Börner (eds), *E-commerce law in Europe and the USA* (Springer 2002)
- Mostert F, 'Free Speech and Internet Regulation' (2019) 14 *Journal of Intellectual Property Law & Practice* 607
- Mostert F and Schwimmer MB, 'Notice and Takedown for Trademarks 100th Anniversary Issue' (2011) 101 *The Trademark Reporter* 249
- Mulligan DK and Bamberger KA, 'Saving Governance-By-Design' (2018) 106 *California Law Review* 697
- Musiani F, 'Alternative Technologies as Alternative Institutions: The Case of the Domain Name System' in Derrick L Cogburn and others (eds), *Turn to Infrastructure in Internet Governance* (Springer Nature 2016)
- Musiani F and Denardis L, 'Governance by Infrastructure' in Laura Denardis and others (eds), *Turn to Infrastructure in Internet Governance* (Springer Nature 2016)
- Nair A, *The Regulation of Internet Pornography Issues and Challenges* (Routledge 2019)
- Naughton J, 'Platform Power and Responsibility in the Attention Economy' in Damian Tambini and Martin Moore (eds), *Digital dominance: the power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)
- Nazzini R, 'Google and the (Ever-Stretching) Boundaries of Article 102 TFUE' (2015) 6 *Journal of European Competition Law & Practice* 301
- Newman N, 'Reuters Institute Digital News Report 2019' (Reuters Institute, University of Oxford 2019)
- Nielsen DCK and others, 'Study on the Economic Impact of the Electronic Commerce Directive' (DG Internal Market and Services, European Commission 2007)
- Nimmer D, *Copyright: Sacred Text, Technology, and the DMCA* (Kluwer Law International 2003)
- Noam EliM, 'From The Internet of Science to the Internet of Entertainment' in Johannes M Bauer and Michael Latzer (eds), *Handbook on the economics of the internet* (Paperback edition, EE, Edward Elgar Publishing 2017)
- Nolte G and Wimmers J, 'Wer Stört? Gedanken Zur Haftung von Intermediären Im Internet – von Praktischer Konkordanz, Richtigen Anreizen Und Offenen Fragen' (2014) 16 *GRUR*

- Nordemann JB, Liability of Online Service Providers for Copyrighted Content - Regulatory Action Needed?: In-Depth Analysis. (European Parliament ed, 2018) <[http://www.europarl.europa.eu/RegData/etudes/IDAN/2017/614207/IPOL\\_IDA\(2017\)614207\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2017/614207/IPOL_IDA(2017)614207_EN.pdf)> accessed 13 May 2020
- , ‘Haftung von Providern im Urheberrecht Der aktuelle Stand nach dem EuGH-Urteil v. 12. 7. 2011 – C-324/09 – L’Oréal/eBay’ GRUR 2011 977
- OECD, ‘The Economic and Social Role of Internet Intermediaries - DSTI/ICCP(2009)9/FINAL’ (OECD 2010)
- , ‘Online Product Safety’ (2016) OECD Digital Economy Papers 261 <[http://www.oecd-ilibrary.org/science-and-technology/online-product-safety\\_5jlnb5q93jlt-en](http://www.oecd-ilibrary.org/science-and-technology/online-product-safety_5jlnb5q93jlt-en)> accessed 23 April 2018
- , ‘Rethinking Antitrust Tools for Multi-Sided Platforms’ (2018) <[www.oecd.org/competition/rethinking-antitrust-tools-for-multi-sided-platforms.htm](http://www.oecd.org/competition/rethinking-antitrust-tools-for-multi-sided-platforms.htm)> accessed 30 July 2019
- , ‘Current Approaches to Terrorist and Violent Extremist Content among the Global Top 50 Online Content-Sharing Services’, vol 296 (2020) OECD Digital Economy Papers 296 <[https://www.oecd-ilibrary.org/science-and-technology/current-approaches-to-terrorist-and-violent-extremist-content-among-the-global-top-50-online-content-sharing-services\\_68058b95-en](https://www.oecd-ilibrary.org/science-and-technology/current-approaches-to-terrorist-and-violent-extremist-content-among-the-global-top-50-online-content-sharing-services_68058b95-en)> accessed 19 March 2021
- OECD and European Union Intellectual Property Office, Trade in Counterfeit and Pirated Goods: Value, Scope and Trends (OECD 2019) <[https://www.oecd-ilibrary.org/trade/trends-in-trade-in-counterfeit-and-pirated-goods\\_g2g9f533-en](https://www.oecd-ilibrary.org/trade/trends-in-trade-in-counterfeit-and-pirated-goods_g2g9f533-en)> accessed 12 June 2020
- , Trade in Counterfeit Pharmaceutical Products (OECD 2020) <[https://www.oecd-ilibrary.org/governance/trade-in-counterfeit-pharmaceutical-products\\_a7c7e054-en](https://www.oecd-ilibrary.org/governance/trade-in-counterfeit-pharmaceutical-products_a7c7e054-en)> accessed 12 June 2020
- Ohly A, ‘Counterfeiting and Consumer Protection’ in Christophe Geiger, Criminal enforcement of intellectual property: a handbook of contemporary research (Edward Elgar 2012)
- , ‘EuGH-Vorlage Zur Haftung Einer Internetvideoplattform Für Urheberrechtsverletzungen - YouTube - Anmerkung von Ansgar Ohly’ [2018] GRUR beck-online 1132
- , ‘Keine Urheberrechtsverletzung Bei Bildersuche Durch Suchmaschinen - Vorschaubilder III - Anmerkung von Ansgar Ohly’ [2018] GRUR 2018 178
- , ‘The Broad Concept of “Communication to the Public” in Recent CJEU Judgments and the Liability of Intermediaries: Primary, Secondary or Unitary Liability?’ (2018) 13 Journal of Intellectual Property Law & Practice 664
- ‘Omer C, ‘Intermediary Liability for Harmful Speech: Lessons from Abroad’ 28 Harvard Journal of Law & Technology 37
- O’Neil C, Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy (Penguin Books 2016)
- O’Regan C, ‘Hate Speech Online: An (Intractable) Contemporary Challenge?’ (2018) 71 Current Legal Problems 403

- O'Reilly T, 'What Is Web 2.0: Design Patterns and Business Models for the Next Generation of Software' [2007] *Communication & Strategies* 17
- Oster J, 'Communication, Defamation and Liability of Intermediaries' (2015) 35 *Legal Studies* 348
- Packin NG and Lev-Aretz Y, 'Big Data and Social Netbanks: Are You Ready to Replace Your Bank?' (2016) 53 *Houston Law Review* 1211
- Pappalardo K and Suzor N, 'The Liability of Australian Online Intermediaries' (2018) 40 *Sydney Law Review* 31
- Pasquale F, 'Platform Neutrality: Enhancing Freedom of Expression in Spheres of Private Power' (2016) 17 *Theoretical Inquiries in Law* 487
- Payne RW, 'Unauthorized Online Dealers of "Genuine" Products in the Amazon Marketplace and beyond: Remedies for Brand Owners' [2014] *J Internet Law* 3
- Pellegrini D and De Canio F, *The New Social Game: Sharing Economy and Digital Revolution: Into the Change of Consumers' Habit* (Bocconi University Press 2017)
- Penfold C, 'Nazis, Porn and Politics: Asserting Control Over Internet Content' (2001) 2 *The Journal of Information, Law and Technology* <<http://elj.warwick.ac.uk/jilt/01-2/penfold.html>> accessed 2 October 2019
- Perel M and Elkin-Koren N, 'Black Box Tinkering: Beyond Disclosure in Algorithmic Enforcement' » *Florida Law Review* (2017) 69 *Florida Law Review* <<http://www.floralawreview.com/2017/black-box-tinkering-beyond-disclosure-algorithmic-enforcement/>> accessed 11 April 2019
- Perrin W and Woods L, 'Reducing Harm in Social Media through a Duty of Care' (Carnegie UK Trust, 8 May 2018) <<https://www.carnegieuktrust.org.uk/blog/reducing-harm-social-media-duty-care/>> accessed 28 August 2018
- Peters J and Johnson B, 'Conceptualizing Private Governance in a Networked Society' (2016) 18 *NCJL & Tech.* 15
- Phillips T, Litan A and Luong D, 'Begin Investing Now in Enhanced Machine-Learning Capabilities for Fraud Detection' [2017] *Gartner* 12
- Poell T, Nieborg D and Van Dijck J, 'Platformisation' (2019) 8 *Internet Policy Review* <<http://policyreview.info/node/1425>> accessed 28 January 2020
- Poillot É, Sauphanor-Brouillaud N and Aubry H, 'Droit de la consommation' [2018] *Recueil Dalloz* 583
- Pollicino O and Bassini M, 'Free Speech, Defamation and the Limits to Freedom of Expression in the EU: A Comparative Analysis (Ch. 21)' in Andrej Savin and Jan Trzaskowski, *Research Handbook on EU Internet Law* (Edward Elgar Publishing 2014)
- Polzin G and Schwartmann R, 'Sharehoster Und Andere Host-Provider' in Thomas Hoeren and Viola Bensinger (eds), *Haftung im Internet: die neue Rechtslage* (De Gruyter 2014)
- Prévost E, 'Study on Forms of Liability and Jurisdictional Issues in the Application of Civil and Administrative Defamation Laws in Council of Europe Member States' (2019) Council of Europe study DGI(2019)04



## *Bibliography*

- Purdy G, 'ISO 31000:2009-Setting a New Standard for Risk Management: Perspective' (2010) 30 *Risk Analysis* 881
- Quintais J, 'The New Copyright in the Digital Single Market Directive: A Critical Look' [2020] *European Intellectual Property Review*
- Quintais JP, 'Global Online Piracy Study' (Institute for Information Law (IViR), University of Amsterdam 2018)
- , 'Global Online Piracy Study Legal Background Report' (Institute for Information Law (IViR), University of Amsterdam 2018)
- , 'Safeguarding User Freedoms in Implementing Article 17 of the Copyright in the Digital Single Market Directive: Recommendations from European Academics' (2020) 10 *JIPITEC* <<https://www.jipitec.eu/issues/jipitec-10-3-2019/5042>>
- Quintais JP and Poort J, 'The Decline of Online Piracy: How Markets – Not Enforcement – Drive down Copyright Infringement' (2019) 34 *American University International Law Review* 807
- Quintel TA, 'Interoperability and Law Enforcement Access to Personal Data. Data Protection Rights of Third Country Nationals in the Light of the CJEU's Case Law' [2018] *Europarättslig tidskrift*, 2/2018.
- Quintel T and Ullrich C, 'Self-Regulation of Fundamental Rights? The EU Code of Conduct on Hate Speech, Related Initiatives and Beyond' in Bilyana Petkova and Tuomas Ojanen (eds), *Fundamental rights protection online: the future regulation of intermediaries* (Edward Elgar Publishing 2020)
- Rahman KS, 'Regulating Informational Infrastructure: Internet Platforms As The New Public Utilities' (2018) 2 *Georgetown Law Technology Review* 234
- Reed C, *Internet Law: Text and Materials* (2nd ed, Cambridge University Press 2004)
- Reidenberg J, 'Governing Networks and Rule-Making in Cyberspace' (1996) 45 *Emory Law Journal* 911
- Reinsel D, Gantz J and Rydning J, 'The Digitization of the World from Edge to Core' (Seagate, IDC 2018)
- Renard I and Barberis MA, 'France' in Gerald Spindler and Fritjof Börner (eds), *E-commerce law in Europe and the USA* (Springer 2002)
- Research Group on the Law of Digital Services, 'Discussion Draft of a Directive on Online Intermediary Platforms' [2016] *Journal of European Consumer and Market Law* 164
- Rhee RJ, 'The Tort Foundation of Duty of Care' (2013) 88 *NOTRE DAME LAW REVIEW* 61
- Rich RB and Ho D, 'Sound Policy and Practice in Applying Doctrines of Secondary Liability Under U.S. Copyright and Trademark Law to Online Trading Platforms: A Case Study' (2020) 32 *Intellectual Property & Technology Law Journal* 15
- Richardson JB, 'With Great Power Comes Little Responsibility: The Role of Online Payment Service Providers with Regards to Websites Selling Counterfeit Goods' (2014) 12 *Canadian Journal of Law and Technology*

- Roberts ST, *Behind the Screen: Content Moderation in the Shadows of Social Media* (Yale University Press 2019)
- Robinson G, 'The European Commission's Proposal for a Regulation on Preventing the Dissemination of Terrorist Content Online' [2018] *eucrium - The European Criminal Law Associations' Forum* <<https://eucrium.eu/articles/commission-proposal-regulation-preventing-dissemination-terrorist-content-online/>> accessed 6 April 2020
- Rosati E, 'The CJEU Pirate Bay Judgment and Its Impact on the Liability of Online Platforms' (2017) 39 *European Intellectual Property Review*
- , 'Intermediary IP Injunctions in the EU and UK Experiences: When Less (Harmonization) Is More?' (2017) 12 *Journal of Intellectual Property Law & Practice* 338
- Roudaut, Mickaël R., 'From Sweathops to Organized Crime: The New Face of Counterfeiting' in Christophe Geiger (ed), *Criminal enforcement of intellectual property: a handbook of contemporary research* (Edward Elgar 2012)
- Rowland D, Kohl U and Charlesworth A, *Information Technology Law* (4th ed, Routledge 2012)
- Ruggie JG, 'Multinationals as Global Institution: Power, Authority and Relative Autonomy: Multinationals as Global Institution' (2018) 12 *Regulation & Governance* 317
- Ryan J, *A History of the Internet and the Digital Future* (Reaktion Books 2013)
- Ruch M and Sackmann S, 'Customer-Specific Transaction Risk Management in E-Commerce', *Value creation in e-business management* (Springer 2009)
- Sartor G, 'Providers Liability: From the ECommerce Directive to the Future - IP/A/IMCO/2017-07' (2017)
- , 'The Impact of Algorithms for Online Content Filtering or Moderation. Upload Filters' (European Parliament 2020)
- Saurwein F and others, 'Algorithmische Selektion im Internet: Risiken und Governance automatisierter Auswahlprozesse' [2017] *kommunikation @ gesellschaft* 22
- Saurwein F, Just N and Latzer M, 'Governance of Algorithms: Options and Limitations' (2015) 17 *info* 35
- Savin A, 'Regulating Internet Platforms in the EU - The Emergence of the "Level Playing Field"' (2018) 34 *Computer Law & Security Review* 1215
- , *EU Internet Law* (Second edition, Edward Elgar Publishing 2017)
- Schepel H, *The Constitution of Private Governance: Product Standards in the Regulation of Integrating Markets* (Hart Pub 2005)
- , 'The New Approach to the New Approach: The Juridification of Harmonized Standards in EU Law' (2013) 20 *Maastricht Journal of European and Comparative Law* 521
- Schmidt W-A and Prieß M, 'Germany' in Gerald Spindler and Fritjof Börner (eds), *E-commerce law in Europe and the USA* (Springer 2002)

- Smith DM, 'Enforcement and Cooperation between Member States' (European Parliament 2020)
- Schmitz S and Ries T, 'Three Songs and You Are Disconnected from Cyberspace? Not in Germany Where the Industry May "Turn Piracy into Profit"' (2012) 3 *European Journal of Law and Technology* 14
- Schmitz S and Robinson G, 'Das NetzDG Und Die CPS Guidelines Zur Verfolgung Straffbarer Inhalte In Sozialen Medien', *Recht 4.0 - Innovationen aus den rechtswissenschaftlichen Laboren* (OlWIR Verlag für Wirtschaft, Informatik und Recht 2017)
- Schmitz S, *The Struggle in Online Copyright Enforcement: Problems and Prospects* (1. edition, Nomos 2015)
- Scholte JA, 'Polycentrism and Democracy in Internet Governance' in Uta Kohl (ed), *The Net and the Nation State - Multidisciplinary Perspectives on Internet Governance* (Cambridge University Press 2017)
- Schruers M, 'Copyright, Intermediaries, and Architecture' in Francesca Musiani and others (eds), *Turn to Infrastructure in Internet Governance* (Springer Nature 2016)
- Schulz W, 'Regulating Intermediaries to Protect Privacy Online – the Case of the German NetzDG', *Personality and Data Protection Rights on the Internet*, Forthcoming (2018) <<https://ssrn.com/abstract=3216572>> accessed 27 August 2018
- Schwemer SF, 'Trusted Notifiers and the Privatization of Online Enforcement' (2019) 35 *Computer Law & Security Review* 105339
- Scott B and Owen T, 'Governing Platforms after COVID-19' (Centre for International Governance Innovation, 18 August 2020) <<https://www.cigionline.org/articles/governing-platforms-after-covid-19>> accessed 20 August 2020
- Scott C, 'Integrating Regulatory Governance and Better Regulation as Reflexive Governance' in Sacha Garben and Inge Govaere (eds), *The EU better regulation agenda: a critical assessment* (Hart 2018)
- 'Section 512 of Title 17 - A Report of the Register of Copyrights' (United States Copyright Office 2020) <<https://www.copyright.gov/policy/section512/>> accessed 29 June 2020
- Senden LAJ and others, *Mapping Self-and Co-Regulation Approaches in the EU Context*": Explorative Study for the European Commission, DG Connect (European Commission 2015) <<https://dspace.library.uu.nl/handle/1874/327305>> accessed 19 September 2017
- , 'The Constitutional Fit of European Standardization Put to the Test' (2017) 44 *Legal Issues of Economic Integration* 337
- Senftleben M, 'Breathing Space for Cloud-Based Business Models' (2013) 4 *JIP-ITEC* <<https://www.jipitec.eu/issues/jipitec-4-2-2013/3743/senftleben.pdf>>
- Sinha Roy S, Basu A and Chattopadhyay A, *Intelligent Copyright Protection for Images*, *Intelligent Copyright Protection for Images* (CRC Press 2019)
- Siniketo T, Polland U and Manner M, 'The Pirate Bay Ruling - When the Fun and Games End' (2009) 20 *Entertainment Law Review* 12

- Smith GV, 'Brand Valuation: Too Long Neglected' (1990) 12 *European Intellectual Property Review* 159
- Smith L, 'European Commission Publishes Memorandum of Understanding on the Sale of Counterfeit Goods over the Internet' (2011) 6 *Journal of Intellectual Property Law & Practice* 770
- Sokol DD and Ma J, 'Understanding Online Markets and Antitrust Analysis' (2017) 15 *Northwestern Journal of Technology and Intellectual Property* 43
- Solomon L, 'Fair Users or Content Abusers? The Automatic Flagging of Non-Infringing Videos by Content ID on YouTube' (2015) 44 *Hofstra Law Review* 33
- Spindler G, 'BGH-Urteil (U. v. 19.4.2007 - I ZR 35/04) Internetversteigerung II - Anmerkung' [2007] *MMR* 511
- , 'Präzisierungen Der Störerhaftung Im Internet Besprechung Des BGH-Urteils „Kinderhochstühle Im Internet“' [2011] *GRUR* 101
- , 'Internet Intermediary Liability Reloaded' (2017) 8 *JIPITEC* 166
- , 'The Liability System of Art. 17 DSMD and National Implementation – Contravening Prohibition of General Monitoring Duties?' (2020) 10 *JIPITEC* <<https://www.jipitec.eu/issues/jipitec-10-3-2019/5041>>
- Spindler G and Börner F (eds), *E-Commerce Law in Europe and the USA* (Springer 2002)
- Spindler G, Schuster F and Anton K (eds), *Recht Der Elektronischen Medien: Kommentar* (2. Aufl, CH Beck 2011)
- Spindler G and Thorun C, 'Die Rolle Der Ko-Regulierung in Der Informationsgesellschaft' (2016) 6 *MMR-Beil.* 1
- Stalla-Bourdillon S, 'Sometimes One Is Not Enough! Securing Freedom of Expression, Encouraging Private Regulation, or Subsidizing Internet Intermediaries or All Three at the Same Time: The Dilemma of Internet Intermediaries' Liability' (2012) 7 *Journal of International Commercial Law and Technology* 22
- , 'Internet Intermediaries As Responsible Actors? Why It Is Time to Rethink the E-Commerce Directive as Well.' in Mariarosaria Taddeo and Luciano Floridi, *The responsibilities of online service providers* (Springer Berlin Heidelberg 2016)
- , 'Uniformity v. Diversity of Internet Intermediaries' Liability Regime: Where Does the ECJ Stand?' (2011) 6 *Journal of International Commercial Law and Technology* 51
- Stark B and Stegmann D, 'Are Algorithms a Threat to Democracy? The Rise of Intermediaries: A Challenge for Public Discourse' (Algorithm Watch 2020)
- Sterrett L, 'Product Liability: Advancements in European Union Product Liability Law and a Comparison Between the EU and U.S. Regime' (2015) 23 *Michigan State International Law Review* 885
- Stevens H, 'Hans Peter Luhn and the Birth of the Hashing Algorithm - IEEE Spectrum' (*IEEE Spectrum: Technology, Engineering, and Science News*, 30 January 2018) <<https://spectrum.ieee.org/tech-history/silicon-revolution/hans-peter-luhn-and-the-birth-of-the-hashing-algorithm>> accessed 25 August 2020

## Bibliography

- Stevens WR and Fall KW, *TCP/IP Illustrated. Volume 1, Volume 1*, (2nd edn, Addison-Wesley 2011)
- de Streel A and others, *Moderation of Illegal Content Online: Law, Practices and Options for Reform*. (EU Publications Office 2020) <<https://data.europa.eu/doi/10.2861/831734>> accessed 7 October 2020
- de Streel A and Husovec M, 'The E-Commerce Directive as the Cornerstone of the Internal Market: Assessment and Options for Reform.' (European Parliament 2020) <[https://www.europarl.europa.eu/RegData/etudes/STUD/2020/648797/IPOL\\_STU\(2020\)648797\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/648797/IPOL_STU(2020)648797_EN.pdf)> accessed 2 November 2020
- Summers RS, 'The New Analytical Jurists' (1966) 41 *New York University Law Review* 861
- Susser D, Roessler B and Nissenbaum H, 'Technology, Autonomy, and Manipulation' (2019) 8 *Internet Policy Review* 22
- Suzor NP, *Lawless: The Secret Rules That Govern Our Digital Lives* (Cambridge University Press 2019)
- Svantesson DJB, *Solving the Internet Jurisdiction Puzzle* (First edition, Oxford University Press 2017)
- , 'Internet & Jurisdiction Global Status Report 2019' (Internet & Jurisdiction Policy Network 2019)
- Swiss Institute of Comparative Law, 'Study on Filtering, Blocking and Take-down of Illegal Content on the Internet' (Council of Europe 2015) <[https://www.coe.int/en/web/cybercrime/news/-/asset\\_publisher/S73WWxscOuZ5/content/study-on-filtering-blocking-and-take-down-of-illegal-content-on-the-internet](https://www.coe.int/en/web/cybercrime/news/-/asset_publisher/S73WWxscOuZ5/content/study-on-filtering-blocking-and-take-down-of-illegal-content-on-the-internet)> accessed 4 February 2020
- Sylvain O, 'Intermediary Design Duties' (2018) 50 *Connecticut Law Review* 203
- Synodinou T-E, 'Copyright Law: An Ancient History, a Contemporary Challenge' in Andrej Savin and Jan Trzaskowski (eds), *Research Handbook on EU Internet Law* (Edward Elgar Publishing 2014)
- , 'Directive 2001/29/EC on the Armonisation of Certain Aspects of Copyright and Related Rights in the Information Society' in Arno R Lodder and Andrew D Murray (eds), *EU regulation of e-commerce: a commentary* (Edward Elgar Publishing 2017)
- , *EU Internet Law: Regulation and Enforcement* (Springer Berlin Heidelberg 2017)
- Taddeo M and Floridi L, 'The Debate on the Moral Responsibilities of Online Service Providers', *The responsibilities of online service providers* (Springer Berlin Heidelberg 2016)
- , 'The Debate on the Moral Responsibilities of Online Service Providers' (2016) 22 *Science and Engineering Ethics* 1575
- Tambini D, 'Platform Dominance' in Damian Tambini and Martin Moore (eds), *Digital dominance: the power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)

- , ‘Social Media Power and Election Legitimacy’ in Damian Tambini and Martin Moore (eds), *Digital dominance: the power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)
- Tambini D and Moore M, ‘Dominance, the Citizen Interest and the Consumer Interest (Conclusion)’ in Damian Tambini and Martin Moore (eds), *Digital dominance: the power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)
- Tao Q, ‘The Knowledge Standard for the Internet Intermediary Liability in China’ (2012) 20 *International Journal of Law and Information Technology* 1
- Tao Q, ‘Legal Framework of Online Intermediaries’ Liability in China’ (2012) 14 *info* 59
- Technopolis Group and others, ‘Ex-Post Evaluation of the Application of the Market Surveillance Provisions of Regulation (EC) No 765/2008’ (2017)
- Teubner, ‘Self-Constitutionalizing TNCs? On the Linkage of “Private” and “Public” Corporate Codes of Conduct’ (2011) 18 *Indiana Journal of Global Legal Studies* 617
- Teubner G, ‘Global Bukowina: Legal Pluralism in the World-Society’, *Global Law Without a State* (1997)
- ‘The Economic Impact of Counterfeiting and Piracy OECD - Executive Summary’ (OECD 2007)
- Thompson M, ‘Beyond Gatekeeping: The Normative Responsibility of Internet Intermediaries’ (2016) 18 *Vanderbilt Journal of Entertainment & Technology Law* 783
- Timmermans S and Epstein S, ‘A World of Standards but Not a Standard World: Toward a Sociology of Standards and Standardization’ (2010) 36 *Annual Review of Sociology* 69
- Topidi K, ‘Words That Hurt (2): National and International Perspectives on Hate Speech Regulation’ [2019] SSRN Electronic Journal <<https://www.ssrn.com/abstract=3488718>> accessed 6 April 2020
- Tuch AF, ‘Multiple Gatekeepers’ (2010) 96 *Virginia Law Review* 1583
- Tworek H, ‘How Platforms Could Benefit from the Precautionary Principle’ (Centre for International Governance Innovation, 19 November 2019) <<https://www.cigionline.org/articles/how-platforms-could-benefit-precautionary-principle>> accessed 17 August 2020
- UK Parliament, ‘Lords Hansard Text for 23 Sep 2013 (Pt 0001)’ (2013) <[https://publications.parliament.uk/pa/ld201314/ldhansrd/text/130923w0001.htm#w\\_a\\_st\\_3](https://publications.parliament.uk/pa/ld201314/ldhansrd/text/130923w0001.htm#w_a_st_3)> accessed 27 April 2020
- Ullrich C, ‘Online Intermediaries’ Liability 2012: As the Digital Economy Comes of Age, Does the Industry Need to Take On More Responsibilities?’ (Social Science Research Network 2012) SSRN Scholarly Paper ID 3594317 <<https://papers.ssrn.com/abstract=3594317>> accessed 22 July 2020
- , ‘Standards for Duty of Care? Debating Intermediary Liability from a Sectoral Perspective’ (2017) 8 *JIPITEC* 111

- , 'A Risk-Based Approach towards Infringement Prevention on the Internet: Adopting the Anti-Money Laundering Framework to Online Platforms' (2018) 26 *International Journal of Law and Information Technology* 226
- , 'Déjà vu Davidoff – The German Federal Court of Justice Refers Another Case Brought by Coty Dealing with Trade Marks in e-Commerce to the CJEU' (2019) 14 *Journal of Intellectual Property Law & Practice* 5
- , 'New Approach Meets New Economy: Enforcing EU Product Safety in e-Commerce' (2019) 26 *Maastricht Journal of European and Comparative Law* 558
- UNIFAB, 'Counterfeiting & Terrorism, Edition 2016' (2015) <[https://www.unifab.com/wp-content/uploads/2016/06/Rapport-A-Terrorisme-2015\\_GB\\_22.pdf](https://www.unifab.com/wp-content/uploads/2016/06/Rapport-A-Terrorisme-2015_GB_22.pdf)> accessed 14 November 2019
- Union PO of the E, 'European Union Serious and Organised Crime Threat Assessment: Crime in the Age of Technology.' (2017) Website <<https://publications.europa.eu/en/publication-detail/-/publication/a0c983b4-1db0-11e7-aeb3-01aa75ed71a1/language-en/format-PDF>> accessed 17 August 2018
- Urban JM, Karaganis J and Schofield BL, *Notice and Takedown in Everyday Practice* (American Assembly 2016)
- US Department of Justice's, 'Department of Justice's Review of Section 230 of the Communications Decency Act Of 1996' (2020) <<https://www.justice.gov/ag/department-justice-s-review-section-230-communications-decency-act-1996>> accessed 7 October 2020
- Valcke P, Graef I and Clifford D, 'Fairness – Constructing Fairness in IT (and Other Areas of) Law through Intra- and Interdisciplinarity' (2018) 34 *Computer Law & Security Review* 707
- Valcke P, Kuczerawy A and Ombet P-J, 'Did the Romans Get It Right? What Delfi, Google, eBay, and UPC TeleKabel Wien Have in Common' in Mariarosaria Taddeo and Luciano Floridi, *The responsibilities of online service providers* (Springer Berlin Heidelberg 2017)
- Vamialis A, 'Online Defamation: Confronting Anonymity' (2013) 21 *International Journal of Law and Information Technology* 31
- van Dam, CC, *European Tort Law* (Second edition, Oxford University Press 2013)
- van der Vegt I and others, 'Shedding Light on Terrorist and Extremist Content Removal' [2019] Royal United Services Institute for Defence and Security Studies
- van Eecke P, 'Online Service Providers and Liability: A Plea for a Balanced Approach' (2011) 48 *Common Market L. Rev.* 1455
- van Eecke P and Truyens M, 'Legal Analysis of a Single Market for the Information Society (SMART 2007/0037)' (European Commission 2011) <<https://ec.europa.eu/digital-single-market/en/news/legal-analysis-single-market-information-society-smart-20070037>> accessed 4 February 2020
- van Eijk N a. NM and others, 'Moving Towards Balance: A Study into Duties of Care on the Internet' (Social Science Research Network 2010) SSRN Scholarly Paper ID 1788466 <<https://papers.ssrn.com/abstract=1788466>> accessed 13 May 2020

- van Gestel R and Micklitz H-W, 'European Integration through Standardization: How Judicial Review Is Breaking down the Club House of Private Standardization Bodies' (2013) 50 *Common Market L. Rev.* 145
- van Mil JJH, 'German Federal Court of Justice Asks CJEU If YouTube Is Directly Liable for User-Uploaded Content' (2019) 14 *Journal of Intellectual Property Law & Practice* 355
- van Schewick B, 'Internet Architecture and Innovation in Applications' in Johannes M Bauer and Michael Latzer (eds), *Handbook on the economics of the internet* (Paperback edition, EE, Edward Elgar Publishing 2017)
- Vanberg AD, 'From Archie to Google - Search Engine Providers and Emergent Challenges in Relation to EU Competition Law' (2012) 3 *European Journal of Law and Technology* 18
- Vaqué LG, 'The Proposed EU Consumer Product Safety Regulation and Its Potential Conflict with Food Legislation.' (2014) 9 *European Food & Feed Law Review* 161
- Vedder A, 'Accountability of Internet Access and Service Providers – Strict Liability Entering Ethics?' (2001) 3 *Ethics and Information Technology* 67
- Verbiest T and others, 'Study on the Liability of Internet Intermediaries, Markt 2006/09/E'
- , 'Study on the Liability of Internet Intermediaries, Markt 2006/09/E - Country Report Spain - Executive Summary'
- Verbruggen P and Leeuwen BV, 'The Liability of Notified Bodies under the EU's New Approach: The Implications of the PIP Breast Implants Case' (2018) 43 *European Law Review* 394
- Verweyen U, 'Grenzen der Störerhaftung in Peer to Peer-Netzwerken' [2009] *MMR* 590
- Vranken M, 'Duty to Rescue in Civil Law and Common Law: Les Extremes Se Touchent' (1998) 47 *International and Comparative Law Quarterly* 934
- Wagner B, 'Governing Internet Expression: How Public and Private Regulation Shape Expression Governance' (2013) 10 *Journal of Information Technology & Politics* 389
- , *Global Free Expression - Governing the Boundaries of Internet Content* (Springer Berlin Heidelberg 2016)
- , 'Free Expression? Dominant Information Intermediaries as Arbiters of Internet Speech' in Damian Tambini and Martin Moore (eds), *Digital dominance: the power of Google, Amazon, Facebook, and Apple* (Oxford University Press 2018)
- Wagner G, 'Haftung von Plattformen Für Rechtsverletzungen (Teil 1)' [2020] *GRUR* 2020 329
- Waisman A and Hevia M, 'Theoretical Foundations of Search Engine Liability' (2011) 42 *International Review of Intellectual Property and Competition Law* 785
- Walker C and Conway M, 'Online Terrorism and Online Laws' (2015) 8 *Dynamics of Asymmetric Conflict* 156



## *Bibliography*

- Wang J, 'Development of Hosting ISPs' Secondary Liability for Primary Copyright Infringement in China – As Compared to the US and German Routes' (2015) 46 IIC - International Review of Intellectual Property and Competition Law 275
- Warf B, 'Alternative Geographies of Cyberspace' in Uta Kohl (ed), *The Net and the Nation State - Multidisciplinary Perspectives on Internet Governance* (Cambridge University Press 2017)
- Warwick S, 'Is Copyright Ethical? An Examination of the Theories, Laws and Practices Regarding the Private Ownership of Intellectual Work in the United States' [1999] B.C. Intell. Prop. & Tech. F.
- Weber RH, *Shaping Internet Governance: Regulatory Challenges* (Springer Berlin Heidelberg 2010)
- , 'Future Design of Cyberspace Law' (2012) 5 *Journal of Politics and Law* 15
- Weimann G, *Terrorism in Cyberspace: The next Generation* (Woodrow Wilson Center Press 2015)
- Weiss F and Kaupa C, *European Union Internal Market Law* (Cambridge Univ Press 2014)
- Westerman P, 'Arguing About Goals: The Diminishing Scope of Legal Reasoning' (2010) 24 *Argumentation* 211
- Which?, 'Online Marketplaces and Product Safety' (2019) Policy Paper November 2019 <<https://www.which.co.uk/policy/consumers/5234/onlinemarketplaces>> accessed 3 July 2020
- Wielsch D, 'Private Law Regulation of Digital Intermediaries' [2019] SSRN Electronic Journal <<https://www.ssrn.com/abstract=3369592>> accessed 3 May 2019
- Winkelmann S, 'Statistik Der Marktüberwachung 2019' (Bundesnetzagentur 2020)
- Winn JK, 'Globalization and Standards: The Logic of Two-Level Games' (2009) 5 *I/S: A Journal of Law and Policy for the Information Society* 34
- Winner L, 'Cyberlibertarian Myths and the Prospects for Community' (1997) 27 *ACM SIGCAS Computers and Society* 14
- Wischmeyer T, "What Is Illegal Offline Is Also Illegal Online": The German Network Enforcement Act 2017' in Bilyana Petkova and Tuomas Ojanen (eds), *Fundamental rights protection online: the future regulation of intermediaries* (Edward Elgar Publishing 2020)
- Wood C and others, 'Great Britain' in Gerald Spindler and Fritjof Börner (eds), *E-commerce law in Europe and the USA* (Springer 2002)
- Woods L, 'Duty of Care' (2018) 46 *InterMEDIA*
- , 'The Carnegie Statutory Duty of Care and Fundamental Freedoms' [2019] Carnegie UK Trust <<https://www.carnegieuktrust.org.uk/publications/doc-fundamental-freedoms/>> accessed 2 March 2020
- , 'The Duty of Care in the Online Harms White Paper' (2019) 11 *Journal of Media Law* 6
- Woods L and Perrin W, 'Online Harm Reduction – a Statutory Duty of Care and Regulator' (Carnegie UK Trust 2019)

- Wright RW, 'Allocating Liability Among Multiple Responsible Causes: A Principled Defense of Joint and Several Liability for Actual Harm and Risk Exposure' 21 UC Davis Law Review 1141
- Wu FT, 'Collateral Censorship and the Limits of Intermediary Immunity' (2011) 87 Notre Dame Law Review 293
- Wu T, *The Master Switch: The Rise and Fall of Information Empires* (Atlantic 2012)
- , 'Will Artificial Intelligence Eat the Law? The Rise of Hybrid Social-Ordering Systems' (2019) 119 Columbia Law Review 2001
- Yen AC, 'Internet Service Provider Liability for Subscriber Copyright Infringement, Enterprise Liability, and the First Amendment' 88 The Georgetown Law Journal 63
- Yeung K, 'Why Worry about Decision-Making by Machine?' in Karen Yeung and Martin Lodge, *Algorithmic regulation* (2019)
- Yeung K and Expert Committee on human rights dimensions of automated data processing and different forms of artificial intelligence (MSI-AUT), 'Responsibility and AI' (2019) Council of Europe study DGI(2019)05 <<https://edoc.coe.int/en/artificial-intelligence/8026-responsibility-and-ai.html>> accessed 11 November 2020
- Yu Y and Wang X, 'E-Commerce Logistics in Supply Chain Management' (2017) 117 Industrial Management & Data Systems 24
- Zarsky TZ, 'Incompatible: The GDPR in the Age of Big Data.' (2017) 47 Seton Hall Law Review 995
- Zeno-Zencovich V, 'Anonymous Speech on the Internet' in András Koltay (ed), *Media Freedom and Regulation in the New Media World* (Wolters Kluwer Kft 2014)
- , 'Legal Epistemology in the Times of Big Data' in Ginevra Peruginelli and Sebastiano Faro (eds), *Knowledge of the law in the big data age* (IOS Press 2019)
- Zeno-Zencovich V and Codiglione GG, 'Ten legal perspectives on the "big data revolution"' in Fabiana Di Porto (ed), *Big data e concorrenza* (A Giuffrè editore 2016)
- Zetsche DA and others, 'Regulating a Revolution: From Regulatory Sandboxes to Smart Regulation' (2017) 23 Fordham Journal of Corporate & Financial Law 31
- Zittrain J, *Jurisdiction* (Foundation Press 2005)
- Zuboff S, *The Age of Surveillance Capitalism: The Fight for the Future at the New Frontier of Power* (Profile Books 2019)
- , "'We Make Them Dance": Surveillance Capitalism, the Rise of Instrumentarian Power, and the Threat to Human Rights' in Rikke Frank Jørgensen (ed), *Human Rights in the Age of Platforms* (The MIT Press 2019) <<https://direct.mit.edu/books/book/4531/Human-Rights-in-the-Age-of-Platforms>> accessed 28 May 2020

*B. Blog articles, internet news articles and webpages*

- '2016 W3C Internal Reorganization' <<https://www.w3.org/2016/08/2016-reorg.htm>> accessed 8 August 2019
- 'AACA Practices' (Alibaba Anti-counterfeiting Alliance) <<https://aaca.alibabagroup.heymeo.net/>> accessed 25 June 2020
- 'Administrative Cooperation Groups (AdCos)' (Internal Market, Industry, Entrepreneurship and SMEs - European Commission, 5 July 2016) <[https://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/administrative-cooperation-groups\\_en](https://ec.europa.eu/growth/single-market/goods/building-blocks/market-surveillance/organisation/administrative-cooperation-groups_en)> accessed 3 July 2020
- Agrawal A, 'THE COPYKAT' (The 1709 Blog, 30 July 2019) <[https://the1709blog.blogspot.com/2019/07/the-copykat\\_30.html](https://the1709blog.blogspot.com/2019/07/the-copykat_30.html)> accessed 29 May 2020
- Aleksandar S, 'How Much Time Do People Spend on Social Media in 2019?' (Tech Jury, 8 March 2019) <<https://techjury.net/blog/time-spent-on-social-media/>> accessed 23 July 2019
- 'Alibaba Group - Intellectual Property Protection Platform (IPP Platform)' <<https://ipp.alibabagroup.com/index.htm>> accessed 19 June 2020
- 'Alibaba's Enhanced IP Protection Platform Now Eliminates Fake Listings in Less than 24 Hours' (10 August 2017) <<https://alibabagroup.com/en/news/article?news=p170810>> accessed 19 June 2020
- 'Amazon 2018 Annual Report' (Amazon) <<https://ir.aboutamazon.com/annual-reports-proxies-and-shareholder-letters/default.aspx>> accessed 19 June 2020
- 'Amazon 2019 Annual Report' (Amazon) <<https://ir.aboutamazon.com/annual-reports-proxies-and-shareholder-letters/default.aspx>> accessed 19 June 2020
- 'Amazon Brand Gating Increases Merchant Suspension Risk' (TameBay, 22 February 2019)
- 'Amazon Brand Registry: Help Protect Your Brand on Amazon' <<https://brandservices.amazon.com/>> accessed 19 June 2020
- 'Amazon Fraud Detector - Amazon Web Services' (Amazon Web Services, Inc.) <<https://aws.amazon.com/fraud-detector/>> accessed 25 June 2020
- 'Amazon Leads; Microsoft, IBM & Google Chase; Others Trail | Synergy Research Group' <<https://www.srgresearch.com/articles/amazon-leads-microsoft-ibm-google-chase-others-trail>> accessed 1 August 2019
- 'Amazon Lending' <<https://sell.amazon.com/programs/amazon-lending.html>> accessed 29 June 2020
- 'Amazon Project Zero: Empowering Brands against Counterfeits' <<https://brandservices.amazon.com/projectzero>> accessed 25 June 2020
- 'Amazon Ramping Up Efforts To Take Down Counterfeiters' <<https://finance.yahoo.com/news/amazon-ramping-efforts-down-counterfeiters-173702229.html>> accessed 25 June 2020
- 'Amazon Research - Marketplace Pulse' <<https://www.marketplacepulse.com/research/amazon>> accessed 17 July 2019

- ‘Amazon Warns Customers: Those Supplements Might Be Fake’ *Wired* <<https://www.wired.com/story/amazon-fake-supplements/>> accessed 9 July 2020
- ‘Amazon.de - Mitteilung an Amazon.de Über Eine Rechtsverletzung’ <<https://www.amazon.de/report/infringement?>> accessed 4 February 2020
- ‘Analysis: ISIS Use of Smaller Platforms and the DWeb to Share Terrorist Content – April 2019 - Tech Against Terrorism’ (29 April 2019) <<https://www.techagainstterrorism.org/2019/04/29/analysis-isis-use-of-smaller-platforms-and-the-dweb-to-share-terrorist-content-april-2019/>> accessed 19 March 2021
- Article 19, ‘Responding to “Hate Speech”: Comparative Overview of Six EU Countries’ (2018) <[https://www.article19.org/wp-content/uploads/2018/03/ECA-hate-speech-compilation-report\\_March-2018.pdf](https://www.article19.org/wp-content/uploads/2018/03/ECA-hate-speech-compilation-report_March-2018.pdf)> accessed 20 August 2018
- ‘Artikel Bezahlen’ (eBay) <<https://www.eBay.de/help/buying/paying-items/artikel-bezahlen?id=4009>> accessed 26 August 2020
- Ärzteblatt DÄG Redaktion Deutsches, ‘Onlinespiele und soziale Medien: Corona verstärkt die Sucht’ [2020] *Deutsches Ärzteblatt* <[https://www.aerzteblatt.de/arc\\_hiv/214932/Onlinespiele-und-soziale-Medien-Corona-verstaerkt-die-Sucht](https://www.aerzteblatt.de/arc_hiv/214932/Onlinespiele-und-soziale-Medien-Corona-verstaerkt-die-Sucht)> accessed 20 August 2020
- Babbs D, ‘New Year, New Internet? Why It’s Time to Rethink Anonymity on Social Media’ (*Inform’s Blog*, 31 January 2020) <<https://inform.org/2020/01/31/new-year-new-internet-why-its-time-to-rethink-anonymity-on-social-media-david-babbs/>> accessed 14 August 2020
- Ball J, ‘How to Cut Big Tech down to Size’ (25 January 2019) <<https://www.prospectmagazine.co.uk/science-and-technology/how-to-cut-big-tech-down-to-size>> accessed 19 August 2020
- Barata J, ‘Positive Intent Protections: Incorporating a Good Samaritan Principle in the EU Digital Services Act’ (Center for Democracy and Technology, 29 July 2020) <<https://cdt.org/insights/positive-intent-protections-incorporating-a-good-samaritan-principle-in-the-eu-digital-services-act/>> accessed 14 October 2020
- Barlow JP, ‘A Declaration of the Independence of Cyberspace’ (1996) <<https://www.eff.org/cyberspace-independence>> accessed 24 May 2019
- BASCAP, ‘Best-Practices-for-Removing-Fakes-from-Online-Platforms’ (BASCAP 2016)
- Bensinger WHAG, ‘L’Oréal, eBay Settle Dispute Over Counterfeit Goods’ *Wall Street Journal* (15 January 2014) <<https://www.wsj.com/articles/l8217or233al-eBay-settle-dispute-over-counterfeit-goods-1389816939>> accessed 14 January 2020
- Belirli M, ‘The Court of Appeal of Milan Rules on Yahoo’s Liability with Respect to Copyright Infringement’ (*Global Media and Communications Watch*, 25 February 2015) <<https://www.hlmediacomms.com/2015/02/25/the-court-of-appeal-of-milan-rules-on-yahoos-liability-with-respect-to-copyright-infringement/>> accessed 18 February 2020
- ‘Better Training for Safer Food (BTSF) - Food Safety - European Commission’ (Food Safety) </food/safety/btsf\_en> accessed 10 August 2018

## *Bibliography*

- 'Bfj - Pressemitteilungen -Aktuell- - Bundesamt Für Justiz Erlässt Bußgeldbescheid Gegen Facebook' <<https://www.bundesjustizamt.de/DE/Presse/Archiv/2019/20190702.html?nn=3451902>> accessed 16 April 2020
- 'Big 5 US Tech Giants Hit \$6.4 Trillion in Market Cap, a 53% Jump in a Year – 24/7 Wall St.' <<https://247wallst.com/technology-3/2020/07/21/big-5-us-tech-giants-hit-6-4-trillion-in-market-cap-a-53-jump-in-a-year/>> accessed 20 August 2020
- Bishop T, 'Amazon Forms "Counterfeit Crimes Unit," under Pressure to Escalate Fight against Fake Products' (GeekWire, 24 June 2020) <<https://www.geekwire.com/2020/amazon-forms-counterfeit-crimes-unit-pressure-escalate-fight-fake-products/>> accessed 25 June 2020
- Bottomley J, 'Understanding Caching' [2004] Linux Journal <<https://www.linuxjournal.com/article/7105>> accessed 8 October 2019
- Brett W, 'Defamation Act 2013: A Summary and Overview Six Years on, Part 2, Sections 4 to 14 –' (Inform's Blog, 30 January 2020) <<https://inform.org/2020/01/30/defamation-act-2013-a-summary-and-overview-six-years-on-part-2-sections-4-to-14-brett-wilson-llp/>> accessed 13 March 2020
- 'Browser Statistics' <<https://www.w3schools.com/browsers/default.asp>> accessed 1 August 2019
- Bundesamt für Verbraucherschutz und Landwirtschaft (BVL), 'BVL/FLEP Conference on European Approaches to Risk Based Official Controls in Food Businesses, Including e- Commerce' <[http://www.flep.org/downloads/workshops/2010/Risk\\_based\\_controls\\_conf\\_Berln\\_day2summary.pdf](http://www.flep.org/downloads/workshops/2010/Risk_based_controls_conf_Berln_day2summary.pdf)> accessed 10 August 2018
- Byrne PJ, 'FLEP - Food Law Enforcement Practitioners' <<http://www.flep.org/what.html>> accessed 17 July 2020
- Canada E and SD, 'Notice and Notice Regime' (gcnews, 17 June 2014) <<https://www.canada.ca/en/news/archive/2014/06/notice-notice-regime.html>> accessed 20 December 2019
- Carlos Pacheco, 'YouTube Content ID Handbook - Google' (14 March 2013) <<https://perma.cc/Y8AB-VCGC>> accessed 2 June 2020
- 'Case Studies & Customer Success - Amazon Web Services (AWS)' (Amazon Web Services, Inc.) <<https://aws.amazon.com/solutions/case-studies/>> accessed 30 July 2019
- 'Cdiscount.com Payment' (CDiscount) <<https://www.cdiscount.com/payment/paymentinfo.html>> accessed 26 August 2020
- Cleeng, Live Streaming Piracy: Are We Winning This Epic Battle? (2017) <<https://cleeng.com/resources>> accessed 30 June 2020
- 'Code of Conduct on Countering Illegal Hate Speech Online' (2016) <[http://ec.europa.eu/justice/fundamental-rights/files/hate\\_speech\\_code\\_of\\_conduct\\_en.pdf](http://ec.europa.eu/justice/fundamental-rights/files/hate_speech_code_of_conduct_en.pdf)> accessed 9 March 2017
- Condon S, 'Amazon's Project Zero Lets Brands Take down Counterfeits' (ZDNet, 28 February 2019) <<https://www.zdnet.com/article/amazons-project-zero-lets-brands-take-down-counterfeits/>> accessed 25 June 2020
- 'Copyright Act 1968 (Cth) | Wilmap' <<https://wilmap.law.stanford.edu/entries/copyright-act-1968-cth>> accessed 3 January 2020

- 'Copyright Infringement Notification - YouTube' <[https://www.youtube.com/copyright\\_complaint\\_form](https://www.youtube.com/copyright_complaint_form)> accessed 4 February 2020
- 'Copyright Management | Facebook' <<https://rightsmanager.fb.com/>> accessed 4 June 2020
- 'Copyright Management Tools - YouTube Help' <[https://support.google.com/youtube/topic/9282364?hl=en&ref\\_topic=2676339](https://support.google.com/youtube/topic/9282364?hl=en&ref_topic=2676339)> accessed 2 June 2020
- Council of the EU, 'Terrorist Content Online: Council Presidency and European Parliament Reach Provisional Agreement' (10 December 2020) <<https://www.council.europa.eu/en/press/press-releases/2020/12/10/terrorist-content-online-council-presidency-and-european-parliament-reach-provisional-agreement/>> accessed 15 March 2021
- 'Counter-Terrorism:Written Question - 30893' (UK Parliament) <<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-03-14/30893/>> accessed 27 April 2020
- 'Data Never Sleeps 2.0' (Domo 2014) <<https://www.domo.com/learn/data-never-sleeps-2>>
- 'Data Never Sleeps 3.0' (Domo 2015) <[https://web-assets.domo.com/blog/wp-content/uploads/2015/08/15\\_domo\\_data-never-sleeps-3\\_final1.png](https://web-assets.domo.com/blog/wp-content/uploads/2015/08/15_domo_data-never-sleeps-3_final1.png)> accessed 26 July 2019
- 'Data Never Sleeps 6.0' (Domo 2018) <<https://www.domo.com/learn/data-never-sleeps-6>> accessed 23 July 2019
- 'Data Never Sleeps 7.0' (Domo 2019) <<https://www.domo.com/learn/data-never-sleeps-7>> accessed 23 July 2019
- Davis A and Rosen G, 'Open-Sourcing Photo- and Video-Matching Technology to Make the Internet Safer' (About Facebook, 1 August 2019) <<https://about.fb.com/news/2019/08/open-source-photo-video-matching/>> accessed 29 April 2020
- 'Digital-Services-Act-Note-DG-Connect-June-2019.Pdf' <<https://cdn.netzpolitik.org/wp-upload/2019/07/Digital-Services-Act-note-DG-Connect-June-2019.pdf>> accessed 7 January 2020
- "'Eau et Rivières de Bretagne" porte plainte suite à la vente de pesticides aux particuliers par Amazon et eBay' (France 3 Bretagne) <<https://france3-regions.francetvinfo.fr/bretagne/ille-et-vilaine/rennes/eau-rivieres-bretagne-porte-plainte-suite-vente-pesticides-aux-particuliers-amazon-eBay-1748271.html>> accessed 3 July 2020
- Eavis P and Lohr S, 'Big Tech's Domination of Business Reaches New Heights' *The New York Times* (19 August 2020)
- 'eBay Drives Commitment to Fight Counterfeiting and Piracy' (28 October 2014) <<https://www.eBayinc.com/stories/press-room/uk/eBay-drives-commitment-to-fight-counterfeiting-and-piracy/>> accessed 19 June 2020
- 'eBay Research' (Marketplace Pulse) <<https://www.marketplacepulse.com/research/eBay>> accessed 17 July 2019
- 'Ecommerce in Europe' (Ecommerce News) <<https://ecommercenews.eu/ecommerce-in-europe/>> accessed 11 July 2019
- 'Emerging Risks - Safety and Health at Work - EU-OSHA' <<https://osha.europa.eu/en/emerging-risks>> accessed 18 August 2020

## Bibliography

- 'Etsy Annual GMV 2019' (Statista) <<https://www.statista.com/statistics/219412/etsy-total-merchandise-sales-per-year/>> accessed 19 June 2020
- 'EU Action Needed: German NetzDG Draft Threatens Freedom of Expression' (EDRI, 23 May 2017) <<https://edri.org/eu-action-needed-german-netzdg-draft-threatens-freedomofexpression/>> accessed 27 August 2018
- European Commission, 'Electromagnetic Compatibility (EMC) Directive' (Internal Market, Industry, Entrepreneurship and SMEs - European Commission, 5 July 2016) <[https://ec.europa.eu/growth/sectors/electrical-engineering/emc-directive\\_en](https://ec.europa.eu/growth/sectors/electrical-engineering/emc-directive_en)> accessed 13 July 2020
- , 'Radio Equipment Directive (RED)' (Internal Market, Industry, Entrepreneurship and SMEs - European Commission, 5 July 2016) <[https://ec.europa.eu/growth/sectors/electrical-engineering/red-directive\\_en](https://ec.europa.eu/growth/sectors/electrical-engineering/red-directive_en)> accessed 13 July 2020
- , 'Antitrust: EC Opens Formal Investigation against Amazon' (European Commission - European Commission) <[https://ec.europa.eu/commission/presscorner/detail/en/ip\\_19\\_4291](https://ec.europa.eu/commission/presscorner/detail/en/ip_19_4291)> accessed 30 July 2019
- , 'Report on the Functioning of the Memorandum of Understanding on the Sale of Counterfeit Goods via the Internet /COM/2013/0209 Final' (2013) COM/2013/0209 final <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52013DC0209>> accessed 17 March 2017
- , 'The "Principles for Better Self- and Co-Regulation"' (Shaping Europe's digital future - European Commission, 22 August 2014) <<https://ec.europa.eu/digital-single-market/en/best-practice-principles-better-self-and-co-regulation>> accessed 4 August 2020
- , 'EU Internet Forum: Bringing Together Governments, Europol and Technology Companies to Counter Terrorist Content and Hate Speech Online' (European Commission - European Commission, 3 December 2015) <[https://ec.europa.eu/commission/presscorner/detail/en/IP\\_15\\_6243](https://ec.europa.eu/commission/presscorner/detail/en/IP_15_6243)> accessed 28 April 2020
- , 'Food Hygiene' (Food Safety - European Commission, 17 October 2016) <[https://ec.europa.eu/food/safety/biosafety/food\\_hygiene\\_en](https://ec.europa.eu/food/safety/biosafety/food_hygiene_en)> accessed 9 July 2020
- , 'Novel Food' (Food Safety - European Commission, 17 October 2016) <[https://ec.europa.eu/food/safety/novel\\_food\\_en](https://ec.europa.eu/food/safety/novel_food_en)> accessed 9 July 2020
- , 'Counter Terrorism and Radicalisation - Protection' (Migration and Home Affairs - European Commission, 6 December 2016) <[https://ec.europa.eu/home-affairs/what-we-do/policies/counter-terrorism/protection\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/counter-terrorism/protection_en)> accessed 26 August 2020
- , 'Radicalisation Awareness Network' (Migration and Home Affairs - European Commission, 6 December 2016) <[https://ec.europa.eu/home-affairs/what-we-do/networks/radicalisation\\_awareness\\_network\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/radicalisation_awareness_network_en)> accessed 28 April 2020
- , 'How the Code of Conduct Helped Countering Illegal Hate Speech Online - Factsheet'

- , ‘Assessing the Challenges and Opportunities for Market Surveillance Activities in Relation to New Technologies and Digital Supply Chain - Call for Tenders N° 834/PP/GRO/PPA/20/11848 - 2020/S 116-280777’ <<https://ted.europa.eu/udl?uri=TED:NOTICE:280777-2020:TEXT:EN:HTML>> accessed 31 July 2020
- , ‘New Legislative Framework - Growth - European Commission’ (Growth) </growth/single-market/goods/new-legislative-framework\_en> accessed 2 July 2020
- , ‘RASFF - Food and Feed Safety Alerts’ (Food Safety - European Commission, 17 October 2016) <[https://ec.europa.eu/food/safety/rasff\\_en](https://ec.europa.eu/food/safety/rasff_en)> accessed 17 July 2020
- , Press Release - Antitrust: Commission Fines Google €2.42 Billion for Abusing Dominance as Search Engine by Giving Illegal Advantage to Own Comparison Shopping Service’ <[http://europa.eu/rapid/press-release\\_IP-17-1784\\_en.htm](http://europa.eu/rapid/press-release_IP-17-1784_en.htm)> accessed 28 August 2018
- , Press Release - Code of Practice against Disinformation: Commission Calls on Signatories to Intensify Their Efforts’ <[https://europa.eu/rapid/press-release\\_IP-19-746\\_en.htm](https://europa.eu/rapid/press-release_IP-19-746_en.htm)> accessed 2 August 2019
- , Press Release - Digital Single Market: EU Negotiators Agree to Set up New European Rules to Improve Fairness of Online Platforms’ Trading Practices’ <[https://ec.europa.eu/commission/presscorner/detail/en/IP\\_19\\_1168](https://ec.europa.eu/commission/presscorner/detail/en/IP_19_1168)> accessed 17 July 2019
- , ‘The Digital Services Act Package’ (Shaping Europe’s digital future - European Commission, 2 June 2020) <<https://ec.europa.eu/digital-single-market/en/digital-services-act-package>> accessed 4 November 2020
- ‘Europe: Online Grocery Market, by Country 2006-2019’ (Statista) <<http://www.statista.com/statistics/915391/e-commerce-purchase-rate-of-food-or-groceries-in-europe-by-country/>> accessed 7 July 2020
- ‘Europe: Online Grocery Market Sizes 2018-2023’ (Statista) <<http://www.statista.com/statistics/960484/online-grocery-market-sizes-europe/>> accessed 7 July 2020
- Facebook, ‘Community Standards Enforcement Report - Hate Speech’ (2019) <<https://transparency.facebook.com/community-standards-enforcement#hate-speech>> accessed 16 April 2020
- , ‘Community Standards Enforcement Report - Terrorist Propaganda’ (2019) <<https://transparency.facebook.com/community-standards-enforcement#terrorist-propaganda>> accessed 28 April 2020
- , ‘Understanding the Community Standards Enforcement Report’ (November 2019) <<https://transparency.facebook.com/community-standards-enforcement/guide>> accessed 28 April 2020
- , ‘Intellectual Property’ <<https://transparency.facebook.com/intellectual-property/jan-jun-2017>> accessed 5 June 2020
- ‘Facebook’s AI Wipes Terrorism-Related Posts’ BBC News (29 November 2017) <<https://www.bbc.com/news/technology-42158045>> accessed 28 April 2020
- FATF, ‘What We Do - Financial Action Task Force (FATF)’ <<https://www.fatf-gafi.org/about/whatwedo/>> accessed 24 September 2020



## Bibliography

- 'FSM | About Us' <<https://www.fsm.de/en/about-us>> accessed 4 February 2020
- Gartner, 'The International ISP Market: Evaluation and Selection Criteria (Archived)' (1998) Research Note R-06-3028
- , 'The ISP Market - France' (1998) G0084758
- , 'The ISP Market - Germany' (1998) G0084761
- , 'The ISP Market - UK' (1998) G0084764
- 'General Food Law - Food Safety - European Commission' (Food Safety) <[https://ec.europa.eu/food/safety/general\\_food\\_law\\_en](https://ec.europa.eu/food/safety/general_food_law_en)> accessed 6 July 2018
- Gentile A, 'Rome Court Finds Videosharing Platform Directly Liable for Content Uploaded by Users' (The IPKat) <<http://ipkitten.blogspot.com/2019/07/rome-court-finds-videosharing-platform.html>> accessed 24 October 2019
- 'Germany: Removal of Online Hate Speech in Numbers – Kirsten Gollatz, Martin J Riedl and Jens Pohlmann' (Inform's Blog, 23 August 2018) <<https://inform.org/2018/08/24/germany-removal-of-online-hate-speech-in-numbers-kirsten-gollatz-martin-j-riedl-and-jens-pohlmann/>> accessed 27 August 2018
- 'GifCT' <<http://www.gifct.org>> accessed 28 April 2020
- 'Global Digital Report 2018' (Wearesocial 2018) <<https://wearesocial.com/blog/2018/01/global-digital-report-2018>> accessed 23 July 2019
- Google, 'Content Delistings Due to Copyright – Google Transparency Report' <[https://transparencyreport.google.com/copyright/overview?hl=en\\_GB](https://transparencyreport.google.com/copyright/overview?hl=en_GB)> accessed 28 May 2020
- , 'Removals under the Network Enforcement Law – Google Transparency Report' <<https://transparencyreport.google.com/netzdg/youtube?hl=en>> accessed 16 April 2020
- Greene J, 'How Amazon's Quest for More, Cheaper Products Has Resulted in a Flea Market of Fakes' Washington Post (14 November 2019) <<https://www.washingtonpost.com/technology/2019/11/14/how-amazons-quest-more-cheaper-products-has-resulted-flea-market-fakes/>> accessed 19 June 2020
- 'Grocery Sales by Channel in Europe 2018' (Statista) <<http://www.statista.com/statistics/1103169/grocery-sales-in-europe-by-channel/>> accessed 7 July 2020
- 'How Conversational Commerce Is Changing E-Commerce' (Content Harmony®, 28 June 2016) <<https://www.contentharmony.com/blog/conversational-commerce/>> accessed 6 July 2020
- 'How Google Fights Piracy' (Google 2018) <[http://services.google.com/fh/files/new\\_letters/how\\_google\\_fights\\_piracy.pdf](http://services.google.com/fh/files/new_letters/how_google_fights_piracy.pdf)> accessed 2 June 2020
- 'How PhotoDNA for Video Is Being Used to Fight Online Child Exploitation | Microsoft On The Issues' (On the Issues, 12 September 2018) <<https://news.microsoft.com/on-the-issues/2018/09/12/how-photodna-for-video-is-being-used-to-fight-online-child-exploitation/>> accessed 3 June 2020
- 'How Social Media Behavior Influences Counterfeit Purchases' (INCOPRO, 25 February 2020) <<https://www.incoproip.com/how-social-media-behavior-influences-counterfeit-purchases/>> accessed 30 June 2020

- 'How to Report Things on Facebook | Facebook Help Center' <<https://www.facebook.com/help/181495968648557/>> accessed 4 February 2020
- Human Rights Watch, 'Germany: Flawed Social Media Law' (Human Rights Watch, 14 February 2018) <<https://www.hrw.org/news/2018/02/14/germany-flawed-social-media-law>> accessed 16 April 2020
- 'ICANN Organizational Chart - ICANN' <<https://www.icann.org/resources/pages/chart-2012-02-11-en>> accessed 8 August 2019
- 'ICSMS - European Commission' <<https://webgate.ec.europa.eu/icsms/?locale=en>> accessed 3 July 2020
- Institut National de l'Audiovisuel, 'Ina-Signature : Protégez et Gérez Vos Contenus' <<https://www.ina-expert.com/content/download/2103/44165/version/latest/file/1>> accessed 5 March 2018
- INTA Anticounterfeiting Committee China Subcommittee, 'Online Counterfeiting Issues and Enforcement in China (CT20)' (International Trademark Association 2015)
- 'Intellectual Property' <<https://transparency.facebook.com/intellectual-property>> accessed 8 May 2020
- 'International Standard ISO/IEC 29100:2011(E) - Information Technology — Security Techniques — Privacy Framework'
- 'Internet Users' Preferences for Accessing Content Online - Flash Eurobarometer 437' (European Commission 2016)
- 'ISO - ISO 9000 Family — Quality Management' (ISO) <<https://www.iso.org/iso-9001-quality-management.html>> accessed 11 August 2020
- 'ISO - ISO 31000 — Risk Management' (ISO) <<https://www.iso.org/iso-31000-risk-management.html>> accessed 14 August 2020
- 'ISO - ISO/IEC 27001 — Information Security Management' (ISO) <<https://www.iso.org/isoiec-27001-information-security.html>> accessed 11 August 2020
- Jan 21 JY| and 2019, 'Global Ecommerce Sales Grow 18% in 2018' (Digital Commerce 360) <<https://www.digitalcommerce360.com/article/global-ecommerce-sales/>> accessed 11 July 2019
- Jasser C, 'Recent Decisions of the Paris Court of Appeal: Towards an Extra Duty of Surveillance for Hosting Providers?' (Kluwer Copyright Blog, 29 March 2011) <<http://copyrightblog.kluweriplaw.com/2011/03/29/recent-decisions-of-the-paris-court-of-appeal-towards-an-extra-duty-of-surveillance-for-hosting-providers/>> accessed 17 February 2020
- Jeong S, *The Internet of Garbage* (1.5, Vox Media, Inc 2018)
- 'Joint Initiative on Standardisation: Responding to a Changing Marketplace - Growth - European Commission' (Growth) </growth/content/joint-initiative-standardisation-responding-changing-marketplace-0\_en> accessed 29 August 2018
- Kayali L, 'Brussels' Plan to Rein in Big Tech Takes Shape' POLITICO (30 September 2020) <<https://www.politico.eu/article/digital-services-act-brussels-plan-to-rein-in-big-tech-takes-shape-thierry-breton-margrethe-vestager/>> accessed 4 November 2020

## Bibliography

- Keller D, 'Filtering Facebook: Why Internet Users and EU Policymakers Should Worry about the Advocate General's Opinion in Glawischnig-Piesczek' (Inform's Blog, 7 September 2019) <<https://inform.org/2019/09/08/filtering-facebook-why-internet-users-and-eu-policymakers-should-worry-about-the-advocate-generals-opinion-in-glawischnig-piesczek-daphne-keller/>> accessed 25 October 2019
- Kinsella S, 'Twitter Cannot Keep Hiding Behind Blanket Anonymity' (Inform's Blog, 6 April 2020) <<https://inform.org/2020/04/07/twitter-cannot-keep-hiding-behind-blanket-anonymity-stephen-kinsella/>> accessed 9 April 2020
- Klappich CD and others, 'Warehousing and Fulfillment Vendor Guide' (Gartner 2018) Research Note
- Knies B, 'Amazon Haftet Für Urheberrechtsverletzungen Seiner Verkäufer' (new-media-law.net, 9 June 2016) <<https://www.new-media-law.net/amazon-haftet-fuer-r-urheberrechtsverletzungen-seiner-verkaeufer/>> accessed 17 January 2020
- Ku M, 'Introducing Marketplace: Buy and Sell With Your Local Community' (About Facebook, 3 October 2016) <<https://about.fb.com/news/2016/10/introducing-marketplace-buy-and-sell-with-your-local-community/>> accessed 11 November 2020
- Lee D and Murphy H, 'Facebook Fails to Curb Spread of Medical Misinformation, Report Finds' FT.com (19 August 2020)
- 'Magnitude of Counterfeiting and Piracy of Tangible Products – November 2009 Update' (OECD 2009) <<https://www.oecd.org/sti/ind/magnitudeofcounterfeitinandpiracyoftangibleproductsnovember2009update.htm>> accessed 12 June 2020
- 'Marketplaces Year in Review 2018' (Marketplace Pulse 2018) <<https://www.marketplacepulse.com/marketplaces-year-in-review-2018>> accessed 17 July 2019
- Masters K, 'The One Change That Would Drastically Reduce Counterfeiting On Amazon's U.S. Marketplace' (Forbes) <<https://www.forbes.com/sites/kirimasters/2019/11/13/the-one-change-that-would-drastically-reduce-counterfeiting-on-amazons-us-marketplace/>> accessed 25 June 2020
- Mconnell G, 'Amazon Starts "Brand Gating" to Stop Counterfeits' (1 September 2016) <<https://blog.redpoints.com/en/amazon-plans-to-combat-counterfeits>> accessed 19 June 2020
- Meeker M, 'Internet Trends 1995' (Morgan Stanley 1996) <<https://www.bondcap.com/report/it95/>> accessed 14 June 2019
- , 'Internet Trends 2019' <<https://www.bondcap.com/report/itr19/>> accessed 14 June 2019
- 'Mobile Operating System Market Share Worldwide' (StatCounter Global Stats) <<http://gs.statcounter.com/os-market-share/mobile/worldwide>> accessed 31 July 2019
- Müller A, 'Wegen Facebook-Likes verurteilt | NZZ' Neue Zürcher Zeitung (29 May 2017) <<https://www.nzz.ch/zuerich/aktuell/bezirksgericht-zuerich-wegen-facebook-likes-verurteilt-ld.1298231>> accessed 24 March 2020
- Murphy H, Evans J and Gray A, 'Facebook Accused of Failing to Deliver on Advertisers' Boycott Demands' FT.com (2 August 2020) <<https://www.ft.com/content/752208e1-9d5f-44b5-a3f7-ce2ea6c5dc46>> accessed 20 August 2020

- Murphy H, Lee D and Venkataramakrishnan S, 'Facebook Groups Trading Fake Amazon Reviews Remain Rampant' FT.com (12 August 2020) <<https://www.ft.com/content/d4af6504-924e-4f94-b82e-0f02671faa12>> accessed 20 August 2020
- nutraingredients.com, 'How Responsible Is Amazon for the Supplements Sold on Its Sites?' (nutraingredients.com) <<https://www.nutraingredients.com/Article/2015/10/09/Amazon-s-supplement-responsibility>> accessed 9 July 2020
- Olay' (Amazon.co.uk) <<https://www.amazon.co.uk/stores/Olay/Olay/page/3BBAE664-6ADE-4D62-86AD-A052F323E900>> accessed 19 June 2020
- 'Online Offered Food (2017) - Food Safety - European Commission' (Food Safety) <[https://ec.europa.eu/food/safety/official\\_controls/eu-coordinated-control-plans/online-offered-food-2017\\_en](https://ec.europa.eu/food/safety/official_controls/eu-coordinated-control-plans/online-offered-food-2017_en)> accessed 20 April 2021
- 'Open Letter on Intermediary Liability Protections in the Digital Single Market' (EDRi, 28 April 2015) <[https://edri.org/open-letter-on-intermediary-liability-prot-ectio-n-in-the-digital-single-market/](https://edri.org/open-letter-on-intermediary-liability-protectio-n-in-the-digital-single-market/)> accessed 28 October 2019
- Orsi J, Practicing Law in the Sharing Economy: Helping People Build Cooperatives, Social Enterprise, and Local Sustainable Economies. (American Bar Association 2014) <<http://public.eblib.com/choice/publicfullrecord.aspx?p=1718422>> accessed 25 July 2019
- 'Our Members' (IWF) <<https://www.iwf.org.uk/become-a-member/join-us/our-me-mbers>> accessed 4 February 2020
- 'Out of Balance - Defamation Law in the European Union: A Comparative Overview for Journalists, Civil Society and Policymakers' <<http://legaldia.at/wp-content/uploads/2015/05/IPI-OutofBalance-Final-Jan2015.pdf>> accessed 3 December 2020
- 'Press - YouTube' <<https://www.youtube.com/about/press/>> accessed 4 June 2020
- 'Product Safety Policy' (eBay) <<https://www.eBay.co.uk/help/policies/prohibited-res-tricted-items/product-safety-policy?id=4300>> accessed 6 July 2020
- 'Protect Your Copyright with Fingerprints' (Dailymotion Help Center) <<http://faq.dailymotion.com/hc/en-us/articles/203921173>> accessed 4 June 2020
- 'Public Register - De Nederlandsche Bank' <<https://www.dnb.nl/en/supervision/public-register/index.jsp?naam=>>> accessed 27 August 2020
- Red Points, Millennials and Piracy - Behaviour, Trends and Future Planning (2016) <<https://meet.redpoints.com/lp-203-ebook-millennials-and-piracy/>> accessed 7 May 2020
- 'REFIT – Making EU Law Simpler and Less Costly' (European Commission - European Commission) <[https://ec.europa.eu/info/law/law-making-process/evaluat-ing-and-improving-existing-laws/refit-making-eu-law-simpler-and-less-costly\\_en](https://ec.europa.eu/info/law/law-making-process/evaluat-ing-and-improving-existing-laws/refit-making-eu-law-simpler-and-less-costly_en)> accessed 7 January 2020
- Renieris EM, 'What Google's Privacy Sandbox Means for Internet Governance' (Emerging Technology, Platform Governance - Centre for International Governance Innovation, 19 March 2021) <<https://www.cigionline.org/articles/what-go-gles-privacy-sandbox-means-internet-governance>> accessed 1 April 2021
- 'Research' (Marketplace Pulse) <<https://www.marketplacepulse.com/research>> accessed 19 June 2020

- 'Roles and Responsibilities of Intermediaries: Fighting Counterfeiting and Piracy in the Supply Chain' <<https://iccwbo.org/publication/roles-responsibilities-intermediaries/>> accessed 26 September 2017
- , 'Italian Court Finds Google and YouTube Liable for Failing to Remove Unlicensed Content (but Confirms Eligibility for Safe Harbour Protection)' (The IPKat, 30 April 2017) <<https://ipkitten.blogspot.com/2019/03/italian-supreme-court-clarifies.html>> accessed 23 January 2020
- Rolland S, 'Coronavirus : Internet infesté par les arnaques et les fake news' La Tribune (20 February 2020) <<https://www.latribune.fr/technos-medias/internet/coronavirus-internet-infeste-par-les-arnaques-et-les-fake-news-840839.html>> accessed 20 August 2020
- Rosati E, 'Milan Court Issues Dynamic Blocking Injunction against Italian ISPs - The IPKat' (The IPKat, 25 August 2018) <<https://ipkitten.blogspot.com/2018/08/milan-court-issues-dynamic-blocking.html>> accessed 18 February 2020
- , 'Facebook Found Liable for Hosting Links to Unlicensed Content' (The IPKat, 21 February 2019) <<http://ipkitten.blogspot.com/2019/02/facebook-found-liable-for-hosting-links.html>> accessed 23 January 2020
- , 'Italian Supreme Court Clarifies Availability of Safe Harbours, Content of Notice-and-Takedown Requests, and Stay-down Obligations - The IPKat | Diigo' (The IPKat, 20 March 2019) <<https://ipkitten.blogspot.com/2019/03/italian-supreme-court-clarifies.html>> accessed 23 January 2020
- Rowbottom J, 'If Digital Intermediaries Are to Be Regulated, How Should It Be Done?' (Media Policy Project, 16 July 2018) <<http://blogs.lse.ac.uk/mediapolicyproject/2018/07/16/if-digital-intermediaries-are-to-be-regulated-how-should-it-be-done/>> accessed 7 August 2018
- 'Safety Gate: The Rapid Alert System for Dangerous Non-Food Products' <[https://ec.europa.eu/consumers/consumers\\_safety/safety\\_products/rapex/alerts/repository/content/pages/rapex/index\\_en.htm](https://ec.europa.eu/consumers/consumers_safety/safety_products/rapex/alerts/repository/content/pages/rapex/index_en.htm)> accessed 3 July 2020
- 'Search Engine Market Share Europe' (StatCounter Global Stats) <<https://gs.statcounter.com/search-engine-market-share/all/europe>> accessed 27 May 2020
- 'Section 230 of the Communications Decency Act' <<https://www.eff.org/issues/cda230>> accessed 8 October 2019
- 'Signaler les comportements inappropriés' <<https://help.twitter.com/fr/safety-and-security/report-abusive-behavior>> accessed 5 February 2020
- 'Skype Adds Snapchat-like AI Photo Effects to Its Mobile App' (Engadget) <<https://www.engadget.com/2017/11/08/skype-photo-effects/>> accessed 31 July 2019
- Solomon N, 'Why Amazon's Collaboration With the CIA Is So Ominous – and Vulnerable' HuffPost (34:16 500) <[https://www.huffpost.com/entry/why-amazons-collaboration\\_b\\_4824854](https://www.huffpost.com/entry/why-amazons-collaboration_b_4824854)> accessed 10 April 2020
- Spitz B, 'France: YouTube, Universal and SACEM Enter into a New Agreement' (Kluwer Copyright Blog, 16 April 2013) <<http://copyrightblog.kluweriplaw.com/2013/04/16/france-youtube-universal-and-sacem-enter-into-a-new-agreement/>> accessed 9 June 2020

- ‘State of Hate 2020 - Far Right Terror Goes Global’ (HOPE not hate 2020) <<https://www.hopenothate.org.uk/wp-content/uploads/2020/02/state-of-hate-2020-final.pdf>> accessed 9 April 2020
- Statista, ‘Social Media Usage Worldwide’ (2020)
- , ‘Online Search Usage’ (2020)
- , ‘Biggest Companies in the World by Market Cap 2020’ <<http://www.statista.com/statistics/263264/top-companies-in-the-world-by-market-capitalization/>> accessed 11 November 2020
- , ‘Most Used Social Media 2021’ <<http://www.statista.com/statistics/272014/global-social-networks-ranked-by-number-of-users/>> accessed 1 April 2021
- Stroppa A and others, ‘Instagram and Counterfeiting in 2019: New Features, Old Problems’ (Ghost Data 2019) <[https://ghostdata.io/report/Instagram\\_Counterfeiting\\_GD.pdf](https://ghostdata.io/report/Instagram_Counterfeiting_GD.pdf)> accessed 20 October 2020
- Technical Committee : ISO/TC 290 Online reputation, ‘ISO 20488:2018 - Online Consumer Reviews — Principles and Requirements for Their Collection, Moderation and Publication’ <<https://www.iso.org/standard/68193.html>> accessed 21 July 2020
- Thomas Z, ‘Misinformation on Coronavirus Causing “Infodemic”’ BBC News (13 February 2020) <<https://www.bbc.com/news/technology-51497800>> accessed 20 August 2020
- ‘Together We’re Tackling Online Terrorism’ (Counter Terrorism Policing, 19 December 2018) <<https://www.counterterrorism.police.uk/together-were-tackling-online-terrorism/>> accessed 23 September 2020
- ‘Total Number of Websites - Internet Live Stats’ <<https://www.internetlivestats.com/total-number-of-websites/>> accessed 19 June 2019
- ‘Twitter Rolls out New Reply Controls to Combat Trolls’ (VentureBeat, 11 August 2020) <<https://venturebeat.com/2020/08/11/twitter-rolls-out-new-reply-controls-to-combat-trolls/>> accessed 17 August 2020
- UK Intellectual Property Office, ‘Search Engines and Creative Industries Sign Anti-Piracy Agreement’ (GOV.UK, 20 February 2017)
- Urquiza L, ‘Counterfeiting Is a Billion-Dollar Problem. COVID-19 Has Made It Far Worse’ (Fast Company, 4 May 2020) <<https://www.fastcompany.com/90500123/counterfeiting-is-a-billion-dollar-problem-covid-19-has-made-it-far-worse>> accessed 20 August 2020
- von der Leyen U, ‘A Union That Strives for More - My Agenda for Europe. Political Guidelines for the next European Commission 2019 - 2024’
- Wakefield J, ‘Facebook Internet Cable “Circumference of Earth”’ BBC News (15 May 2020) <<https://www.bbc.com/news/technology-52676253>> accessed 11 June 2020
- Washington State, Office of the Attorney General, ‘AG Ferguson: Amazon Must Remove Toxic School Supplies, Kid’s Jewelry from Marketplace Nationwide | Washington State’ (19 May 2019) <<https://www.atg.wa.gov/news/news-releases/ag-ferguson-amazon-must-remove-toxic-school-supplies-kid-s-jewelry-marketplace>> accessed 3 July 2020

## *Bibliography*

- Waters R, 'Facebook's Attempt to Prove Impartiality Looks Doomed to Failure' *Financial Times* (22 August 2019)
- Waters R, Murphy H and McGee P, 'Big Tech Defies Global Economic Fallout with Blockbuster Earnings' *FT.com* (31 July 2020)
- 'Website Ranking: Top Websites Rank In The World - SimilarWeb' <<https://www.similarweb.com/top-websites>> accessed 1 August 2019
- Welch C, 'Facebook Now Has Music Licensing Deals with All Three Major Labels' (*The Verge*, 9 March 2018) <<https://www.theverge.com/2018/3/9/17100454/facebook-warner-music-deal-songs-user-videos-instagram>> accessed 9 June 2020
- 'What Is SECONDARY LIABILITY? Definition of SECONDARY LIABILITY (Black's Law Dictionary)' <<https://thelawdictionary.org/secondary-liability/>> accessed 13 August 2019
- 'What Is UNLAWFUL? Definition of UNLAWFUL (Black's Law Dictionary)' (*The Law Dictionary*, 7 November 2011) <<https://thelawdictionary.org/unlawful/>> accessed 18 February 2019
- 'White Paper Search Engines - Time to Step Up' (Incopro 2019) <<https://www.incoproip.com/reports/how-and-why-search-engines-must-take-responsibility-for-tackling-counterfeiters/>>
- 'Why Tech Giants Have Little to Lose (and Lots to Win) from New EU Copyright Law – Maurizio Borghi' (*Inform's Blog*, 19 September 2018) <<https://inform.org/2018/09/20/why-tech-giants-have-little-to-lose-and-lots-to-win-from-new-eu-copyright-law-maurizio-borghi/>> accessed 8 June 2020
- Woods L, 'When Is Facebook Liable for Illegal Content under the E-Commerce Directive? *CG v. Facebook in the Northern Ireland Courts*' (*Inform's Blog*, 28 January 2017) <<https://inform.org/2017/01/28/when-is-facebook-liable-for-illegal-content-under-the-e-commerce-directive-cg-v-facebook-in-the-northern-ireland-courts-lorna-woods/>> accessed 23 January 2020

### *C. Case law*

#### 1. National

##### I. France

- APC et autres v Auchan Telecom, Google France et autres (2013) Unreported (Tribunal de grande instance de Paris)
- Carl L v Raphaël M, Thierry M et Réseau Voltaire (2000) Unreported (Tribunal de Grande Instance de Paris 17ème chambre, Chambre de la presse)
- Christian, C, Nord Ouest Production v Dailymotion, UGC Images (2007) (Unreported) (Tribunal de Grande Instance de Paris)

- Concurrence v Amazon services Europe, Samsung Electronics France [2017] Cour de cassation - Chambre commerciale, financière et économique - 14-16.737, FR:CCASS:2017:CO01027
- Décision 2009-580 DC - 10 juin 2009 - Loi favorisant la diffusion et la protection de la création sur internet - Non conformité partielle [2009] Conseil Constitutionnel CSCX0913243S, FR:CC:2009:2009580DC
- Décision n° 2020-801 DC du 18 juin 2020, Loi visant à lutter contre les contenus haineux sur internet [2020] Conseil Constitutionnel 2020–801
- DWC v eBay France, eBay Europe [2009] Cour de cassation, Chambre commerciale, Paris 08-11.672
- eBay Inc, eBay International v LVMH et autres [2012] Cour de cassation (Surpeme Court) Chambre commerciale, financière et économique 11–10.508
- eBay International v Burberry Ltd et autres (2012) (Unreported) (Cour d'appel de Paris Pôle 5, Chambre 12)
- Google France c/ Syndicat Français de la Literie (2010) (Unreported) (Cour d'appel de Paris Pôle 5)
- Google France v Bac films [2012] Cour de cassation, Première chambre civile 11-13.669, FR : CCASS : 2012 : C100831
- Google Inc v Les Films de la Croisade, Goatworks Films (2010) (Unreported) (Cour d'appel de Paris Pôle 5, chambre 2)
- Groupeement des brocanteurs de Saleya, CBA / eBay France et Ing (2012) (Unreported) (Cour d'appel de Paris Pôle 5, chambre 1)
- Hermès International v Feitz [2009] Tribunal de Grande Instance de Troyes RG 06/02604
- H&M Hennes & Mauritz Logistics GBC France et H&M Hennes & Mauritz AB v Google Inc, Youtube (2013) Unreported (Tribunal de grande instance de Paris)
- Jansport Appareil v Cdiscount (2019) (Unreported) (Tribunal de Grande instance, Paris, 3ème chambre - 2ème section)
- Jean Yves L dit Lafesse v Myspace (2007) (Unreported) (Tribunal de grande instance de Paris)
- Jean-Louis C v Ministère public, la Ligue internationale contre le racisme et l'antisémitisme (Licra), la Ligue française pour la défense des droits de l'homme et du citoyen, le Mouvement contre le racisme et pour l'amitié entre les peuples (Mrap) et l'Union des étudiants juifs de France (Uejf) (1999) Unreported (Cour d'appel de Paris 11ème chambre correctionnelle, section A)
- Jean-Yves Lafesse et autres v Google et autres (2009) (Unreported) (Tribunal de grande instance de Paris, 3ème chambre)
- Lafuma Mobilier v Alibaba et autres (2017) (Unreported) (Tribunal de Grande instance, Paris)
- Les Editions R v Google France, Google Inc (2013) Unreported (Tribunal de grande instance de Paris 17ème chambre civile)
- L'Oréal SA c eBay France SA [2009] Tribunal de Grande Instance de Paris RG 07/11365



## *Bibliography*

- L'Union des Etudiants Juifs de France (UEJF) v Twitter (2013) (Unreported) (Cour d'appel de Paris Pôle 1, chambre 5)
- M X et Nouvelles de l'annuaire Français v Qwant (2020) Unreported (Cour d'appel de Paris, pôle 1, chambre 3)
- Maceo v eBay International AG, (2012) (Unreported) (Tribunal de grande instance de Paris, 3ème chambre, 1ère section)
- Madame L v les sociétés Multimania Production, France Cybermedia, SPPI, Esterel (1999) (Unreported) (Tribunal de Grande Instance de Nanterre)
- Monsieur X et la société Z v Wikimedia France (2014) Unreported (Cour d'appel de Paris, Pôle 2 – Chambre 7)
- Olivier M c/ Prisma Presse, Google (2011) (Unreported) (Tribunal de Grande instance, Paris, 17eme chambre)
- Roland Magdane et autres v Daily Motion (2010) (Unreported) (Cour d'appel de Paris Pôle 5, chambre 1)
- Rose B v JFG Networks (2013) (Unreported) (Cour d'appel de Paris Pôle 1, chambre 2)
- SA Louis Vuitton Malletier v eBay Inc and eBay International [2008] 2010 ETMR 10 (Tribunal de Grande Instance de Paris, France)
- SARL Zadig Productions, Jean-Robert Viallet et Mathieu Verboud v Sté Google Inc et AFA (2007) (Unreported) (Tribunal de grande instance de Paris)
- SNEP v Google France [2012] Cour de cassation, Première chambre civile N° 11-20358
- SNEP v Microsoft France et Microsoft Inc (2016) (Unreported) (Tribunal de grande instance de Paris)
- UEJF and Licra v Yahoo! Inc and Yahoo France (2000) (Unreported) (Tribunal de Grande Instance de Paris)

## II. Germany

- Alone in the Dark [2012] BGH I ZR 18/11, GRUR 2013, 370
- Auskunftsanspruch über persönliche Daten von Nutzern einer Onlineplattform wegen des Verdachts der Zweckentfremdung von Wohnraum [2017] VG Berlin 6 Kammer 6 L 162.17, DE:VGBE:2017:07206L162170A
- Beeinträchtigung der Herkunftsfunktion einer Marke trotz Fälschungshinweises (Parfume Made in China) [2018] LG Stuttgart, 17 Zivilkammer 17 O 928/13, GRUR-RS 2018, 20582
- CDBench, 6 U 5475/99 [2000] MMR 2000 617 (OLG München)
- CompuServe [1998] AG München 8340 Ds 465 Js 173158/95, MMR 1998, 429
- Coty Germany GmbH v eBay International AG (No1), [2011] LG Stuttgart, 17 Zivilkammer 17 O 169/11, [2012] ETMR 19
- Davidoff Hot Water III, I ZR 20/17 - [2018] BGH DE:BGH:2018:260718BIZR20.17.0, BeckRS 2018, 19562

- Flach Film et autres v Google France, Google Inc (2008) (Unreported) (Tribunal de commerce de Paris 8ème chambre)
- FNDF et al vs Orange, Google et al) [2018] Tribunal de grande instance de Paris, 3ème chambre 2ème section N° RG 18/10652, (Unreported)
- GEMA v YouTube [2012] LG Hamburg 310 O 461/10, MMR 2012, 404
- Haftung der Internetvideoplattform Youtube für rechtswidrige Uploads, 310 O 461/10 [2012] LG Hamburg 310 O 461/10, OpenJur 2012 36010
- Haftung des Suchmaschinenbetreibers für geschlossene rechtswidrige Äußerungen [2014] LG Hamburg 324 O 660/12, openJur 2014, 26809
- Haftung eines Sharehosters als Störer [2013] BGH I ZR 79/12, ZUM-RD 2013, 565
- Haftung eines sozialen Netzwerkes für durch Dritte hochgeladene ehrverletzende Inhalte, 11 O 2338/16 UVR [2017] GRUR-RS 2017 103822 (LG Würzburg)
- Haftung für falsche UVP-Angabe bei Amazon [2015] OLG Köln 6 W 29/15, openJur 2016, 3226
- Haftung von YouTube für Urheberrechtsverletzungen [2018] BGH I ZR 140/15, GRUR 2018, 1132
- Internetversteigerung I (Rolex v Ricardo.de), Az I ZR 304/01 (2004) GRUR 2004, 860 (BGH)
- Internetversteigerung II (Rolex v Ricardo.de) [2007] BGH I ZR 35/04, JurPC-WebDok. 0108/2007
- Internetversteigerung III (Rolex v Ricardo.de), Az I ZR 73/05 [2008] MIR06/2008 (BGH)
- Kinderhochstühle im Internet, I ZR 139/08 [2010] MIR 122010 (BGH)
- Kinderhochstühle im Internet II, I ZR 216/11 [2013] MIR 2013 Dok 077 (BGH)
- Kinderhochstühle im Internet III [2015] BGH I ZR 240/12, 144/2015 JurPC WebDok
- Marion's Kochbuch [2009] BGH I ZR 166/07, MIR 2010, Dok. 082
- Markenrechtsverletzung durch Onlineauktion [2002] LG Düsseldorf 4a O 464/01
- Paperboy [2003] BGH I ZR 259/00, MMR 2003, 719
- Rapidshare I [2008] OLG Hamburg 5 U 73/07, MMR 2008, 823
- RapidShare II [2012] OLG Hamburg 5 U 87/09, MMR 2012, 393
- Sharehoster II [2009] OLG Hamburg 5 U 111/08, openJur 2009, 1105
- shift.tv, Urteil v 22042009, Az I ZR 216/06 [2009] GRUR 2009 845 (BGH)
- Störerhaftung des Webhosters [2007] LG Köln 28 O 15/07, MMR 2007, 806
- uploaded [2018] BGH DE:BGH:2018:200918BIZR53.17.0, BeckRS 2018, 26223
- Verantwortlichkeit des Betreibers einer Suchmaschine mit Suchwortergänzungsfunktion [2013] BGH VI ZR 269/12, 108/2013 JurPC WebDok
- Verantwortlichkeit eines Hostproviders für einen das Persönlichkeitsrecht verletzenden Blog-Eintrag (Blogspot) [2011] BGH VI ZR 93/10, GRUR 2012, 311

## *Bibliography*

- Verantwortlichkeit eines Sharehoster-Dienstes für die rechtswidrige Zugänglichmachung urheberrechtlich geschützter Filme [2010] OLG Düsseldorf I-20 U 166/09, ZUM 2010, 600
- Versand durch Amazon [2016] OLG München 29 U 745/16, GRUR-Prax 2017 380
- Vorschaubilder [2010] BGH I ZR 69/08, MMR 2010 475
- Vorschaubilder III [2017] BGH I ZR 11/16, GRUR 2018, 178
- Wiederholungsgefahr, 16 O 103/14 [2016] LG Berlin, 16 Zivilkammer DE:LGBE:2016:0126.16O103.14.0A, BeckRS 2016, 10918
- Zur Prüfungspflicht des Betreibers einer Internet-Suchmaschine bei Persönlichkeitsrechtsverletzungen [2018] BGH VI ZR 489/16, GRUR 2018, 642

### III. Italy

- Arnoldo Mondadori Editore SPA, v Fastweb SPA and others [2018] Tribunale di Milano 51624/2017
- Delta TV v Google and YouTube [2017] Turin Court of First Instance (Tribunale di Torino) No. 1928, RG 38113/2013
- Mediaset v Dailymotion [2019] Rome Court of First Instance 14757/2019
- Mediaset v Facebook [2019] Rome Court of First Instance 3512/2019
- Order of the Tribunal of Cuneo on 23 June 1997
- Order of the Tribunal of Napoli on 8 August 1997
- Order of the Tribunal of Roma on 4 July 1998
- Order of the Tribunal of Roma on 22 March 1999
- Reti Televisive Italiane S.p.a (RTI) v Vimeo [2019] Tribunale di Roma 623
- Reti Televisive Italiane S.p.A v Italia On Line S.r.l [2011] Court of Milan 3821/11
- Reti Televisive Italiane SpA v Yahoo! Inc and Reti Televisive Italiane SpA v Yahoo! Inc [2019] Court of Appeal of Milan 7708/19 and 7709/19
- Reti Televisive Italiane S.p.A v Yahoo! Italia S.r.l and Yahoo! Inc, (2011) (Unreported) (Court of Milan)
- Télécom Italia (Tiscali) v Dargaud Lombard, Lucky Comics (2010) (Unreported) (Cour de cassation 1ère chambre civile)
- Yahoo! Italia S.r.l and Yahoo! Inc, v Reti Televisive Italiane S.p.A (2015) (Unreported) (Court of Appeal of Milan)

### IV. UK

- Bunt v Tilley & Ors (2006) [2006] EWHC 407 (QB) (England and Wales High Court Queen's Bench Division)

- Byrne v Deane [1937] 1 KB 818
- Cartier International AG & Ors v British Sky Broadcasting Ltd & Ors [2016] [2106] England and Wales Court of Appeal (Civil Division) A3/2014/3939 & A3/2014/4238, EWCA Civ 658
- CG v Facebook Ireland Ltd & Anor [2016] 2016 NICA 54 (Court of Appeal in Northern Ireland)
- Galloway v Frazer, Google Inc (YouTube) and Ors [2016] Northern Ireland Queen's Bench Division HOR979, [2016] NIQB 7
- Godfrey v Demon Internet Limited [1999] High Court Of Justice Queen's Bench Division 998-G-No 30, EWHC QB 244
- Godfrey v Demon Internet Limited [1999] High Court Of Justice Queen's Bench Division 1998-G-No 30, EWHC QB 240
- J20 v Facebook Ireland Ltd [2012] High Court Of Justice In Northern Ireland Queen's Bench Division COL10121
- L'Oreal SA v eBay International AG (2009) E.T.M.R. 53 (High Court of Justice (Chancery Division))
- R v Rock and Overton, [2010] Gloucester Crown Court T20097013,
- Sir Elton John and others v Countess Joulebine and others [2001] MCLR 91 (Unreported)
- Tamiz v Google Inc [2013] England and Wales Court of Appeal (Civil Division) A2/2012/0691, [2013] EWCA Civ 68
- Tamiz v Google Inc Google UK Ltd [2012] England and Wales High Court (Queen's Bench Division) HQ11D03178, [2012] EWHC 449 (QB)
- The Football Association Premier League Ltd v British Telecommunications Plc & Ors [2017] 2017 EWHC 480 Ch (England and Wales High Court (Chancery Division))
- Totalise Plc v The Motley Fool Ltd & Anor [2001] EWHC 706 (QB) (19 February 2001) (Unreported)
- Twentieth Century Fox Film Corp & Ors v British Telecommunications Plc [2011] 2011 EWHC 1981 Ch (High Court of Justice Chancery Division)

## V. US

- A&M Records, Inc v Napster, Inc [2001] United States Court of Appeals for the Ninth Circuit 00–16401, 00–16403, 239 F.3d 1004
- Corbis Corp v Amazon Inc [2004] US District Court, WD Washington (Seattle) No. CV03-1415L., 351 F.Supp.2d 1090
- Cosmetic Warriors Ltd & Anor v amazon.co.uk Ltd & Anor (2014) [2014] EWHC 181 (Ch)
- Cubby, Inc v CompuServe Inc, (1991) 776 F. Supp. 135 (SDNY)
- Hendrickson v eBay [2001] CD Cal CV 01-0495 RJK (RNBx) (C.D. Cal. 2001), 165 F. Supp. 2d 1082

## *Bibliography*

- Inwood Laboratories Inc v Ives Laboratories, Inc, (1982) 456 U.S. 844 (United States Supreme Court)
- Milo & Gabby LLC v Amazon.com [2017] Fed Cir 2016–1290, 693 F. App'x 879
- Oberdorf v Amazon.com Inc [2019] Third Circuit Court of Appeals 18–1041
- Perfect 10, Inc v CCBill, LLC [2007] 9th Cir 04–57143, 04–57207, 488 F3d 1102
- Playboy Enterprises, Inc v Frena (1993) 839 F. Supp. 1552 (MD Fla)
- Randall Stoner v EBay Inc, et al [2000] Sup Ct Ca Civ. No. 305666, (Unreported)
- Religious Technology Center v Netcom On-Line Com (1995) 907 F. Supp. 1361 (Dist Court, ND Cal)
- Reno v American Civil Liberties Union [1997] US Supreme Court 96–511, 521 US 844
- Rosetta Stone Ltd v Google, Inc (2012) 676 F 3d 144 (4th Cir)
- Sega Enterprises Ltd v MAPHIA (1994) 857 F. Supp. 679 (Dist Court, ND Cal)
- Sega Enterprises Ltd v MAPHIA (1996) 948 F. Supp. 923 (Dist Court, ND Cal)
- Stratton Oakmont, Inc v Prodigy Services Co (1995) 1995 WL 323710 (NY Sup Ct)
- Tiffany (NJ) Inc v eBay Inc (2010) 600 F. 3d 93 (2nd Cir)
- Tiffany (NJ) Inc v eBay Inc (2010) 600 F. 3d 93 93 (2nd Cir)
- Viacom International v YouTube [2012] US Court of Appeals for the Second Circuit (Manhattan) 10–03270
- Viacom International v YouTube [2013] US District Court for the Southern District of New York No. 07 Civ. 2103, 2013 WL 1689071
- Yahoo! Inc v La Ligue Contre Le Racisme Et L'Antisemitisme [2006] 9th Cir 2006 01–17424, 433 F.3d 1199

## VI. Other jurisdictions

- Audiencia Provincial de Barcelona [2007] Juriscom.net
- Christian Louboutin Sas vs Nakul Bajaj & Ors on 2 November, 2018 [2018] High Court of Delhi CS COMM-344/2018
- Christian Louboutin v Amazon Europe Core sarl [2019] Chambre des actions en cessation du tribunal de l'entreprise francophone de Bruxelles A/19/ 00918
- Copiepresse et al vs Google Inc [2007] Brussels Court of First Instance 7964
- Cour d'Appel d'Anvers, 28 février 2002 (2002) (Unreported)
- Cour d'Appel de Bruxelles, 13 février 2001 (2001) (Unreported)
- Crookes v Newton [2011] Supreme Court of Canada 33412, 3 SCR 269
- 'CS COMM–344/2018. Case: CHRISTIAN LOUBOUTIN SAS Vs. NAKUL BAJAJ & ORS. Delhi High Court - Case Law - VLEX 744249193' <<https://vlex.in/vid/christian-louboutin-sas-vs-744249193>> accessed 6 August 2019

- Glawischnig-Piesczek v Facebook, [2016] Handelsgericht Wien 11 CG 65/16 w-17
- Google Inc v Equustek Solutions Inc [2017] Supreme Court of Canada 36602, 1 SCR 824
- Lancôme v eBay, A/07/06032 (2008) (Unreported) (Tribunal de commerce de Bruxelles)
- Request for a preliminary ruling from the Bundesgerichtshof (Germany) lodged on 6 November 2018 — LF v Google LLC, YouTube Inc, YouTube LLC, Google Germany GmbH (Case C-682/18) (CJEU)
- Request for a preliminary ruling from the Oberster Gerichtshof (Austria) lodged on 1 July 2019 — Puls 4 TV GmbH & Co KG v YouTube LLC and Google Austria GmbH (Case C-500/19) (CJEU)
- Stokke Nederland BV v Marktplaats BV [2012] Gerechtshof Leeuwarden 107.001.948/01, NL:RBZLY:2007:BA4950
- Technodesign v Stichting Brein [2004] Court of Haarlem 85489 HA ZA 02–992
- Vereniging Buma, Stichting Stemra v KaZaA BV (2003) [2004] E.C.D.R. 16 (Hoge Raad)

## 2. EU and ECtHR

### I. EU

- Action brought on 24 May 2019 — Republic of Poland v European Parliament and Council of the European Union, C-401/19 (CJEU)
- Arsenal Football Club plc v Matthew Reed, C-206/01 [2002] EU:C:2002:651 (CJEU)
- Asociación Profesional Élite Taxi v Uber Systems Spain SL, C-434/15 [2017] EU:C:2017:981 (CJEU)
- Belgische Vereniging van Auteurs, Componisten en Uitgevers CVBA (SABAM) v Netlog NV, C-360/10 [2012] EU:C:2012:85 (CJEU)
- Die BergSpechte Outdoor Reisen und Alpinschule Edi Koblmüller GmbH v Günter Guni, trekking.at Reisen GmbH, C-278/08 [2010] CJEU EU:C:2010:163
- BestWater International GmbH v Michael Mebes and Stefan Potsch [2014] EU:C:2014:2315 (CJEU)
- Commission Decision relating to proceedings under Article 102 of the Treaty on the Functioning of the European Union and Article 54 of the Agreement on the European Economic Area (AT39740 - Google Search (Shopping)) [2017]
- Coöperatieve Vereniging SNB-REACT UA v Deepak Mehta - C-521/17 [2018] EU:C:2018:639 (CJEU)
- Coty Germany GmbH v Amazon Services Europe Sàrl and others, C-567/18 [2020] EU:C:2020:267 (CJEU)

## *Bibliography*

- Coty Germany GmbH v Parfümerie Akzente GmbH, C-230/16 [2017] CJEU EU:C:2017:941
- Daimler AG v Együd Garage Gépjárműjavító és Értékesítő Kft, C-179/15 [2016] CJEU EU:C:2016:134
- Elisabeth Schmitt v TÜV Rheinland LGA Products GmbH, C-219/15 [2017] EU:C:2017:128 (CJEU)
- Eva Glawischnig-Piesczek v Facebook Ireland Limited, C-18/18 [2019] CJEU EU:C:2019:821
- Fra.bo SpA v Deutsche Vereinigung des Gas- und Wasserfaches eV (DVGW) — Technisch-Wissenschaftlicher Verein, C-171/11 [2012] EU:C:2012:453 (CJEU)
- Google France, Google Inc v Louis Vuitton Malletier, C-236/08 [2010] EU:C:2010:159 (CJEU)
- Google LLC v Bundesrepublik Deutschland, C-193/18 [2019] CJEU EU:C:2019:498
- Google Spain v AEPD and Mario Costeja González, C-131/12 [2014] EU:C:2014:317 (CJEU)
- GS Media BV v Sanoma Media Netherlands BV, Playboy Enterprises International Inc, Britt Geertruida Dekker, C-160/15, [2016] EU:C:2016:644 (CJEU)
- Hoffmann-La Roche & Co AG v Centrafarm Vertriebsgesellschaft Pharmazeutischer Erzeugnisse mbH, C-102/77 [1978] EU:C:1978:108 (CJEU)
- Interflora Inc, Interflora British Unit v Marks & Spencer plc, Flowers Direct Online Ltd, C-323/09 [2011] EU:C:2011:604 (CJEU)
- J Nold, Kohlen- und Baustoffgroßhandlung v Commission of the European Communities, C-4/73 [1974] EU:C:1974:51 (CJEU)
- James Elliott Construction Limited v Irish Asphalt Limited, C-613/14 [2016] EU:C:2016:821 (CJEU)
- Johan Deckmyn and Vrijheidsfonds VZW v Helena Vandersteen and Others, C-201/13 [2014] EU:C:2014:2132 (CJEU)
- Ker-Optika bt v ÀNTSZ Dél-dunántúli Regionális Intézet, C-108/09 [2010] EU:C:2010:725 (CJEU)
- L'Oréal SA, Lancôme parfums et beauté & Cie SNC, Laboratoire Garnier & Cie v Bellure NV, Malaika Investments Ltd, trading as 'Honey pot cosmetic & Perfumery Sales', Starion International Ltd, C-487/07 [2009] EU:C:2009:378 (CJEU)
- L'Oréal (UK) Ltd v eBay International AG, eBay Europe SARL, eBay (UK) Ltd and others, C-324/09 [2011] EU:C:2011:474 (CJEU)
- Nils Svensson and others v Retriever Sverige AB, C-466/12 [2014], EU:C:2014:76 (CJEU)
- Opinion of Advocate General Cruz Villalón UPC Telekabel Wien GmbH v Constantin Film Verleih GmbH, Wega Filmproduktionsgesellschaft mbH, C-314/12 [2011] EU:C:2013:781 (CJEU)
- Opinion of Advocate General Jääskinen, L'Oréal (UK) Ltd v eBay International AG, eBay Europe SARL, eBay (UK) Ltd and others, C-324/09 [2010] EU:C:2010:757 (CJEU)

- Opinion of Advocate General Szpunar on Eva Glawischnig-Piesczek v Facebook Ireland Limited, C-18/18 [2019] CJEU EU:C:2019:458
- Opinion of Advocate General Szpunar on YA, AIRBNB Ireland UC, Hôtelière Turenne SAS, Association pour un hébergement et un tourisme professionnel (AHTOP), Valhotel, C-390/18 [2019] ECLI:EU:C:2019:336 (CJEU)
- Opinion of Advocate General Szpunar, Stichting Brein v Ziggo BV, XS4ALL Internet BV, C-610/15 [2017] EU:C:2017:99 (CJEU)
- Opinion of Advocate-General Ruiz-Jarabo Colomier, Arsenal Football Club plc v Matthew Reed, C-206/01 [2002] EU:C:2002:373 (CJEU)
- Opinion of Advocate General Saugmandsgaard Øe, Frank Peterson v Google LLC, YouTube LLC, YouTube Inc, Google Germany GmbH and Elsevier Inc v Cyando AG, Joined Cases C-682/18 and C-683/18 [2020] EU:C:2020:586 (CJEU)
- Productores de Música de España (Promusicae) v Telefónica de España SAU, C-275/06 [2008] EU:C:2008:54 (CJEU)
- Rewe-Zentral AG v Bundesmonopolverwaltung für Branntwein, C-120/78 [1979] EU:C:1979:42 (CJEU)
- Sabrina Wathélet v Garage Bietheres & Fils SPRL, C-149/15 [2016] ECLI:EU:C:2016:840 (CJEU)
- Scarlet Extended SA v Société belge des auteurs, compositeurs et éditeurs SCRL (Scarlet Extended), C-70/10 [2011] EU:C:2011:771 (CJEU)
- Schlussanträge des Generalanwalts Manuel Campos Sánchez-Bordona, Coty Germany GmbH gegen Amazon Services Europe Sàrl und andere, C-567/18 [2019] EU:C:2019:1031 (CJEU)
- Skype Communications Sàrl v Institut belge des services postaux et des télécommunications (IBPT), C-142/18 [2019] EU:C:2019:460 (CJEU)
- Stichting Brein v Jack Frederik Wullems, also trading under the name Filmspeler, C-527/15 [2017] EU:C:2017:300 (CJEU)
- Stichting Brein v Ziggo BV, XS4ALL Internet BV, C-610/15 [2017] EU:C:2017:456 (CJEU)
- Tobias Mc Fadden v Sony Music Entertainment Germany GmbH, C-484/14 [2016] EU:C:2016:689 (CJEU)
- Tommy Hilfiger Licensing LLC, Urban Trends Trading BV, Rado Uhren AG, Facton Kft, Lacoste SA, Burberry Ltd v Delta Center a.s, C-494/15 [2016] EU:C:2016:528 (CJEU)
- UPC Telekabel Wien GmbH v Constantin Film Verleih GmbH, Wega Filmproduktionsgesellschaft mbH, C-314/12 [2014] EU:C:2014:192 (CJEU)
- VCAST Limited v RTI SpA, C-265/16 [2017] EU:C:2017:913 (CJEU)
- YA, AIRBNB Ireland UC, Hôtelière Turenne SAS, Association pour un hébergement et un tourisme professionnel (AHTOP), Valhotel, C-390/18 [2019] ECLI:EU:C:2019:1112 (CJEU)



## II. ECtHR

- Delfi AS v Estonia [2015] ECtHR (Grand Chamber) 64569/09  
Editorial Board of Pravoye Delo and Shtekel v Ukraine [2011] ECtHR (Fifth Section) 33014/05  
Handyside v The United Kingdom [1976] ECtHR (Plenary) 5493/72  
KU v Finland [2008] ECtHR (Fourth Section) 2872/02  
Magyar Tartalomszolgáltatók Egyesülete and Index.hu zrt v Hungary [2016] ECtHR (Fourth Section) 22947/13

### *D. Statutes & Bills*

- Avia L, Proposition de loi visant à lutter contre la haine sur internet  
Bundesministerium für Justiz und Verbraucherschutz, Entwurf für ein Gesetz zur Bekämpfung des Rechtsextremismus und der Hasskriminalität 2019  
—, Entwurf eines Gesetzes zur Änderung des Netzwerkdurchsetzungsgesetzes 2020  
Council of the EU, ‘Proposal for a Regulation of the European Parliament and of the Council on Preventing the Dissemination of Terrorist Content Online - Analysis of the Final Compromise Text with a View to Agreement 2018/0331(COD) - 12906/20’ <<https://data.consilium.europa.eu/doc/document/S-T-12906-2020-INIT/en/pdf>> accessed 15 March 2021  
Counsel P, Malicious Communications (Social Media) Bill 2017 [HC Bill 44]  
European Commission, Proposal for a European Parliament and Council Directive on certain legal aspects of electronic commerce in the internal market 1999 [1999/C 30/04]  
—, Proposal for a Regulation on consumer product safety and repealing Council Directive 87/357/EEC and Directive 2001/95/EC, COM(2013) 78 final 2013 [2013/0049/COD]  
—, Proposal for a regulation on preventing terrorist content online, COM(2018) 640 final 2018 (TERREG)  
—, European Parliament legislative resolution of 17 April 2019 on the proposal for a regulation of the European Parliament and of the Council on preventing the dissemination of terrorist content online (COM(2018)0640 – C8-0405/2018 – 2018/0331(COD))  
—, Proposal for a Regulation of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC, COM(2020) 825 final 2020  
European Parliament, Council and the Commission, ‘Interinstitutional Agreement on Better Law-Making, OJ C 321/01’ (2003)  
Lord McNally, Online Harms Reduction Regulator (Report) Bill [HL] 2020 [HL Bill 22]

- Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems 2003 (European Treaty Series - No189)
- Agreement On Trade-Related Aspects Of Intellectual Property Rights (TRIPS) 1994
- Anticybersquatting Consumer Protection Act (ACPA) (15 USC § 1125(d))
- Berne Convention for the Protection of Literary and Artistic Works 1886
- Broadcasting Services Act 1992
- Bürgerliches Gesetzbuch (Germany)
- Charter of Fundamental Rights of the European Union 2009
- Code Civil (France)
- Code Penal (France)
- Codice Civile 1942 (Italy)
- Council Common Position of 27 December 2001 on the application of specific measures to combat terrorism 2001 (OJ L 344)
- Commission Implementing Decision on a standardisation request to the European standardisation organisations as regards European standards and European standardisation deliverables for privacy and personal data protection management - C(2015) 102 final 2015 (M/530)
- Copyright Amendment (Digital Agenda) Act 2000 <http://www.legislation.gov.au/Details/C2004A00702>> accessed 3 January 2020
- Communications Decency Act 1996 (47 USC § 230) (US)
- Copyright (Amendment) Act, 2012, s. 52 (India)
- Copyright, Designs and Patents Act 1988 c.48 (UK)
- Copyright Modernization Act 2012 (SC 2012, c 20) (Canada)
- Copyright Rules 2013, GSR 172(E) (India)
- Council Decision (CFSP) 2020/1132 of 30 July 2020 updating the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism 2020 (OJ L 247)
- Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work 1989 (OJ L 183)
- Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law 2008 (OJ L 328)
- Council of Europe - Convention on Cybercrime 2001
- Council of Europe - Convention on the Prevention of Terrorism 2005
- Council Resolution 85/C 136/01 of 7 May 1985 on a new approach to technical harmonization and standards 2010
- Council Resolution of 7 May 1985 on a new approach to technical harmonization and standards 1985 (OJ C 136)

## *Bibliography*

- Crime and Disorder Act 1998 (UK)
- 'Criminal Code Amendment (Sharing of Abhorrent Violent Material) Act 2019'  
<http://www.legislation.gov.au/Details/C2019A00038>> accessed 3 January 2020
- Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products 2008 (OJ L 218)
- Decision No 1151/2003/EC adopting a multiannual Community action plan on promoting safer use of the Internet by combating illegal and harmful content on global networks (OJ L 162)
- Defamation Act 1996 c.31 1996 (UK)
- Defamation Act 2013 c. 26 (England and Wales)
- Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data 1995 (OJ L 281)
- Directive 98/48/EC of the European Parliament and of the Council of 20 July 1998 amending Directive 98/34/EC laying down a procedure for the provision of information in the field of technical standards and regulations 1998 (OJ L 217)
- Directive 1999/44/EC of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees 1999 (OJ L 171)
- Directive 2000/31/EC of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market 2000 (OJ L 178)
- Directive 2001/29/EC of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society 2001 (OJ L 167, 2262001)
- Directive 2001/95/EC of 3 December 2001 on general product safety (OJ L 11)
- Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) 2002 (OJ L 201)
- Directive 2004/48/EC of 29 April 2004 on the enforcement of intellectual property rights
- Directive 2005/29/EC of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market 2005 (OJ L 149)
- Directive 2008/95/EC to approximate the laws of the Member States relating to trade marks 2008
- Directive 2008/99/EC on the protection of the environment through criminal law 2008 (OJ L 328)
- Directive 2009/48/EC of 18 June 2009 on the safety of toys 2009 (OJ L 170)
- Directive 2011/62/EU of 8 June 2011 amending Directive 2001/83/EC on the Community code relating to medicinal products for human use, as regards the prevention of the entry into the legal supply chain of falsified medicinal products 2011 (OJ L 174, 172011)
- Directive 2014/30/EU of 26 February 2014 on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (recast) 2014 (OJ L 96)

- Directive 2014/35/EU of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits 2014 (OJ L 96)
- Directive 2014/53/EU of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment 2014 (OJ L 153)
- Directive 2015/849/EU of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing 2015 (OJ L 141, 562015)
- Directive 2015/1535/EU of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services 2015 (OJ L 241)
- Directive 2016/1148 concerning measures for a high common level of security of network and information systems across the Union 2016 (OJ L 194)
- Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 to approximate the laws of the Member States relating to trade marks (Text with EEA relevance) 2015 (OJ L 336)
- Directive (EU) 2017/541 on combating terrorism 2017 (OJ L 88)
- Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities 2018 (OJ L 303)
- 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.) 2019 (OJ L 130)
- Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 amending Council Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU of the European Parliament and of the Council as regards the better enforcement and modernisation of Union consumer protection rules (Text with EEA relevance) 2019 (OJ L 328)
- Electronic Communications Act (Estonia) (English Version) 2006
- Equality Act 2010 (England and Wales, Scotland)
- European Convention for the Protection of Human Rights and Fundamental Freedoms 1950
- Gesetz über die Bereitstellung von Funkanlagen auf dem Markt (FuAG) 2017 (Germany)
- Gesetz über die elektromagnetische Verträglichkeit von Betriebsmitteln (EMVG) 2016 (Germany)
- Gesetz über Urheberrecht und verwandte Schutzrechte (Germany)
- Gesetz zur Verbesserung der Rechtsdurchsetzung in sozialen Netzwerken 2017 (BGBl I S 3352 (Nr 61)) (Germany)

## *Bibliography*

- Greek Constituion, (Official English language translation of the Greek Constituion, Hellenic Parliament) 2008
- Information Technology (Amendment) Act, 2008, s. 79 (India)
- Information Technology (Intermediaries Guidelines) Rules, 2011, GSR 314(E) (India)
- Joint Action 96/443/JHA to combat racism and xenophobia 1996 (OJ L185)
- Loi du 29 juillet 1881 sur la liberté de la presse (France)
- Loi n° 82-652 du 29 juillet 1982 sur la communication audiovisuelle 1982 (France)
- Loi n° 2004-575 du 21 juin 2004 pour la confiance dans l'économie numérique 2004 (2004-575) (France)
- LOI n° 2006-961 du 1er août 2006 relative au droit d'auteur et aux droits voisins dans la société de l'information (France)
- LOI n° 2009-1311 du 28 octobre 2009 relative à la protection pénale de la propriété littéraire et artistique sur internet 2009 (2009-1311) (France)
- LOI n° 2018-1202 du 22 décembre 2018 relative à la lutte contre la manipulation de l'information 2018 (2018-1202) (France)
- LOI n° 2020-766 du 24 juin 2020 visant à lutter contre les contenus haineux sur internet | Legifrance 2020 (2020-766) (France)
- Paris Convention for the Protection of Industrial Property 1883
- Protection from Harassment Act 1997 (England and Wales, Scotland)
- Public Order Act 1986 (UK)
- Regulation 907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH 2006 (OJ L 396)
- Regulation (EC) 178/2002 of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety 2002 (OJ L 31)
- Regulation (EC) 765/2008 of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products 2008 (OJ L 218)
- Regulation (EC) 852/2004 of 29 April 2004 on the hygiene of foodstuffs 2004 (OJ L 139)
- Regulation (EC) No 864/2007 of the European Parliament and of the Council of 11 July 2007 on the law applicable to non-contractual obligations 2007 (OJ L 199)
- Regulation (EU) 1025/2012 of 25 October 2012 on European standardisation 2012 (OJ L 316, 14112012)
- Regulation (EU) 1169/2011 of 25 October 2011 on the provision of food information to consumers 2011 (OJ L 304)
- Regulation (EU) 2016/425 of the European Parliament and of the Council of 9 March 2016 on personal protective equipment and repealing Council Directive 89/686/EEC (Text with EEA relevance) 2016 (OJ L 081)

- Regulation (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data 2017 (OJ L 119, 452016)
- Regulation (EU) 2017/625 of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products (OJ L 95)
- Regulation (EU) 2017/745 of 5 April 2017 on medical devices 2017 (OJ L 117, 552017)
- Regulation (EU) 2017/1001 on the European Union trade mark 2017 (OJ L 154)
- Regulation (EU) 2017/1369 of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU 2017 (OJ L 198)
- Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011 (Text with EEA relevance.) 2019 (OJ L 169)
- Regulation (EU) 2019/1148 of the European Parliament and of the Council of 20 June 2019 on the marketing and use of explosives precursors 2019 (OJ L 186)
- Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services (Text with EEA relevance) 2019 (OJ L)
- Regulation (EU) No 608/2013 concerning customs enforcement of intellectual property rights 2013 (OJ L 181)
- Regulation (EU) No 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters 2012
- Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations 1961
- Strafgesetzbuch (Germany)
- Telemediengesetz (Germany)
- The Digital Millennium Copyright Act 1998 (17 USC § 512) (US)
- The Electronic Commerce (EC Directive) Regulations 2002 (UK)
- The Lanham (Trademark) Act 1946 (15 USC § 1051 et seq) (US)
- Treaty on European Union (2007)
- Treaty on European Union (Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union 2016) 2016
- Treaty on the Functioning of the European Union (Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union 2016) Union 2016 (OJ C 202)
- WIPO Copyright Treaty (WCT) 1996
- WIPO Performances and Phonograms Treaty (WPPT) 1996

