



Università degli Studi di Napoli *Parthenope*  
Dipartimento degli *Studi Economici e Giuridici*



**DISEG**

Dipartimento  
di Studi Economici  
e Giuridici

E-AGORÀ

PRIN  
2020



**BRITISH  
ACADEMY**

*for the humanities and social sciences*

## *International Conference*

# Medicinal Products: Property, Regulation & Liability

*22nd June 2023, h. 15.00 - Pacanowski Palace – Via Generale Parisi 13*

*23rd June 2023, h. 9.30 - Villa Doria d'Angri – Via Francesco Petrarca, 80*

### CONFERENCE PROGRAMME

*22nd June 2023, h 15.00*

#### Institutional Address

*Prof. Antonio Garofalo* – Rector of University of Naples “Parthenope”

#### Welcome by Conference Conveners

*Prof. Roberto Carleo* – University of Naples “Parthenope”

*Prof. Stathis Banakas* – University of East Anglia – British Academy Project Principal Investigator

#### First Afternoon Session

*15.30 Chair Prof. Roberto Bocchini* – Pro-Rector of University of Naples “Parthenope” – Principal Investigator PRIN2020 – E-Agorà

#### Speakers

*15.35 Dr. Florian Schmidt (by video link)* – Deputy Head of Unit of the Commission’s pharmaceutical Unit D.1. Medicines: policy, authorisation and monitoring

*15.55 Prof. Claudio Scognamiglio* – University of Rome “Tor Vergata” – *La responsabilità da farmaco tra la responsabilità da prodotto difettoso e la responsabilità da attività pericolosa – Pharmaceutical liability between product liability and liability for hazardous activity*

*16.15 Prof.ssa Francesca Caroccia* – University of L’Aquila – *L’accesso al farmaco: assetti di mercato e nuove sfide digitali – Access to medicinal products: market structures and new digital challenges*

*16.35 Prof. Ivan Libero Nocera* – University of Palermo – *Il commercio elettronico di prodotti farmaceutici: nuovi paradigmi di responsabilità – Pharmaceuticals E-Commerce Platforms: new paradigms of liability*

#### Second Afternoon Session

*17.00 Chair Prof. Roberto Carleo* – University of Naples “Parthenope”

#### Speakers

*17.05 Prof. Andrea Napolitano* – University of Naples “Parthenope” – *Il complesso equilibrio tra tutela della salute ed iniziativa economica nel settore finanziario – The complex balance between the health protection and the economic initiative in the financial sector*

*17.25 Prof. Franco Trubiani* – University of Naples “Parthenope” – *I diritti di proprietà intellettuale sui brevetti dei vaccini anti Covid-19: uno sguardo sull’esperienza legislativa Italiana – Intellectual Property Rights of Covid-19 vaccines: an overview of the Italian Legislative Experience*

*17.45 Prof. Matteo Nuzzo* – University of Naples “Parthenope” – *Nullità dei brevetti farmaceutici: casi pratici – Void Pharmaceutical patents: cases from the practice*

*18.05 Avv. Andrea Pucci* – Bonelli Erede Law Firm Milan – *Potenziali sviluppi della general pharmaceuticals legislation: cosa sta pianificando la Commissione Europea? – Potential developments of general pharmaceuticals legislation: what is the European Commission planning?*

*18.15 Discussion*

## CONFERENCE PROGRAMME

23rd June 2023, h 9.30

### First Morning Session

09.30 Chair Prof. **Giulio Ponzanelli** – Catholic University of the Sacred Heart

#### Speakers

09.40 Prof. **Stathis Banakas** – University of East Anglia (UK) – *The British Academy research project on Medicinal Products in Global Law*

10.00 Prof. **John Devereux** (by video link) – University of Queensland (AUS) – *The Legal Regime Governing Medicinal products: a View from the Antipodes*

10.20 Prof.ssa **Amalia Chiara Di Landro** – University “Mediterranea” Reggio Calabria – *Collective redress mechanisms for damage from drugs or vaccines for Covid 19 – Gli strumenti di tutela collettiva per i danni da vaccini e farmaci contro il Covid 19*

10.40 Dr. **Daniela Messina** – University of Naples “Parthenope” – *Health protection and vaccines in the complex relationship between State and Regions – Tutela della salute e vaccini nel complesso rapporto tra Stato e Regioni*

10.50 Coffee Break

### Second Morning Session

11.10 Chair Prof. **Mario Serio** – University of Palermo

#### Speakers

11.20 Prof. **Fabio Siebeneichler De Andrade** – University Pontificia Católica do Rio Grande do Sul (BRA) – *Liability for Vaccines in Brazilian Law*

11.40 Prof. **Philippe Brun** (by video link) – University of Savoie Mont Blanc (FR) - Avocat général à la Cour de Cassation – *Produits de sante defectueux en droit francais – Defective health products in French Law*

12.00 Dr. **Carlo Meo** – University of Rome “La Sapienza” – *L’applicazione del diritto della concorrenza nel settore farmaceutico: casi recenti – Competition Law enforcement in the pharmaceutical industry: some recent cases*

12.10 Dr. **Clara Tuccillo** – University of Naples “Parthenope” – *Responsabilità da farmaco difettoso alla luce della giurisprudenza italiana – Liability for Defective Pharmaceutical Products in Italian Case Law*

12.20 Dr. **Francesca Zagaria** – University of Naples “Parthenope” – *Obblighi informativi, foglio illustrativo e responsabilità del produttore di farmaci – Information obligations, user information leaflet and producer liability*

12.30 Discussion

13.00 Lunch

### First Afternoon Session

14.00 Chair Prof. **Antonino Procida Mirabelli Di Lauro** – University of Naples “Federico II”

#### Speakers

14.10 Prof.ssa **Maria Teresa Alvarez Moreno** – University Complutense Madrid (ESP) – *Regime giuridico delle sperimentazioni cliniche con medicinali in Spagna – Legal regime for clinical trials with medicinal products in Spain*

14.30 Avv. **Alessandro Buscemi** – Chiomenti Law Firm Milan – *Management of conflicts of interests in M&A transactions in the health sectors*

14.50 Avv. **Marco Schirripa** – University “Mediterranea” Reggio Calabria – *The complexity of the “pharmacy system” and the concept of professional deontology – La complessità del “sistema farmacia” e il concetto di deontologia professionale*

### Second Afternoon Session

15.10 Chair Prof. **Michele Graziadei** – University of Turin

#### Speakers

15.20 Prof. **Philippe Pierre** – University of Rennes (FR) – *Liability for vaccine and drugs trials and collective redress mechanism*

15.40 Prof. **Marco Fridolin Sommer Santos** – University Federal do Rio Grande do Sul (BRA) – *Responsabilità civile del produttore di farmaci per i danni alla salute del consummator – Civil liability of manufacturers of medicines for harm to the health of consumers*

16.00 Prof. **Lucia Ruggeri** – University of Camerino – *Exploring Contagion Risks in the Era of Pandemic: Legislative Approaches and Jurisprudential Solutions. Insight from the Italian-European System of Sources*

16.20 Prof. **Stathis Banakas** and Prof. **Roberto Carleo** – *General Debate & Concluding Comments*

17.00 End of conference

Scientific Committee:

Prof. Stathis Banakas, Prof. Roberto Carleo, Prof. Roberto Bocchini, Prof.ssa Lourdes Fernandez Del Moral, Prof. Franco Trubiani, Prof. Giulio Andreotti

Organizing Committee:

Dott.ssa Fabiana D’Avino, Dott.ssa Francesca Gentile, Dott. Alessandro Malfi, Dott.ssa Clara Tuccillo