

Hong Kong Commercial and Maritime Law Centre

Conference on Law, Technology and Disruption

25 March 2021

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Technological changes and innovations are inevitable and very much linked to the success of a country. However, new technologies may represent a destructive power or at least a disruptive power to the current legal system that requires responses from every country.

To discuss how a certain technology ‘disrupts’ law and society and how our regulative framework should as a whole respond and adapt, we organized a three-day conference entitled the “Law, Technology and Disruption” from 19 to 21 March 2021. The conference brought together scholars from the US, the UK, Europe, Japan, Africa, Hong Kong and China to discuss five new technologies, namely: Artificial Intelligence (AI) and big data, internet platforms, blockchain, biotech, and Augmented Reality (AR) and Virtual Reality (VR).

The conference started off with welcome remarks by **Prof Cheng Han Tan** (Dean and Chair Professor of Commercial Law, School of Law, CityU). Professor Tan welcomed all participants and thanked speakers for sharing their ideas. Thereafter, **Prof Alexander Loke** (Director of HKCML) welcomed participants on behalf of the centre and expressed his hope that the ideas brought out in the conference can help us actively think about their relevance to our own jurisdiction. The conference coordinator **Dr Tianxiang He** then explained the background and objectives of the conference. He hopes that the conference will promote and have substantial impact on legal and policy developments.



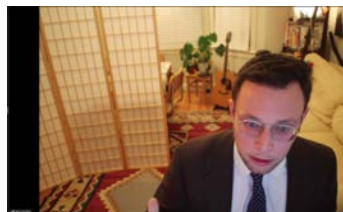
From left: Prof Chen Han Tan; Prof Alexander Loke; Dr Tianxiang He

Prof Julie Cohen (Georgetown University, Georgetown University Law Center) gave a keynote presentation on “Designing Information-Era Counter-movements.” This was then followed by six panel discussions.



Keynote speaker: Prof Julie Cohen

The first panel, chaired by **Dr Lik Hang Tsui** (CityU, CLASS), was entitled “AI, Algorithm and Big Data”. There were three speakers in this panel. **Mr Benjamin Sobel** (Harvard University, Harvard Berkman Klein Center for Internet & Society) spoke on “Information Policy for search engines.” **Prof Jyh-An Lee** (Chinese University of Hong Kong, Faculty of Law) spoke on “Legal Implications of the AI Ethics”; and **Prof Masabumi Suzuki** (Nagoya University, Graduate School of Law) gave a presentation on “Promotion of Data Economy and Intellectual Property: Some Lessons from Japanese Experiences.”



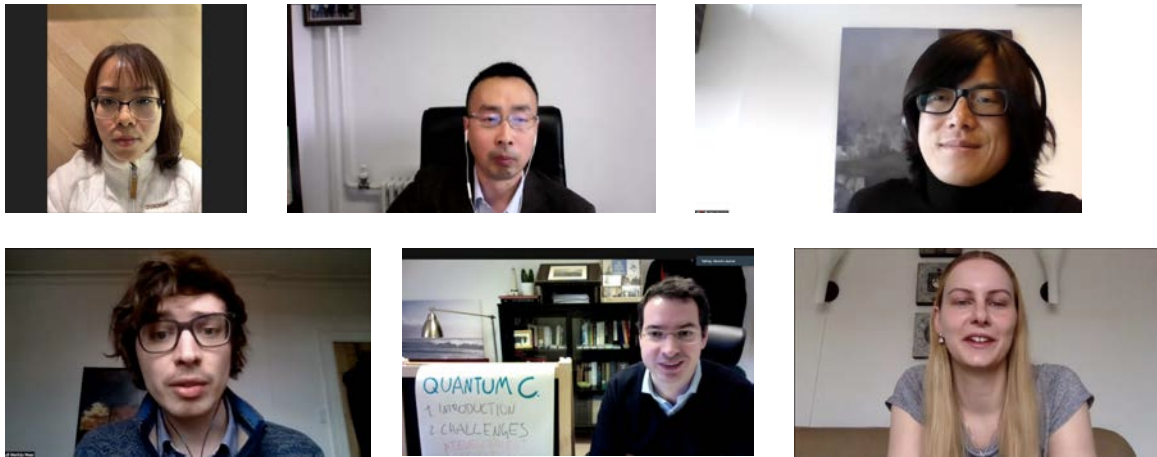
First row from left: Dr Lik Hang Tsui; Mr Benjamin Sobel; Prof Jyh-An Lee.
Second row from left: Prof Masabumi Suzuki

The second panel “Augmented Reality” was chaired by **Dr. Eugene Lim** (CityU SLW). **Prof Wian Erlank** (North-West University, Faculty of Law) discussed “Dephysicalisation or Rephysicalisation of property in AR and VR”; and **Dr Michael Katell** (The Alan Turing Institute) spoke on “Fuel to the fire: Will pandemic panic add to an already uncertain regulatory landscape for augmented reality technology?”



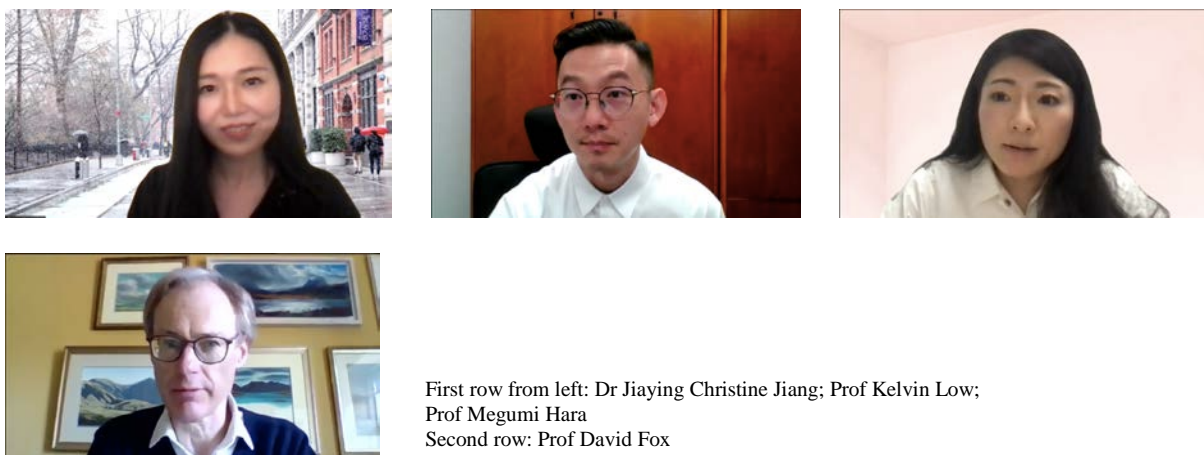
From left: Prof Wian Erlank;
Dr Michael Katell

The third panel “Disruption & Regulation, Tech & Society” was chaired by **Dr Chenguo Zhang** (Shanghai Jiaotong University, KoGuan Law School). This consisted of three presentations. **Prof Guobin Cui** (Tsinghua University, School of Law) spoke on “The Eligibility Requirements for Legal Protection of Publicly Accessible Datasets.” **Dr Hin-Yan Liu** (University of Copenhagen, Faculty of Law) and **Mr Matthijs Maas** (University of Copenhagen, Faculty of Law) jointly presented on “Solving of X? Towards a problem-finding framework to ground long-term governance strategies for artificial intelligence.” **Dr Valentin Jeutner** (Lund University, Faculty of Law) presented his paper on “Regular and Irregular Regulatory Challenges of Quantum Computing”; and **Ms Victoria Sobocki** (University of Copenhagen, Faculty of Law) spoke on “Avoiding the Gilded Cage of Tech, Striking the balance between too little and too much technology: Artificial Intelligence and Legal disruption.”



First row from left: Dr Chenguo Zhang; Prof Guobin Cui; Dr Hin-Yan Liu
 Second row from left: Mr Matthijs Maas; Dr Valentin Jeutner; Ms Victoria Sobocki

The fourth panel on “Blockchain” was chaired by **Dr Jiaying Christine Jiang** (New York University, School of Law). **Prof Kelvin Low** (CityU, SLW) presented on “Confronting Cryptomania.” **Prof Megumi Hara** (Gakushuin University, School of Law) presented on “The significance of Digital Asset: Analysis of Proprietary nature”; and **Prof David Fox** (University of Edinburgh, School of Law) spoke on “Tokenized assets in Private Law.”



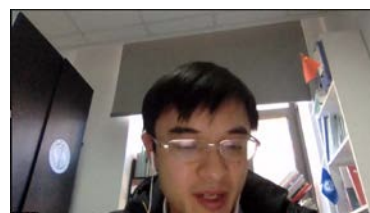
First row from left: Dr Jiaying Christine Jiang; Prof Kelvin Low;
 Prof Megumi Hara
 Second row: Prof David Fox

The fifth panel “Platforms” was chaired by **Dr Julia Tomassetti** (CityU, SLW). **Dr Weiwei Shen** (China University of Political Science and Law, School of Law) spoke on “Against Algorithmic Transparency.” **Dr Tianxiang He** (CityU, SLW) spoke on “Content Platforms, Copyright and Freedom of Speech in China.” **Dr Xin Dai** (Peking University, Law School) presented his paper on “Data Platforms inside the Administrative State”; and **Dr Mateja Durovic** (King’s College of London, The Dickson Poon School of Law) presented on “The challenges of consumer protection in the age of online platforms.”



First row from left: Dr Julia Tomassetti;
Dr Weiwei Shen; Dr Tianxiang He
Second row: Dr Xin Dai; Dr Mateja
Durovic

The last panel “Biotech, Gene Drive” chaired by **Dr Li Jiang** (Tongji University, Shanghai International College of Intellectual Property). Presentation was given by **Dr Yaojin Peng** (Chinese Academy of Sciences, Institute of Zoology) on “A rethink of the right to withdraw from research in biobanking in China.” **Prof Anselm Kamperman-Sanders** (Maastricht University, Faculty of Law) discussed “The secret life plants – Wondrous composition policies for songs in the key of life”; and **Dr Sven J.R. Bostyn** (University of Copenhagen, Faculty of Law) spoke on “COVID-19, access to medical treatments and technological and transactional opacity.”



First row from left: Dr Li Jiang; Dr
Yaojin Peng; Prof Anselm Kamperman-
Sanders
Second row: Dr Sven J.R. Bostyn

Prof Roger Brownsword closed the conference with a keynote presentation on “Law and Respect: another case of technological disruption”.



Keynote speaker: Prof Roger Brownsword

The three-day conference ended with the closing remarks by **Prof Alexander Loke** and **Dr Tianxiang He**. Both thanked the presenters for their thought-provoking ideas and participants for their searching questions and insightful comments.

Selected conference papers will be published in a special issue in Law, Innovation and Technology journal.