# Principles of management and tech law

## Prof. Giacomo Ciambotti; Prof. Michele Faioli

I Module - *Principles of management* (Prof. Giacomo Ciambotti)

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims at providing the strategic tool and managerial knowledge to govern a company and implement effective strategies especially in the field of digital and emerging technologies (e.g., AI, blockchain, big data etc.). Successful management of organizations in the tech era requires a strategic approach to decision-making with the need to rethink the company's purpose, structure, resources and processes to create value, compete, innovate and grow. This course, then, offers a comprehensive knowledge on the strategies and managerial practices to win in such fast-changing technological industries to ensure a sustainable competitive advantage. From a general management perspective, the course builds skills and competences required to assess industries and firm strategies with problem solving and critical thinking competencies also through real case studies of data-driven and tech-based firms. Students who complete this class will be able to (i) **know** and understand industries and business value drivers and asses the opportunities related to the digital transformation; (ii) **apply** complex reasoning and formulate successful business strategies, with problem solving and critical thinking approaches; (iii) clearly **communicate** the contents of their assessments on real cases of tech and non-tech based firms, with critical thinking and, on the basis of the acquired knowledge, interlock with experts and not experts.

***COURSE CONTENT***

1. Purpose and strategy making;
2. Analysing industry attractiveness: a focus on emerging technologies;
3. Assessing resources and capabilities in the digital era;
4. Sources of competitive advantage in tech-based and digital firms;
5. Understanding industry evolution, megatrends and grand challenges;
6. Innovation processes in tech-based and digital firms (Big Data, AI, Blockchain, Cloud Computing and Internet of Things);
7. Horizontal and vertical cope of the firm;
8. Growth strategies with a focus on tech-based and digital firms.

***READING LIST[[1]](#footnote-1)***

*Attending students:*

* Selected chapters: Grant, R. M., & Jordan, J. J. (2015). Foundations of strategy. John Wiley & Sons. 2th ed.
* Teaching slides
* Video-cases (in-class)

*Non-attending students:*

* All chapters: Grant, R. M., & Jordan, J. J. (2015). Foundations of strategy. John Wiley & Sons. 2th ed.
* Teaching slides
* Video-cases
* Mandatory readings on Blackboard

A list of voluntary reading material to be made available on the Blackboard platform both to attending and non-attending students.

***TEACHING METHOD***

The course consists of lectures, in class case-studies and case-problem discussions, and guest speaker sessions on specific topics. Attending Students are encouraged to actively participate in class enriching their competences on discussing case studies and critically assess strategies and industry dynamics.

***ASSESSMENT METHOD AND CRITERIA***

The exam for attending students and non-attending students will be in written form.

The grade of the module will be based on multiple-choice and/or open questions, also using practical cases and examples discussed in class.

**The final grade will be based on the results of Principles of Management Module (50%) and on the answer to the query related to the Tech Law Module (50%).**

***NOTES AND PREREQUISITES***

No pre-requisites or preparatory courses required.

Attendance is strongly recommended.

Detailed syllabus, timetable and coursework material to be made available on the Blackboard platform.

II Module - *Tech Law* (Prof. Michele Faioli)

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

This is a class in tech law. It is designed to teach students what they need to know to work effectively with technologists, and vice versa, in firms with advanced approaches to artificial intelligence, robot and smart organisations. Topics covered may vary based on recent events, but will include advanced technologies at firm level, robotics, smart work, jurisdiction, regulations, blockchain and social application, cybersecurity. The class is meant as an introduction to these issues and, while some questions might be answered and some legal solutions might be found, the aim will be to help students develop a framework for answering these questions now and in the years to come. Students who complete this class will be able to (i) **know and understand** through the likely legal implications of artificial intelligence and robot, with new ideas and critical thinking and (ii) **apply** complex reasoning and formulate successful legal strategies, with problem solving method, in relation to artificial intelligence, workplace process transformation, big data, encryption, blockchain, in tech/firms 4.0. The students will be also able to (iii) **clearly communicate** the contents of their research themes, and, on the basis of the acquired knowledge in tech, interlock with experts and not experts.

***COURSE CONTENT***

The areas we will explore are below indicated:

1. *Tech Jurisdictions* - Is tech itself a jurisdiction, a place that could have laws of its own, a cyberspace with its own regulation? Tech is a global network, so jurisdictional questions are inevitable. This area is all about conflicts: there is the conflict between (radical) markets and consumers, tech users and the governments who disapprove of what they are doing, conflicts between different governments with different policies. A tech network brings together people in different places. Its aim is to bridge geographic divisions. When those divisions are transnational, the network raises jurisdictional issues just by being a network. We will explore different facets of jurisdiction. We will also explore the problem of overlapping national laws on a global network and how EU/USA laws deals with the question of jurisdiction over online activity.

2. *The Law of Robots & Advanced Technologies. AI, Data, Platforms and Digital Markets. Liabilities* – Should the law ensure that human-robot interactions occur in ways that are safe? What happens when a self-driving car or a robot causes an accident? What happens when robots interact with humans, at firm level, patrolling and organizing the work to perform? When an intelligent machine breaches a contract, upon whom do we serve process to initiate legal action? How will the law respond to such change?

2. *Blockchain, Smart Contracts and Social Application* - Blockchains, decentralized databases that are maintained by a distributed network of computers, present challenges and opportunities. Blockchains offer potential to change social, financial and corporate systems, to promote new social application for workers and citizens, to support participation and democratized access to resources, to change the way we contract with one another. How will the law respond to such change? Is blockchain itself a jurisdiction, a place that could have laws of its own, a cyberspace with its own regulation?

***READING LIST[[2]](#footnote-2)***

Most readings will be taken from these casebooks and from materials I developed during my recent researches (visit regularly our University’s blackboard page):

A. Bartolini, *Artificial Intelligence and Civil Liability*, 2020, Available at [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/621926/IPOL\_STU(2020)621926\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/621926/IPOL_STU%282020%29621926_EN.pdf)

R. Calo, *Artificial Intelligence Policy: A Primer and Roadmap*, 51 U.C. DAVIS L. REV. 399 (2017)

M. E. Kaminski, Regulating the Risks of AI, *Boston University Law Review, Vol. 103, 2023, U of Colorado Law Legal Studies Research Paper No. 22-21*, Available at SSRN: [https://ssrn.com/abstract=4195066](https://ssrn.com/abstract%3D4195066)

M. Almada and N. Petit, *The EU AI Act: Between Product Safety and Fundamental Rights*. Available at SSRN: [https://ssrn.com/abstract=4308072](https://ssrn.com/abstract%3D4308072)

N. Moreno Belloso and N. Petit, *The EU Digital Markets Act (DMA): A Competition Hand in a Regulatory Glove*, (2023) European Law Review (Forthcoming), Available at SSRN: [https://ssrn.com/abstract=4411743](https://ssrn.com/abstract%3D4411743)

J. Grimmelmann and A. J. Windawi, *Blockchains as Infrastructure and Semicommons*, William & Mary Law Review (2023, Forthcoming), Available at SSRN: [https://ssrn.com/abstract=4152068](https://ssrn.com/abstract%3D4152068)

***TEACHING METHOD***

Students are requested to: (i) do the assigned readings (see the materials published by blackboard and the related timetable), (ii) participate in class discussions on one or two principal problem that will be listed by means of blackboard; (ii) keep materials in digital folders. Our class discussion will be directed and focused to solve cases and to come up with a collective answer to the problem. Most of the readings consist of excerpts from casebooks, doctrines, judicial opinions, case law, statutes, law, CBAs.

***ASSESSMENT METHOD AND CRITERIA***

Written exam. The grade will be based on the answer to the query related to a legal case. (i.e. the student will receive a set of facts that have legal implications, and will be required to provide someone - a client, a judge, a legislator, etc. - with good advice on what to do in light of those facts). The student should identify the legal questions those facts raise and do the best to answer those questions based on the law they learned in the course (pursuant to the IRAC Template [- link).](https://web.law.columbia.edu/sites/default/files/microsites/writing-center/files/organizing_a_legal_discussion.pdf) The student’s capacity will be assessed on the basis of the attitudes to (i) synthetize the case, (ii) identify and apply relevant principles, (iii) conduct legal research, (iv) communicate effectively the legal concepts.

**The grade will be based on the answer to the query related to Principles of Management Module (1/2) and on the answer to the query related to the Tech Law Module.**

1. I testi indicati nella bibliografia sono acquistabili presso le librerie di Ateneo; è possibile acquistarli anche presso altri rivenditori. [↑](#footnote-ref-1)
2. I testi indicati nella bibliografia sono acquistabili presso le librerie di Ateneo; è possibile acquistarli anche presso altri rivenditori. [↑](#footnote-ref-2)