

 **Società Italiana di Diritto ed Economia**
Italian Society of Law and Economics

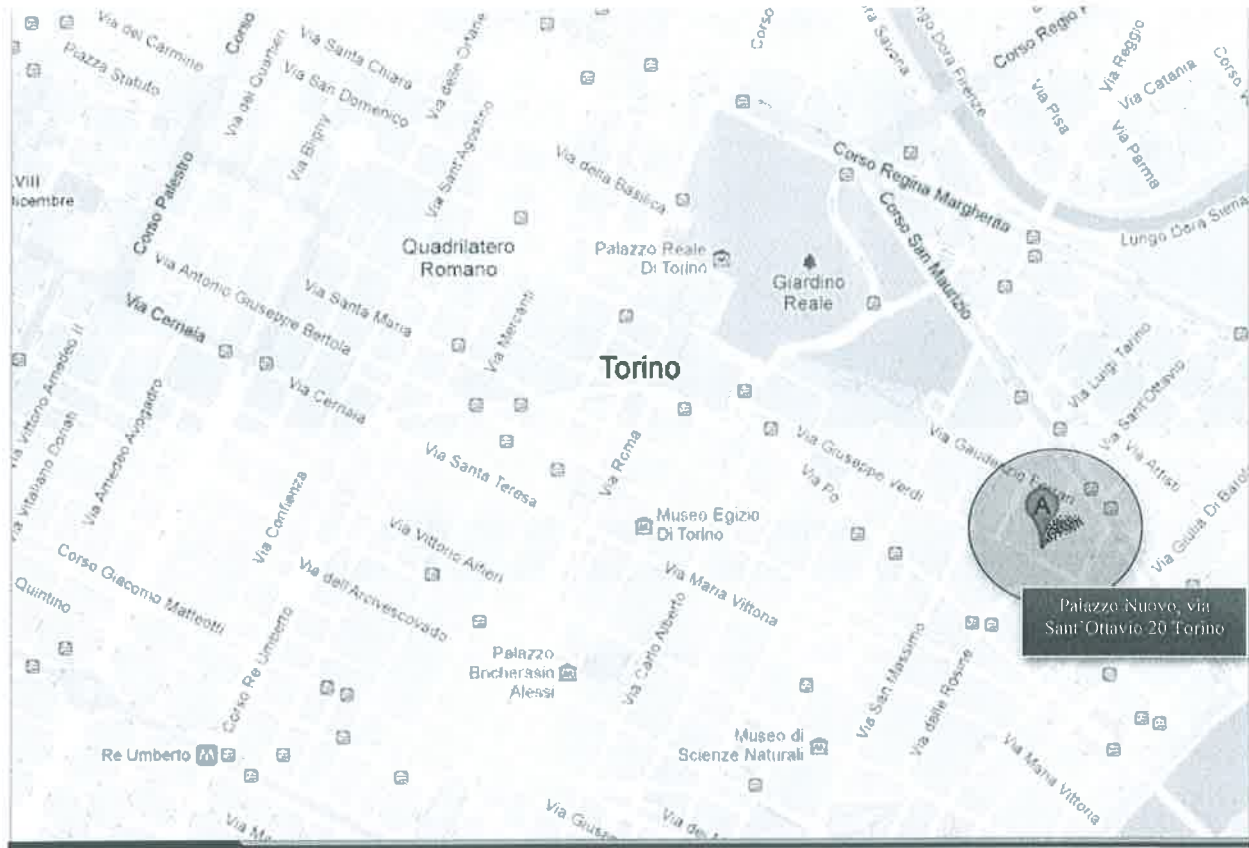
ANNUAL CONFERENCE



Torino, December 16-17, 2011
Palazzo Nuovo, via Sant'Ottavio 20 Torino

co-organized by





INSTRUCTIONS

PAPER'S PRESENTERS: 20 MIN.

PAPER'S DISCUSSANT: 5 MIN

PAPER'S GENERAL DISCUSSION: 5 MIN.

FRIDAY 16 DECEMBER, Morning Session I
8,30 Registration

9,00-10,00				
ROOM	SESSION TITLE	AUTHORS	TITLE	DISCUSSANTS
Room 5 GOVERNO E STABILITA' CHAIR: Giulio Napolitano		Maria De Benedetto	<i>Analisi economica e procedimento amministrativo</i> ■ ■	Mario Pomini
		Mario Pomini	<i>Quando la norma anticipa la riflessione economica: il caso della nascita dell'ordinamento corporativo in Italia</i> ■ ■	Giulio Napolitano
Room "Sala Lauree" HEALTH L&E CHAIR: Giorgio Zanarone		Sofia Amaral-Garcia	<i>Compensation in Medical Malpractice Cases - Spain, 2006/2009</i>	Roberto Ippoliti
		Roberto Ippoliti Greta Falavigna	<i>Human experimentation and the efficiency of European protection systems of patient's rights</i>	Giacomo Neto
Room 32 ANTITRUST I CHAIR: M. A. Rossi		Donatella Porrini	<i>Tutto cambia affinché nulla cambi: il caso del mercato assicurativo RcAuto</i> ■ ■	Giorgio Corda
		Simone Gambuto	<i>Lo scambio di informazioni nella giurisprudenza antitrust: per una critica del caso lama in ottica comparata</i> ■ ■	Donatella Porrini
Room 4 L&E of TAXATION CHAIR: Carla Marchese		Alex Raskolnikov	<i>Accepting the Limits of Tax Law and Economics</i>	Carla Marchese
		D. Paolini P. Pistone G.Pulina M.Zagler	<i>Tax treaties and the allocation of taxing rights with developing countries</i>	Alberto Cassone

FRIDAY 16 DECEMBER, Morning Session II

10,00-11,00				
ROOM	SESSION TITLE	AUTHORS	TITLE	DISCUSSANTS
Room 33 ANTITRUST II CHAIR: Antonio Nicita		Matteo Alvisi Emanuela Carbonara	<i>Bundling Among Rivals: Price Competition, Entry and Innovation when Goods are Substitutes and Complements at the Same Time</i>	Giovanni Immordino
		Giovanni Immordino Michele Polo	<i>Optimal Legal Standards in Antitrust: Traditional v. Innovative Industries</i>	Emanuela Carbonara
Room "Sala Lauree" FINANCE AND COMPARATIVE L&E CHAIR: M. Alessandra Rossi		Carlo Bellavite Laura Pellegrini Davide Romelli	<i>Stabilità e efficienza delle banche popolari europee: l'evidenza empirica in Italia e Germania nel periodo 2006-2009 ■ ■</i>	Margherita Saraceno
		C. Giorgiantonio R. Cori, I. Paradisi	<i>Risk allocation and incentives for private contractors: an analysis of Italian project financing contracts ■ ■</i>	M. Alessandra Rossi
Room 32 BEHAVIOURAL L&E I CHAIR: Matteo Rizzolli		L. Marchegiani T. Reggiani, M. Rizzolli	<i>Mean or lavish? An experiment on performance evaluation errors and effort provision</i>	Giorgio Zanarone
		Matteo Migheli Giovanni Ramello	<i>Commons & Scientific Publishing A behavioural investigation on Open Access journals</i>	Orly Lobel
Room 5 EMPIRICAL L&E CHAIR: Sofia Amaral Garcia		Giacomo Neto	<i>The Impact of Presumed Consent Law on Organ Donation: An Empirical Evidence</i>	Roberto Ippoliti
		Carlos Alencar Ivo Gico Jr.	<i>When Crime Pays: Measuring Judicial Performance against Corruption in Brazil</i>	Sofia Amaral Garcia
Room 4 GOVERNANCE & FINANCE CHAIR: Stefano Lombardo		Alessandro Scopelliti	<i>Off-Balance Sheet Credit Exposure and Asset Securitization: What Impact on Bank Credit Supply?</i>	Vytautas Plečkaitis
		Stefano Lombardo	<i>Freedom of establishment and non-profit entities. Some reflections on the L&E of non-profit entities in the EU</i>	Maribel Saez
Room 24 LAW, CULTURE AND RELIGION CHAIR: . Alberto Cassone		Ugo Pagano	<i>Love, War and Cultures: an Institutional Approach to Human Evolution</i>	Alberto Cassone
		Pavol Minarik	<i>Religion and Economic Attitudes in Post-Communist Transition</i>	Matteo Winkler

11,30 Coffee Break

FRIDAY 16 DECEMBER, Morning Session III

11,45-13,15				
ROOM	SESSION TITLE	AUTHORS	TITLE	DISCUSSANTS
Room 33 JUDICIAL EFFICIENCY I CHAIR: Nuno Garoupa		Michiel de Nooij Flora Felsa	<i>When justice takes time: the social cost of legal delay</i>	Theodore Pelagidis
		Nadia Campaniello Giovanni Mastrobuoni	<i>Rational Suicides: Evidence from Changes in Inmates' Expected Sentence Length</i>	Nuno Garoupa
		Theodore Pelagidis	<i>Quality in Greek Justice</i>	Magda Bianco
Room "Sala Lauree" LIABILITY I CHAIR: Giuseppe Dari Mattiacci		Eugenio Battesini	<i>Use of the Hand Formula in Fault Gradation and Determination of Indemnity</i>	Fernando Gomez
		Pierre Garelo	<i>Negligence or Strict Liability: Should we choose the Simplest Rule for a Complex world?</i>	Giuseppe Dari Mattiacci
		Fernando Gomez Juan-José Ganuza Marta Robles	<i>Product Liability Versus Reputation</i>	Fabrizio Cafaggi
Room 32 GOVERNANCE, FINANCE AND CRISIS CHAIR: Giulio Napolitano		Vijit Chahar et al.	<i>Retooling Corporate Governance: Lessons for and from the Current Crisis</i>	Maria Gutierrez
		Alessio Paces	<i>Liquidity, Uncertainty, and Financial Crisis</i>	Giulio Napolitano
		Lucia Dalla Pellegrina Margherita Saraceno	<i>Does the Polish plumber displace the French one? An empirical investigation of the posting of workers</i>	Filippo Belloc
Room 4 PUBLIC POLICY CHAIR: Boudewijn Bouckaert		Marcos Nobrega	<i>Economic Aspects of Procurement: A Law and Economics Approach</i>	M. Alessandra Rossi
		F. Belloc, A. Nicita M. A. Rossi	<i>Whither Policy Design for Broadband Penetration? Evidence from 30 OECD countries</i>	Giovanni Ramello
		S. Benedettini C. Poletti, F. Pontoni	<i>Electricity distribution investments: no country for old rules? A critical overview of the British and the Italian regulation</i>	Cario Cambini
Room 5 COMPETITION AND ANTITRUST CHAIR: Aldo Frignani		Massimiliano Vatiro	<i>Ordoliberalismo, programma di clemenza e trade-off tra lotta ai cartelli e lotta al potere di mercato ■ ■</i>	Pier Luigi Parcu
		Alessandro Palmieri Antonia Libera Oliva	<i>L'abuso di dipendenza economica nella prassi: sanzioni e rimedi ■ ■</i>	Antonio Nicita
		F. Bripi C. Giorgiantonio	<i>Competition of Pension Funds in Italy: Some Policy Implications ■ ■</i>	Stefano Lombardo

13,15 Lunch

FRIDAY 16 DECEMBER, Afternoon Session I

14,15-15,15				
ROOM	SESSION TITLE	AUTHORS	TITLE	DISCUSSANTS
Room 33 L&E OF MEDIA CHAIR: Carlo Cambini		Lapo Filistrucchi Luigi Luini Andrea Mangani	<i>Regulating one side of a two-sided market: the French advertising ban on prime-time State television</i>	Carlo Cambini
		Michele Pacillo Augusto Preta	<i>Television and relevant markets</i>	Giorgio Corda
Room "Sala Lauree" LAW, ECONOMICS AND RATIONALITY CHAIR: Alan Schwartz		Jonathan Macey	<i>Economy Meets the Law</i>	Simone M. Sepe
		Claire Hill	<i>The Rationality of Preference Construction (and the Irrationality of Rational Choice)</i>	Antonio Nicita
Room 32 HUMAN RIGHTS CHAIR: Pierre Garelo		Daragh Mc Greal	<i>Drafter Decision Making in Human Rights Treaties</i>	Maria Pia Sacco
		Maria Pia Sacco	<i>Preferential Trade Agreements and Human Rights Objectives: Analysis of the European Union Policy</i>	Martina Eckardt
Room 5 ENVIRONMENT I CHAIR: Donatella Porrini		G. Abrate F. Erbetta G. Fraquelli D. Vannoni	<i>The Costs of Disposal and Recycling. An Application to Italian Municipal Solid Waste Services</i>	Donatella Porrini
		Federico Boffa Stefano Clò Alessio D'Amato	<i>Fixed price vs Fixed Quantity with Different Timing of Auction: Incentives to Adopt Low-Carbon Technology under Uncertainty</i>	Stefan Eric Weishaar
Room 4 GIUSTIZIA E PROCEDURA CHAIR: Alberto Cassone		Eleonora Colombo	<i>The data bases for cooperation between justice, security and cost. ■ ■</i>	Giuseppe Di Vita
		Caserta, Consoli & Spagano	<i>Dimensioni qualitative della giustizia ■ ■</i>	Francesco Bripi
Room 24 LAW, ECONOMICS AND COGNITIVE APPROACHES CHAIR: Paolo Giudici		Angela Ambrosino	<i>Gregory Mitchell's Cognitive Legal Theory: New Chances to Modern L&E</i>	Massimiliano Vatiere
		Luca Arnaudo	<i>The Quest for Behavioral Antitrust: Beyond the Label Battle, Towards a Cognitive Approach</i>	Paolo Giudici

FRIDAY 16 DECEMBER, Afternoon Session II

15,15-16,45				
ROOM	SESSION TITLE	AUTHORS	TITLE	DISCUSSANTS
Room 33 GOVERNANCE, FINANCE AND COMPETITION CHAIR: <i>Maria Gutierrez</i>		Giacomo Rodano Emanuele Tarantino	<i>The Causal Effect of Bankruptcy Law on the Cost of Finance</i>	Alessandro Scopelliti
		Maria Gutierrez Maribel Saez	<i>Rethinking the role of independent directors in companies with concentrated ownership structures</i>	Giacomo Rodano
		Rosamaria Bitetti	<i>Competition Law in Developing Countries</i>	Simone Gambuto
Room "Sala Lauree" CONTRACTS CHAIR: <i>Enrico Colombatto</i>		Alan Schwartz Joe Watson	<i>Conceptualizing Contractual Interpretation</i>	Simone M. Sepe
		A. Nicita S. M. Sepe	<i>The Hold Up Problem under Non-Exclusive Competition</i>	Alan Schwartz
		Giorgio Zanarone Desmond Lo	<i>Closed versus Open Price Formats: A Choice between Countering Opportunism and Creating Value</i>	Antonio Nicita
Room 32 ANTITRUST III CHAIR: <i>Pier Luigi Parcu</i>		J. Elizalde M. Kinader I. Rodriguez- Carreño	<i>Entry Regulation in a Linear Market</i>	Lapo Filistrucchi
		Pierluigi Sabbatini	<i>The blurring scope of the non-horizontal merger control in Europe</i>	Giorgio Corda
		Daniilo Samà	<i>The Antitrust Treatment of Loyalty Discounts and Rebates in the EU Competition Law</i>	P. L. Sabbatini
Room 5 BEHAVIOURAL L&E II CHAIR: <i>Theodore Eisenberg</i>		M. Faillo, D. Grieco L. Zart	<i>Legitimate Punishment, Feedback, and the Enforcement of Cooperation</i>	Matteo Migheli
		On Amir Orly Lobel	<i>Innovation Motivation: Behavioral Effects of Post-Employment Restrictions</i>	Giovanni Ramello
		Matteo Migheli Giovanni Ramello	<i>Women in Piracy Behavioral Perspectives on Copyright Infringement</i>	Matteo Rizzoli
Room 4 JUDICIAL EFFICIENCY III CHAIR: <i>Veronica Grembi</i>		Nuno Garoupa Laarni Escresa	<i>Testing the Logic of Strategic Defection: The Case of the Philippine Supreme Court, An Empirical Analysis 1986-2010</i>	Theodore Pelagidis
		Giuseppe Di Vita	<i>The factors determining the duration of legal disputes. An empirical analysis with micro data</i>	Veronica Grembi

16,45 Coffee Break

FRIDAY 16 DECEMBER, Welcome & Keynote, Room "Sala Lauree"

16,45 – 17,00 Welcoming address

GIOVANNI BATTISTA RAMELLO, Università del Piemonte Orientale & IEL Coordinator
GIANMARIA AJANI, Dean Law School, Università di Torino & IEL

Keynote Lecture, 17,00 – 18,00

THEODORE EISENBERG, Cornell University & IEL

*The English vs. the American Rule on Who Pays Attorney fees:
An Empirical Study of Publicly-Held Companies' Contracts*

Chair. ENRICO COLOMBATTO, Università di Torino & IEL

FRIDAY 16 DECEMBER, Evening

18,00-19,30				
ROOM	SESSION TITLE	AUTHORS	TITLE	DISCUSSANTS
Room 33 CONTRACTS AND INNOVATION CHAIR: Luigi Franzoni		Mitja Kovac	<i>Unforeseen Contingencies in English and French Law " A Comparative Contract Law and Economics Perspective</i>	Giorgio Zaranone
		Roberto Bombana Carla Marchese	<i>Designing Fees for Music Copyright Holders in Radio Services</i>	Luigi Franzoni
		Franco Cugno Elisabetta Ottoz	<i>Banning of side payments in patent settlements suffices to fully protect consumers?</i>	R. Vanin
Room "Sala Lauree" LITIGATION AND PROCEDURE CHAIR: Simone M. Sepe		Robert Rhee	<i>Risk Arbitrage in Punitive Damages</i>	Simone M. Sepe
		Marco Marianello	<i>The Alternative Dispute Resolution</i>	Elena D'Agostino
		Shay Lavie	<i>The Subtle Benefit of Rigid Procedure</i>	Antonio Nicita
Room 32 COMPARATIVE L&E II CHAIR: Fabrizio Cafaggi		Giacomo Rojas Elgueta	<i>The Paradoxical Bankruptcy Discharge: Rereading the Common Law-Civil Law Relationship</i>	Francesco Mezzanotte
		Fabrizio Cafaggi	<i>Private Regulation, Supply Chain and Contractual Networks</i>	Giuliana Palumbo
		Josephine van Zeben	<i>Competing Jurisdictions to Competing Competences</i>	Fabrizio Cafaggi
Room 5 FIRMS, POLITICS AND JUDICIAL EFFICIENCY CHAIR: Theodore Pelagidis		N. Garoupa M. Gili F. Gomez Pomar	<i>Political influence and career judges: an empirical analysis of administrative review by the Spanish supreme court</i>	Giovanni Mastrobuoni
		B. Bortolotti C. Cambini L. Rondi	<i>Regulatory Independence, Ownership and Firm Value: The Role of Political Institutions</i>	Enrico Colombatto
		Giacomo Luchella	<i>Impact Assessment and the Policy Cycle in the European Union</i>	Giulio Napolitano
Room 4 COMPETITIVITA', POSIZIONALITA', SOSTENIBILITA' CHAIR: P.G. Monateri		F. Monti F. Spigarelli	<i>Investimenti cinesi in Italia: la sfida al "Made in Italy" ■ ■</i>	Filippo Belloc
		L. Florito M. Vatterio	<i>La posizionalità come presupposto della razionalità e viceversa ■ ■</i>	Luca Amaudo
		Fabrizio Balli	<i>L'applicazione delle scale di equivalenza al calcolo dell'assegno di mantenimento: teoria, simulazioni, coerenza con il quadro normativo e giurisprudenziale ■ ■</i>	Simona Benedettini
Room 24 GOVERNANCE AND COOPERATION CHAIR: Ugo Pagano		Giovanni Ferri Giovanni Pesce	<i>Regulation and the Viability of Cooperative Banks</i>	Stefano Lombardo
		Marcia Ribeiro Weimar Rocha Jr	<i>Institutional environment and contracts: a case study</i>	Pavol Minarik
		Ermanno Tortia	<i>The accumulation and use of common resources in cooperative and social enterprises</i>	Ugo Pagano

20,00 SOCIAL DINNER Bus connection from the Conference site

SATURDAY 17 DECEMBER, Morning Session I

8,30-10,00				
ROOM	SESSION TITLE	AUTHORS	TITLE	DISCUSSANTS
Room 33 REGOLAMENTAZIONE IN ITALIA CHAIR: <i>Giuliana Palumbo</i>		Francesco Decarolis Giuliana Palumbo	<i>La rinegoziazione dei contratti di lavori pubblici: un'analisi teorica e empirica</i>	Antonio Nicita
		Gianluca Faella Pietro Merlino	<i>L'obbligo d'investire nello sviluppo di infrastrutture: note a margine di due storie parallele</i>	Elisa Brodi
		Greta Falavigna Roberto Ippoliti	<i>Regolamentazione e ricerca: un'analisi empirica della sperimentazione clinica nel mercato italiano</i>	M. Alessandra Rossi
Room "Sala Lauree" ENFORCEMENT CHAIR: <i>Fernando Gomez Pomar</i>		Mosca Michele Salvatore Villani	<i>Confiscation and reuse for social aims of illegal gains. The economic role of social enterprise in the fight against the organised crime</i>	Daniela Grieco
		Giacomo Neto	<i>The deterrence effects of gun laws in games with asymmetric skills and information</i>	Salvatore Villani
		Aide Mazurkeviciute Giovanni Ramello	<i>Fines on European Cartels and the Optimal Sanction Theory</i>	Giorgio Corda
Room 32 GOVERNANCE AND PRODUCTIVITY CHAIR: <i>Jonathan Macey</i>		L. Benfratello A. Iozzi M. Piacenza	<i>Asymmetric incentives of private and public firms to labour-saving technical progress: evidence from the Italian motorways industry</i>	Giorgio Zaranone
		C. Bellavite Pellegrini E. Sironi D. Romelli	<i>The impact of governance and productivity on stock returns in European industrial companies</i>	Marta Gutierrez
		Vytautas Plečkaitis	<i>Rent-seeking Activities in Hot IPOs Allocations</i>	R. Vanlin
Room 5 JUDICIAL EFFICIENCY IV CHAIR: <i>Emanuela Carbonara</i>		D. Coviello A. Ichino N. Persico	<i>Worker Time Use and The Duration of Projects</i>	Stefan Voigt
		Emanuela Carbonara Laarni Escresa	<i>To Fine or to Jail? Considering the Role of the Individual Time Constraint</i>	Nuno Garoupa
		Nuno Garoupa Veronica Grembi	<i>Judicial Review in Party System Transitions: The Case of Italy</i>	Silvia Giacomelli
Room 4 PROPERTY PARADIGMS CHAIR: <i>Claire Hill</i>		Lluis Navone	<i>Political property rights. Case-studies on present-day assignment of functional property rights to non owners.</i>	F. Mezzanotte
		Francesco Mezzanotte	<i>The Interrelation between Intellectual Property Licenses and the Doctrine of Numerus Clausus. A Comparative Legal and Economic Analysis</i>	Lidia Navone
		Eva Hendriks	<i>Traditional Knowledge Protection: a Global versus a Domestic approach</i>	Andrea Stazi
Room 24 GENDER L&E CHAIR: <i>Magda Bianco</i>		Giuseppe Foti	<i>The determinants of gender diversity in the European banking industry</i>	Francesco Millo
		C. Drago F. Millo R. Ricciuti Santella	<i>The Role of Women in the Italian Network of Boards of Directors, 2003-2010</i>	Giuseppe Foti
		Magda Bianco Angela Ciavarella Rossella Signoretti	<i>Women on boards in Italy: Who are they? Why are they there?</i>	Simona Benedettini

SATURDAY 17 DECEMBER, Keynote "Sala Lauree"

10.00-11,00 Keynote Lecture

HANS BERND SCHAEFER Bucerius Law School Hamburg

The Sovereign Debt Crisis in Europe, Save Banks not States

Chair: ALBERTO CASSONE, Università del Piemonte Orientale

Discussion:

DONATO MASCIANDARO, Università Bocconi
ALESSIO PACCES, Erasmus School of Law and ECGI

11,00 Coffee Break

SATURDAY 17 DECEMBER, Morning Session II

11,15-12,45				
ROOM	SESSION TITLE	AUTHORS	TITLE	DISCUSSANTS
Room 33 TUTELA DEL CONSUMATORE CHAIR: Pier Luigi Parcu		Pier Luigi Parcu	<i>L'altro Antitrust: dall'asimmetria di potere di mercato all'asimmetria di potere "contrattuale"</i>	Alessandro Palmieri
		Teresa Broggiato	<i>Unfair practices e regolazione nel settore bancario</i>	Pier Luigi Parcu
		Elisa Brodi	<i>«Product attribute information» e «product use information». Linee di policy e recenti sviluppi normativi in punto di tutela del contraente debole</i>	Teresa Broggiato
Room "Sala Lauree" INTELLECTUAL PROPERTY CHAIR: Elisabetta Ottoz		Andrea Stazi	<i>Intellectual property and consumer protection in the knowledge economy: looking for a digital convergence</i>	Elisabetta Ottoz
		Daniele Sabbatini	<i>The protection of industrial inventions: analysis of the regulation and policy evaluation</i>	Orly Lobel
Room 32 LAW AND INSTITUTIONAL DESIGN CHAIR: Nicola Dimitri		G. Dari-Mattiacci E.Hendriks M.Havinga	<i>The Generalized Jury Theorem</i>	Nicola Dimitri
		Shay Lavie	<i>Discretionary Review and Undesired Cases: Lessons for Institutional Design</i>	Pierre Gareilo
		Nicola Dimitri	<i>Mirror revelation" in second-price Tullock auctions</i>	Lapo Filistrucchi
Room 5 JUDICIAL EFFICIENCY V CHAIR: Silvia Giacomelli		S.Giacomelli C. Menon	<i>Firm size and judicial efficiency in Italy: Evidence from the neighbour's tribunal</i>	Paola Valbonesi
		D. Coviello, G. Spagnolo P. Valbonesi	<i>Court efficiency and procurement performance</i>	Magda Bianco
		D'Agostino, Sironi & Sobbrico	<i>To Appeal or not to Appeal. Evidence from Italy</i>	Ivo Gico Jr.
Room 4 CONTRACTS AND REGULATION CHAIR: Martin Zagler		Elena D'Agostino	<i>Consumer sophistication and contract disclosure</i>	Giovanni Ramello
		Martina Eckardt	<i>The Societas Privata Europaea (SPE) " will it promote the internationalization of SMEs?</i>	Martin Zagler
		O. Couwenberg S. Welshaar E.Woordman	<i>Auctioning EU ETS Allowances: A Law and Economics assessment of market manipulation</i>	Stefano Clò
Room 24 ECONOMICS, POLICY AND POLITICS CHAIR: Guido de Blasio		Stefan Voigt	<i>The Interplay Between National and International Law Its Economic Effects Drawing on Four New Indicators</i>	Guido de Blasio
		G.Barone G. de Blasio	<i>Electoral rules and voter turnout</i>	Stefan Voigt
		Francesco Bripi	<i>The role of regulation on entry: evidence from Italian provinces</i>	Simona Benedettini

12,45 SIDE General Annual Meeting & Lunch

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