

International Bar Association

Digitising of International Commerce: new trends from product development and purchasing, through to manufacturing, logistics, supply chains and transportation

Specialist Conference of the International Commerce and Distribution Committee

Supported by the:

Alternative New Law & Business Structures Committee

Corporate Counsel Forum

European Regional Forum

International Trade and Custom Committee

Technology Law Committee



Milan

17th – 18th November 2021

INTERNATIONAL BAR ASSOCIATION

SPECIALIST CONFERENCE OF THE INTERNATIONAL COMMERCE AND DISTRIBUTION COMMITTEE

Digitising of International Commerce: new trends from product development and purchasing, through to manufacturing, logistics, supply chains and transportation

Dates of Conference: Wednesday 17th – Thursday 18th November 2021

City of Conference: Milan

Venues: Milan city center, NH Collection Milano President Hotel, Salone Valente at Tribunal of Milan, Milan Restaurant

Milan highlights

Milan is one of the EU's and the world's major financial and business centres, with the Milan metropolitan area having a 2004 GDP of €241.2 billion (US\$312.3 billion), which means that it has Europe's 4th highest GDP. This means that, if Milan were a country, it would have the world's 28th largest economy, almost the size of that of the economy of Austria. Milan is the 2nd richest European Union City, after Paris. The city has a GDP of \$115 billion, making it the world's 26th richest city by purchasing power. Milan is the world's 11th most expensive city for expatriate employees, and its influence in fashion, commerce, business, banking, design, trade and industry make it an Alpha world city, as well as the world's 42nd most important in the Global Cities Index. Also, the city's hinterland is Italy's largest industrial area, and the FieraMilano fair is considered the largest in Europe. Milan, also, has one of Italy's highest GDP (per capita), about €35,137 (US\$52,263), which is 161.6% of the EU average GDP per capita.

Milan is also regarded as the true current fashion capital of the world, according to the 2009 Global Language Monitor, and annually competes with other major international centres, such as New York, Paris, Rome, London, Los Angeles and Tokyo. Major fashion houses and labels, such as Versace, Gucci, Armani, Valentino, Prada, Dolce & Gabbana, Moschino and Missoni are headquartered in Milan, which greatly contribute to the city's economy.

Programme

Wednesday 17th November

Venue: NH Collection Milano President Hotel, "Valentino Vintage" restaurant

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| 2:30 pm | Registration (at NH Collection Milano President Hotel) |
| 3:30 pm | Departure from NH Hotel by bus |
| 4:00 pm - 5.30 pm | Guided visit at "Campari Gallery" |
| 6:30 pm | Arrival back at the hotel |
| 8:00 pm | Gala dinner at "Valentino Vintage" restaurant |



Thursday 18th November

Venue: Salone Valente at Tribunal of Milan – save for the Corporate Counsel Forum breakfast at the hotel

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| 7.30 – 8.40 am | <p>Corporate Counsel Forum Breakfast: <i>What We Learned from the Pandemic: A View from Corporate Counsel</i> at NH Collection Milano President Hotel – sponsored by Host Committee firms.</p> <p><i>Synopsis – GCs experiences will be shared to reflect on some corporate lessons learned from Covid, about making rapid decisions, strategic pivots and operational change under stress and uncertainty. To help general counsels (GC) navigate what will be persistent disruption of the years ahead, the panel experts will highlight some of the key lessons in three main categories: corporate decision-making and leadership, risk management and managing a remote team.</i></p> |
| 8:30 am – 9:00 am | Registration at Salone Valente, Tribunal of Milan |
| 9:00 am – 9:30 am | Opening remarks by the President of the Milan Bar Vinicio Nardo, the President of the International Relation Commission of the Milan Bar Francesca Zanasi, the ICD Committee Chair Christopher Blake, the Conference Chairs and introduction of keynote speaker |
| 9:30 am – 10.00 am | <p>Keynote Speaker - Prof. Giorgio Sacerdoti</p> <p><i>Synopsis: Giorgio Sacerdoti, former President of the WTO Appellate Body, university</i></p> |

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| | <p><i>professor, attorney at law and arbitrator, will share his great experience and provide insights on the current initiatives on the international trade and commerce, specifically those within the WTO context, aiming at regulating and facilitating the cross border digital commerce.</i></p> |
| 10:00 am – 11:30 am | <p>Session: Supply chain changes/resiliency in the “post Covid” environment and taxation of digital services.</p> <p>Synopsis – <i>Exploration of consequences for the international supply chain, tax, trade and customs. Digitization is dramatically changing the nature and speed of international supply chains. How does e-commerce affect the processes of product development, manufacturing, distribution, and the taxes and customs outcome. Does it increase their resiliency? Has the recent pandemic accelerated the digitization of changes to supply chains and has it impacted the “reshoring” of functions from abroad? Businesses that have moved on a timely basis to digitize their supply chain, including customs and tax procedures (and of custom valuation and transfer pricing), have gained efficiencies and developed a new degree of resiliency to create a competitive advantage. This panel will discuss how during Covid-19 times: 1) e-commerce has affected the approaches to tax, trade laws and customs, 2) the impact on outsourcing as well as 3) what we can expect in the future and the key legal issues arising therefrom.</i></p> |
| 11.30 am – 11:45 am | Coffee break |
| 11:45 am – 1:15 pm | <p>Session: Digitization of goods and services: the legal framework for electronic sales, product liability and digital technology.</p> <p>Synopsis – <i>Digitization of goods, services and processes requires stakeholders to be aware of the changing legal framework to be implemented. Electronic purchasing is becoming a standard for some industries,</i></p> |

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| | <p>resulting in the digitization of communications, documents and contract-makings. From another perspective, there is an increasing spread of goods and services exploiting digital technology, artificial intelligence and robotics. Manufacturers and distributors of such technological products must be able to ensure consumers' safety and be conscious that the legal system in terms of product liability is constantly evolving.</p> |
| 1:15 pm – 1:30 pm | <p>Gender diversity initiative An ambitious global IBA project on gender equality in the legal profession, addressing why do law firms need gender diversity initiatives and how should they be implemented.</p> |
| 1:30 pm – 2:30 pm | Buffet luncheon |
| 2:30 pm – 4:00 pm | <p>Session: <i>Fashion and retail from difficult to even more complicated times: industry challenges ahead</i> Synopsis - <i>Dramatic changes were underway in the fashion and retail industries already. Challenges as: adapting to fast evolving consumer behaviour, converting to fast fashion and winning the battle on digital have been the mantra over recent years. How has the Covid-19 pandemic accelerated these phenomena and/or changed the course of these industries? Is the change for good or temporary? What hurdles are the brands facing nowadays and how does legal advice need to adapt to provide the required support? Speakers from the industry and practicing attorneys bring their experiences to the table.</i></p> |
| 4:00 pm – 4:15 pm | Coffee break |
| 4:15 pm – 5:45 pm | <p>Session: <i>The food supply chain gets horizontal – How e-commerce of food & beverage commodities and products impacts on traditional distribution systems and legal archetypes</i> (“roundtable” discussion group format)</p> |

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| | <p>Synopsis - The audience will be divided into eight discussion groups for this session to address the following relevant sub-topics:</p> <p>(a) The application of food safety controls when departing from traditional supply chain;</p> <p>(b) how to enhance the contractual strength of suppliers when dealing with the big online service providers;</p> <p>(c) is the food & beverage on-line supply chain shorter or longer? What are the pros and cons?</p> <p>(d) can the new reality of F&B e-commerce contribute to a greener world?</p> <p>(e) will the parcelization of food deliveries reduce food waste?</p> <p>(f) who is the new consumer of food & beverage e-commerce? How to protect him?</p> <p>(g) what are the differences between keyword ranking and eye-level physical market shelves in terms of visibility of food products? How to reconcile manufacturers', distributors' and consumers' interests altogether?</p> <p>(h) how as the pandemic brought more trust in the decision-making process when dealing with food than it was in the past? Has the pandemic revolutionized the concept of trust in international commerce?</p> |
| 5:45 pm – 6:00 pm | Closing remarks |
| 6:30 pm | Hosting Firms Cocktail reception at “ <i>I Chiostrì di San Barnaba</i> ” – sponsored by Host Committee firms |



IBA International Commerce & Distribution Committee Chairs:

Christopher Blake, Hahn Loeser, Cleveland, USA

Javier Canosa, Canosa Abogados, Buenos Aires, Argentina

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Guillermo Sanchez Chao, Chevez Ruiz Zamarripa y Cia, Mexico City, co-Chair, IBA International Trade & Customs Committee

Derya Durlu Gürzumar, Istanbul Bar Association, Istanbul; Chair, IBA Alternative & New Law Business Structures Committee

Co-sponsoring Committee:

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Hosting Firms:

1) Cajola & Associati

2) CMS Adonnino Ascoli & Cavasola

3) Cocuzza & Associati

4) Paratore & Partners

5) Tonucci & Partners

6) LCA

7) R&P Legal & Tax

8) CBM & Partners

9) OMNIA Desks





Rosters of Panellists:

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| 7:30 am – 8:40 am | <p>Corporate Counsel Forum Breakfast: <i>What We Learned from the Pandemic: A View from Corporate Counsel</i></p> <p>Co-Moderators:</p> <ol style="list-style-type: none"> 1) Gabriella Porcelli, General Counsel & Worldwide IP, Ethics and Compliance Director, Fendi, Rome 2) Mayra Lucas, digital sales tax expert at OECD, Paris, France |
| 10:00 am – 11:30am | <p>Session: <i>Supply chain changes/resiliency in the “post Covid” environment and taxation of digital services</i></p> <p>Co-moderators:</p> <ol style="list-style-type: none"> 1) Dalton Albrecht, Ernst & Young, Toronto, Canada 2) Riccardo G. Cajola, Cajola & Associati, Milan, Italy <p>Speakers:</p> <ol style="list-style-type: none"> 1) Guillermo Sanchez Chao, Chevez, Ruiz, Zamarripa y Cía SC, Mexico City, Mexico 2) Mayra Lucas, digital sales tax expert at OECD, Paris, France 3) Pietro Galizzi, Head of Legal, Regulatory and Compliance Affairs, Eni gas e luce S.p.A. |

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| | <p>4) John Wainwright, Vice President Leggett & Platt Global Supply Chain, Leggett & Platt, Inc., Chicago, USA</p> <p>5) Hanim Hamzah, Zico Law, Singapore</p> |
| 11.45 am – 1:15 pm | <p>Session: <i>Digitization of goods and services: the legal framework for electronic sales, product liability and digital technology</i></p> <p><i>Co-moderators:</i></p> <p>1) Laura Opilio, CMS Adonnino Ascoli & Cavasola, Rome, Italy</p> <p>2) Dietmar Huemer, Legis, Vienna, Austria</p> <p><i>Speakers:</i></p> <p>1) James Harper, Legal Director (Global Projects) at LexisNexis UK Lexis Nexis</p> <p>2) Giuseppe Calabi, CBA & Partners, Milan, Italy</p> <p>3) Professor Roberta Montinaro, Università degli Studi di Teramo</p> <p>4) Valerio Bruno, Director of Legal Services at Accenture, Rome, Italy</p> |
| 1:15 pm – 1:30 pm | <p>Gender diversity initiative</p> <p>Introduced by:</p> <p>1) Judith Allison Lee, Gibson Dunn & Crutcher, Washington DC, USA</p> <p>2) Raquel Stein, Souto, Correa, Cesa, Lummertz & Amaral Advogados, Porto Alegre, Brazil</p> |
| 2:30 pm – 4:00 pm | <p>Session: <i>Fashion and retail from difficult to even more complicated times: industry challenges ahead</i></p> <p><i>Co-moderators:</i></p> <p>1) Alessandro Barzaghi, Cocuzza & Associati, Milan, Italy</p> <p>2) Dirk Schwenn, Schomerus & Partners, Hamburg, Germany</p> <p><i>Speakers:</i></p> <p>1) Dominic Hui, Ribeiro Hui, Hong Kong, China</p> <p>2) Gabriella Porcelli, General Counsel & Worldwide IP, Ethics and Compliance Director, Fendi, Rome</p> <p>3) Sajai Singh, J Sagar Associates, Bangalore, India</p> |

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| | 4) Patrizia Carrozza, General Counsel, Valentino, Milano, Italy |
| 4:15 pm – 5:45 pm | <p>Session: <i>The food supply chain gets horizontal – How e-commerce of food & beverage commodities and products impacts on traditional distribution systems and legal archetypes</i> (“roundtable” format with eight groups and two facilitators/speakers for each “roundtable”)</p> <p><i>Co-Moderators:</i></p> <ol style="list-style-type: none"> 1) Judith Allison Lee, Gibson Dunn & Crutcher, Washington DC, USA 2) Fabrizio Paratore, Paratore & Partners, Rome, Italy <p><i>Speakers:</i></p> <ol style="list-style-type: none"> 1) Nicola Lucifero, LCA, Rome, Italy 2) Antonio Pena, Greenberg Traurig, Miami, USA 3) Fiammetta Capecchi, Lexpertise, Milan, Italy 4) Caterina Iodice, Omnia Desks, London, UK 5) Christopher Blake, Hahn Loeser, Cleveland, USA 6) Dominik Ziegenhahn, Raschke Von Knobelsdorff Heiser, Hamburg, Germany 7) Oreste Marchini, Tonucci & Partners, Milan, Italy 8) Caroline Berube, HJM Asialaw & Co., Singapore 9) Raquel Stein, Souto, Correa, Cesa, Lummertz & Amaral Advogados, Porto Alegre, Brazil 10) Karl J. Veldkamp, Markham (Toronto), Canada |