



# MARTIM FERREIRA DOS SANTOS FARINHA

Phd Student, NOVA School of Law

Researcher at *CEDIS I&D*, *NOVA Consumer Lab* and *Observatório da Proteção de Dados Pessoais*, in the fields of Law and Technology, Consumer, Copyright and Data Protection Law.

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## EDUCATION

SEPTEMBER 2021 – PRESENT

**PHD IN LAW**, NOVA SCHOOL OF LAW, LISBON PORTUGAL

Currently attending the PhD in Law, in specialization in Private Law, in the fields of Consumer, Data Protection and Copyright Law.

SEPTEMBER 2019 – PRESENT

**MASTER'S IN LAW AND TECHNOLOGY**, NOVA SCHOOL OF LAW, LISBON PORTUGAL

Concluded the taught component with an average of 18.00/20, awarded a scholarship of merit by the Dean of the University. Currently writing the Master Thesis on The Protection of the Consumer-Author and User Generated Content against predatory terms of Intellectual Property Rights in digital services.

SEPTEMBER 2015 – JULY 2019

**BACHELOR'S IN LAW**, NOVA SCHOOL OF LAW, LISBON PORTUGAL

Concluded the Degree with a final average of 17/20.

## WORK EXPERIENCE

OCTOBER 2021 – AUGUST 2022

**SCHOLARSHIP PHD STUDENT**, CEDIS I&D, OBSERVATÓRIO DA LEGISLAÇÃO PORTUGUESA

Worked in the “LegImpact Project - The law-making as a means of implementing public policies: quantitative and socioeconomic analysis” as PhD Student researcher, developing methodologies to identify, classify and measure gold-plating in the transposition of European directives into national law.

Also worked in the Jean Monnet Module on European Union Data Protection Law in Portugal (DataporEU), in Observatório da Proteção de Dados, NOVA School of Law, organizing Anuário da Proteção de Dados 2022, several webinars and e-course.

OCTOBER 2020 – JULY 2021

**TRAINEE IN DATA PROTECTION, FUTURA LAW&TECH**

Worked in Data Protection Law, more specifically, performing Data Protection Impact Assessments, participating in GDPR implementation projects on private and public entities, and counseling clients on privacy related matters.

FEBRUARY 2020 – PRESENT

**LEGAL CONSULTANT AND RESEARCHER, NOVA CONSUMER LAB**

Worked in the legal assistance line of the Directorate-General for Consumers Affairs, advising consumers in legal matters, complaints, and information requests.

Currently an affiliated researcher at NOVA Consumer Lab. Current research project focuses on the subjects of “Virtual Goods and European Consumer Law” and “Protection of Consumer’s IP rights in Digital Services”

July 2018 and July 2019

**SUMMER LEGAL INTERN, MORAIS LEITÃO**

Worked two summers on the Department of European and Competition Law of Morais Leitão (ML).

## PUBLISHED ARTICLES AND BOOK CHAPTERS

- Author, “Os limites da Proteção dos Consumidores no regime do Tratamento de Dados Pessoais como Contraprestação na Diretiva (UE) 2019/770”, in Jorge Morais Carvalho, Inês Crispim, Maria Miguel Oliveira da Silva, Martim Farinha, *Diretivas 2019/770 E 2019/771 E Decreto-Lei N.º 84/2021 -Compra E Venda, Fornecimento De Conteúdos E Serviços Digitais, Conformidade, Sustentabilidade E Dados Pessoais*, Almedina Coimbra 2022, pp. 125 a 163.
- Co-author with Jorge Morais Carvalho, “Os Desafios do Mercado Digital para o Direito dos Contratos de Consumo à Luz do Direito Europeu”, in Marcos Ehrhardt Júnior, Marcos Catalan, Pablo Malheiros, *Direito do Consumidor e Novas Tecnologias*, Editora Forum 2021. <https://digital.editoraforum.com.br/livro/direito-do-consumidor-e-novas-tecnologias-4266/1>
- Author, “Modifications on the Digital Content or Digital Service by the Trader in the Directive (EU) 2019/770” in *RED – Revista Electrónica de Direito*, Vol. 25 N.º 2, July 2021, <https://cije.up.pt/pt/red/edicoes-anteriores/2021-nordm-2/>
- Co-author with Jorge Morais Carvalho and Francisco Arga E Lima, “Introduction to the Digital Services Act, Content Moderation and Consumer Protection”, in *Revista de Direito e Tecnologia*, Vol. 3 (2021), No.1, 71-104, <https://blook.pt/publications/publication/079dbcfa6aea/>.
- Author of a text in “Casos Práticos Resolvidos de Direito do Consumo Vol.2” (2020) Almedina, ISBN 978-972-40-8939-3.
- Co-author with Jorge Morais Carvalho, “Goods with Digital Elements, Digital Content and Digital Services in Directives 2019/770 and 2019/771”, in *Revista de Direito e Tecnologia*, Vol. 2 (2020), No. 2, 257-270, available in <https://blook.pt/publications/fulltext/b760bacb46c9/>.

- Author “Loot-Boxes e Skin Gambling – Novos Jogos De Fortuna E Azar Online? Análise Do Panorama Internacional, da Legislação Portuguesa e a Necessidade De Futura Harmonização”, in *ELSA Portugal Law Review*, Vol. 1, N°3 ISSN 2184-4259 available in <https://www.yumpu.com/pt/document/read/62459330/law-review-vol-i-numero-123> e <https://ssrn.com/abstract=3569772>.

## CONFERENCES

- **Multilevel Legislative Drafting and Legislative Impact Assessment**, 15<sup>th</sup> July 2022, International Association of Legislation, speaker in the Presentation of methodology and results of Legimpact Project, with the topic of **Methodological approaches to the identification and classification of Gold-Plating** in the transposition of European Directives. See <https://ial-online.org/international-conference-on-multilevel-legislative-drafting-and-legislative-impact-assessment-programme-lisbon-15-july-22/>
- **ICON S ANNUAL CONFERENCE '22 - Global Problems and Prospects in Public Law**, 5<sup>th</sup> July 2022, speaker in the panel “**Gold-Plating and Other Challenges for Multilevel Legislative Cycles**” with a presentation on methodological approaches to Gold-Plating, <https://conference.icon-society.org/event/gold-plating-and-other-challenges-for-multilevel-legislative-cycles/>
- “**Overlaps and Gaps in EU Data Protection Law**”, 29<sup>th</sup> April 2022, as part of the scientific coordination that organized the conference. This event was organized by NOVA School of Law, as part of the South EU Google Data Governance Chair. See more info in <https://novalaw.unl.pt/overlaps-and-gaps-in-eu-data-protection-law/>
- “**I Encontro NOVA Consumer Lab – Brasilcon**”, (19/04/2022), as a speaker with the topic “**Dados Pessoais como Contraprestação: limites da proteção dos consumidores nos contratos de fornecimento de conteúdos e serviços digitais**”. More information [here](#).
- “**Temas do Direito de Consumo**” organized by the Portuguese Bar Association - Delegation of Braga, 15<sup>th</sup> March 2022, as a speaker with the presentation “**A proteção dos consumidores e dos seus dados pessoais nos contratos de fornecimento de conteúdos e serviços digitais**”, available in <https://www.youtube.com/watch?v=YCanJtINOEk>. E-book of the presentation available here (pages 63-74): <http://www.oa.pt/Conteudos/Media/file.aspx?ida=162614>
- **NOVA Consumer Talks #2 – Virtual Goods and European Consumer Law**, 4<sup>th</sup> November 2020, as a speaker, available in <https://youtu.be/cHSWIUa8Rew>.
- **I Jornadas do NOVA Consumer Lab**, 6<sup>th</sup> May 2020, as a speaker with the subject “**Os Bens Virtuais e o Direito do Consumo Europeu**”, available in [https://www.youtube.com/watch?v=cTek\\_IdZcWA&t=385s](https://www.youtube.com/watch?v=cTek_IdZcWA&t=385s).

## LECTURES

- Guest lecturer at “**Curso Breve de Direito e Tecnologia**”, by AEFDUP (Faculdade de Direito da Universidade do Porto), under the scientific coordination of Dr. Prof. João Vieira dos Santos, with the topic “**Proposta de Regulamento sobre os Serviços Digitais**” (Digital Services Act) (08/04/2022)
- Guest lecturer in the short course “**Blockchain: The Legal Challenge**”, by ELSA UCP (Universidade Católica Portuguesa-Escola de Lisboa), with the topic “**Non-Fungible Tokens (NFTs) and the Protection of Consumers and Retail Investors**”, (23/03/2022).
- Lecturer in a course on Data Protection Law, by NOVA School of Law, in a session on Data Protection and Consumer Law “**Proteção de Dados Pessoais e a Defesa dos Consumidores**”, (23/02/2022). See the course’s program in <https://novalaw.unl.pt/e-curso-de-protecao-de-dados-pessoais/>

- Lecturer in a course by the Portuguese Bar Association, Council of Lisbon, “**Compra e Venda e Fornecimento de Conteúdos e Serviços Digitais - Análise ao Decreto-Lei n.º 84/2021, de 18 de outubro**”, in a session on contracts for the supply of digital content and digital services “Fornecimento de conteúdos e serviços digitais”. (20/1/2022). Recording available online in <https://www.youtube.com/watch?v=BEFadjjI9y0>. E-book of the presentation available here: <https://crlisboa.org/docs/publicacoes/online/2022/compra-e-venda-e-fornecimento-de-conteudos-e-servicos-digitais.pdf>.
- Participated as a guest lecturer in a course by ELSA U. Lisboa “**Direito do Consumidor na Era Digital**”, where I spoke on the topic of Digital Platforms and Consumer Law. (06/04/2021).

## LEGAL RESEARCH BLOG

As a researcher in NOVA Consumer Lab, I have published several articles in [NOVA Consumer Blog](#), the legal research blog of this knowledge center, in subjects related with technology, digital services and Consumer Law. These are just some of my most viewed articles:

- Reabrir a controvérsia das loot boxes nos videojogos (08/06/2022), available [here](#).
- O Início do(S) Caso(S) Tiktok? – Cláusulas Contratuais Gerais, Bens Virtuais E Copyright (23/02/2021), available [here](#).
- Cyberpunk 2077 e o problema da falta de conformidade dos videojogos no seu lançamento (11/1/2021), available [here](#).
- Digital Services Act e Digital Markets Act – Novas regras europeias para os serviços digitais e para os mercados digitais (17/12/2020), available [here](#).
- Proteção do Consumidor na Proposta da Comissão Europeia para a Regulação de Crypto-assets (10/11/2020), available [here](#).

## Moot Court Competitions

- Participated in the European Round of the 2020 **Manfred Lachs Space Law Moot Court**, organized by the European Center for Space Law and the University of Wien.
- Winner of the **II Portuguese Competition Law Moot Court** (2018), and Semi-finalist in the **Portuguese International Public Law Moot Court** (2017).
- Master of the Moot in the **III Portuguese Competition Law Moot Court Competition** (2019).
- Participated as organizer, jury and coach in several competitions through the years, in the field of European Law, Data Protection and International Public Law.