

An event presented by the IBA European Regional Forum



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12th IBA French-Italian Day

24 November 2022

Automobile Club de France, Paris, France

Topics include:

- Energy and infrastructures - Roll-out and practical implementation of the French Italian Treaty ('Trattato del Quirinale')
- ESG with focus on due diligence and litigation
- Metaverse and NFT

SIMULTANEOUS TRANSLATION ITALIAN/FRENCH/ITALIAN WILL BE PROVIDED



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Programme

Event Co-Chairs

Jacques Buhart *McDermott Will & Emery, Paris; IBA Honorary Life Member of Council and Association*
Luca Andrea Frignani *Chiomenti, London; Chair, Public Policy Working Group; IBA European Regional Forum*

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Clémence Colin *J.P. Karsenty & Associés, Paris*
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Alessandra Piersimoni *BonelliErede, Milan*
Philippe Portier *Jeantet, Paris*
Anne-Lise Puget *Bersay, Paris*
Riccardo Rossi *Chiomenti, Milan*
Gaël Rousseau *Fidal, Paris*

Thursday 24 November

0930 – 1000 **Registration and welcome coffee**

1000 – 1015 **Opening remarks**

Jacques Buhart *McDermott Will & Emery, Paris; IBA Honorary Life Member of Council and Association*

Emanuela D'Alessandro *Italian Ambassador in France, Paris*

1015 – 1145 **SESSION ONE**

Energy and infrastructures – Roll-out and practical implementation of the French Italian Treaty ('Trattato del Quirinale')

The current geopolitical tragic and unprecedented energy crisis, together with the decarbonisation objectives under the Paris Agreements constitute a possible 'tsunami' on the European energy landscape, with the goal to achieve energy autonomy. In this context, network infrastructures (electricity interconnections, gas pipelines, storage, LNG terminals) and fast development of alternative energy sources such as renewables and hydrogen

become fundamental and can only be addressed through a cross border pan-European approach. The collaborations between France and Italy in the field of energy and the management of the repercussions of the increase in energy costs in this period have been the focus of talks between the two countries in the path towards the signature of the French Italian Treaty 'Trattato del Quirinale', which reaffirmed and consolidated the relations between Italy and France.

Moderator

Giuseppe Velluto *Gianni & Origoni, Milan*

Speakers

Jean Latournerie *Latournerie Wolfrom Avocats, Paris*

Christelle Rouille *CEO, Hynamics, Paris*

Giampaolo Russo *General Director, Assogas, Milan*

Catia Tomasetti *BonelliErede, Milan*

1145 – 1200 **Coffee break**

Event supported by the following law firms

August Debouzy
Bersay
Darrois Villey Maillot Brochier
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Franklin

Gide Loyrette Nouel
Jeantet
JP Karsenty
Latournerie Wolfrom
McDermott Will & Emery

1200 – 1330 SESSION TWO

ESG with focus on due diligence and litigation

The past years have seen a constant rise in the breadth and the scope of both national and European ESG regulation applicable to corporations. Those include notably enhanced extra-financial reporting, increased consideration for environmental and social issues in the decision-making process (e.g. Pacte law in France and developments on corporate interest, *raison d'être* and missions), board and management diversity, stringent say-on-pay procedures, fight against corruption and new due diligence requirements (duty of vigilance and annual vigilance plans). In parallel, investors' demand for accountability on ESG matters is increasing dramatically, as evidenced by the development of ESG-based activism campaigns as well as the new practice of "Say on Climate" resolutions at general meetings of shareholders. Investment funds are themselves subject to such enhanced scrutiny with broader disclosure obligations on their investment decision-making process and due diligence policies in connection with sustainability risks and factors. In this fast-changing legal environment, with the proliferation of regulation and standards, corporations and their board members and managers are facing new potential liabilities. ESG-related lawsuits – which were in the past mostly directed at States and government actions – are increasingly common and take many forms, with NGOs, associations of shareholders and other interested parties acting against large companies with cases seeking not only compensation but also more structural policy changes.

Moderator

Hugo Diener *Darros Villey Maillot Brochier, Paris*

Speakers

Cecilia Carrara *Legance, Rome*

Christiane Deniger *Senior Vice President, Burford Capital, London*

Lea Guerin *Advocacy Officer - Corporate regulation Oxfam, Paris*

Laura Monforte *Legal Advisor, ENI, Milan*

Riccardo Rossi *Chiomenti, Milan*

1330 – 1445 **Buffet lunch**

1445 – 1615 SESSION THREE

Metaverse and NFT

Many years ago, the idea that a GIF or a JPEG file would be considered a piece of art, or a fashion item collectible was unthinkable, but today they are known as NFTs, crypto investment assets with a market that surpassed 49 billion dollars in 2021. These unique digital tokens are bought and sold on the internet and many tech investors, luxury firms, but also artists and designers have seen huge profits. Meanwhile, the NFT market has been spreading and heavily also developing thanks to the expansion of the Metaverse (or the Metaverses, as there are currently a few dozen accessible). France and Italy have been among the first countries in the world to enact new legislation on new technologies (including blockchain) and are certainly the two main countries for fashion and luxury-related items. Our panel aims at giving an overall picture of the Metaverse and the NFT market, of how the business and the practice are evolving, not without mentioning the state of art of the legislation and the position of the legal scholars in the two jurisdictions. In particular, we will focus on certain key IP topics in this field, leveraging on recent US case-law.

Co-Moderators

Gaspard Dori *CastaldiPartners, Milan*

Sandra Strittmatter *Franklin, Paris*

Speakers

Fabrizio Caretta *General Counsel, Dolce & Gabbana, Milan*

Lydia Mendola *Portolano Cavallo, Milan*

Mahasti Razavi *August Debouzy, Paris*

Prof. Eike Dieter Schmidt *Director, The Uffizi, Florence*

1615 – 1645 **Closing remarks**

Luca Andrea Frignani *Chiomenti, London; Chair, Public Policy Working Group; IBA European Regional Forum*

1645 – 1745 **Closing cocktail**

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<https://bit.ly/3Ae2eUT>

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the global voice of the legal profession

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The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 80,000 individual lawyers and more than 190 bar associations and law societies spanning over 170 countries.

Inspired by the vision of the UN, the IBA was founded in the same spirit, just before the Universal Declaration of Human Rights was proclaimed in 1948.

The principal aims and objectives of the IBA are:

- to promote an exchange of information and views among its members as to laws, practices and professional responsibilities around the globe;
- to support the independence of the judiciary and the right of lawyers to practise their profession without interference;
- to support human rights for lawyers worldwide through the IBA Human Rights Institute;
- to provide members with world class professional development to enable them and their organisations to deliver outstanding legal services
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- to be committed to the development of international law reform; and
- to contribute to the advancement, development and harmonisation of law at an international level.

The IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information, enabling them to better represent their clients' interests.

Through its various committees, fora and task forces, the IBA facilitates the exchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of law around the globe.

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