

DR. PRZEMYSŁAW PAŁKA

Assistant Professor of Law **at the Jagiellonian University in Krakow**
Affiliated Fellow **at the Information Society Project, Yale Law School**



Last Updated: March 22, 2023

EDUCATION

- Sep 1, 2014 –
Dec 20, 2017 **Doctor of Laws (Ph.D.)**, European University Institute, Department of Law, Florence, Italy
- Thesis title: *Virtual Property: Towards a General Theory* (supervised by Prof. Giovanni Sartor), available in open access at: <https://cadmus.eui.eu/handle/1814/49664>
- Sep 1, 2013 –
Aug 31, 2014 **Master of European, International and Comparative Law (LL.M.)**, European University Institute, Department of Law, Florence, Italy
- Oct 1, 2008 –
Jun 12, 2013 **Master of Laws (M.A.)**, University of Warsaw, Faculty of Law, Warsaw, Poland
- Founding President of the CyberLaw Student Association (01/10/2012 – 30/06/2013)
 - Erasmus exchange at the University of Bergen, Norway (15/08/2011 – 01/06/2012)

PROFESSIONAL EXPERIENCE

- Jan 4, 2021 –
present **Assistant Professor**, Jagiellonian Law (Krakow, PL)
- Principal Investigator, Project “Private Law of Data: Concepts, Practices, Principles & Politics” (Norway Grants)
 - Principal Investigator, Project “Consumer Law and the Attention Economy” (National Science Center, Poland)
- Aug 1, 2020 –
Dec 31, 2020 **Associate Research Scholar**, Yale Law School, remotely
- Cooperation with the YLS Center for Private Law in a project regarding consumer law, technology and inequality
- Aug 1, 2018 –
Jul 31, 2020 **Research Scholar**, Yale Law School, New Haven CT, United States
- Fellow in Private Law, Yale Law School Center for Private Law (full time, conducting individual research + co-directing the intellectual life of the Center with Prof. Daniel Markovits)
 - Resident Fellow, Information Society Project at Yale (by affiliation; director Prof. Jack Balkin)

- Jan 1, 2018 – Jul 31, 2019 **Research Associate**, European University Institute, Department of Law, Florence Italy
- Full time; Conducting research for, and coordinating work of others in, two research projects at the intersection of law and artificial intelligence (CLAUDETTE and ARTSY; PIs Prof. Giovanni Sartor and Prof. Hans-W. Micklitz)
- Apr 1, 2016 – Dec 31, 2017 **Research Assistant**, European University Institute, Department of Law, Florence, Italy
- Part-time; Assisting Prof. Hans-W. Micklitz in various research projects concerning the intersection of the EU private law and digitalization
- Feb 1, 2013 – Feb 14, 2013 **Clerk**, District Court in Gliwice, Poland (Sąd Okręgowy)
- Winter internship; analyzing case law and suggesting possible legal outcomes
- Jul 1, 2012 – Aug 31, 2012 **Intern**, Office of the Inspector General for the Protection of Personal Data (GIODO), Warsaw, Poland
- Summer internship; drafting decisions of the agency, responding to legal questions of individuals, analyzing legal material
- Jul 1, 2011 – Jul 31, 2011 **Intern**, CMS Cameron McKenna, Warsaw, Poland
- Summer internship; Data Protection Division, drafting privacy policies and answers to clients' legal questions
- Nov 1, 2010 – Feb 28, 2011 **Intern**, Helsinki Foundation of Human Rights, Warsaw, Poland
- One day a week; Assessment of the existence of human rights violation in cases submitted by clients; drafting responses to correspondence

PUBLICATIONS

Books

P. Pałka, O. Kanevskaia, B. Brożek eds., *RESEARCH HANDBOOK ON LAW & TECHNOLOGY*, Edward Elgar (2023, forthcoming)

Articles & peer-reviewed conference proceedings

P. Pałka, *Term of Injustice*, WEST VIRGINIA LAW, Vol. 126 (2023, forthcoming); preprint available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4391666

P. Pałka, P. Bystranowski, B. Janik, M. Próchnicki, *When “a Citizen” Becomes Little Mary J. – The Abstract–Concrete Effects in Legal Reasoning, and the Rule of Law*, DIRITTO & QUESTIONI PUBBLICHE (2023, forthcoming)

P. Pałka, *Ciało Obce: Zasady RODO a Gospodarka Rynkowa* [in Polish: *An Alien Body: The GDPR Principles in the Market Economy*], INTERNETOWY KWARTALNIK ANTYMONOPOLOWY I REGULACYJNY, Vol. 11 No. 4 (2022) pp. 62-84; open access: https://ikar.wz.uw.edu.pl/images/numery/ikar_5_11/iKAR_511-22_7Pałka.pdf

- P. Pałka, *The World of Fifty (Interoperable) Facebooks*, SETON HALL LAW REVIEW, Vol. 51, No. 4, pp. 1193-1239 (2021); open access: <https://scholarship.shu.edu/shlr/vol51/iss4/5/>
- P. Pałka, *Algorithmic Central Planning: Between Efficiency and Freedom*, LAW AND CONTEMPORARY PROBLEMS, Vol. 83, No. 2, pp. 125-149 (2020); open access: <https://scholarship.law.duke.edu/lcp/vol83/iss2/7>
- P. Pałka, *Data Management Law for the 2020s: The Lost Origins and the New Needs*, BUFFALO LAW REVIEW, Vol. 68, No. 2, pp. 559-640 (2020); open access: <https://digitalcommons.law.buffalo.edu/buffalolawreview/vol68/iss2/4/>
- M. Lippi, G. Contissa, A. Jabłonowska, F. Lagioia, H.-W. Micklitz, P. Pałka, G. Sartor & P. Torroni, *The Force Awakens: Artificial Intelligence for Consumer Law*, JOURNAL OF ARTIFICIAL INTELLIGENCE RESEARCH, Vol. 67, pp. 169-190 (2020); open access: <https://jair.org/index.php/jair/article/view/11519>
- M. Lippi, P. Pałka, G. Contissa, F. Lagioia, Hans-W. Micklitz, G. Sartor & P. Torroni, *CLAUDETTE: An Automated Detector of Potentially Unfair Clauses in Online Terms of Service*, ARTIFICIAL INTELLIGENCE AND LAW, Vol. 27, No. 2, pp. 117–139 (2019) <https://doi.org/10.1007/s10506-019-09243-2>
- M. Lippi, G. Contissa, F. Lagioia, Hans-W. Micklitz, P. Pałka, G. Sartor & P. Torroni, *Consumer Protection Requires Artificial Intelligence*, NATURE: MACHINE INTELLIGENCE, Vol. 1, No. 4, pp. 168-169 (2019) <https://doi.org/10.1038>
- H.-W. Micklitz, P. Pałka, *Algorithms in the Service of the Civil Society*, JOURNAL OF EUROPEAN CONSUMER AND MARKET LAW, Vol. 8, No. 1, pp. 1-3 (2019)
- R. Liepina, G. Contissa, K. Drazewski, F. Lagioia, H.-W. Micklitz, P. Pałka, G. Sartor & P. Torroni, *GDPR Privacy Policies in CLAUDETTE: Challenges of Omission, Context and Multilingualism*, Proceedings of the Third Workshop on Automated Semantic Analysis of Information in Legal Text (ASAIL 2019)
- G. Contissa, F. Lagioia, M. Lippi, Hans-W. Micklitz, P. Pałka, G. Sartor & P. Torroni, *Towards Consumer-Empowering Artificial Intelligence*, Proceedings of the Twenty-Seventh International Joint Conference on Artificial Intelligence, pp. 5150-5157 (IJCAI 2018); open access: <https://dx.doi.org/10.24963/ijcai.2018/714>
- H.-W. Micklitz, P. Pałka, Y. Panagis, *The Empire Strikes Back: Digital Control of Unfair Terms of Online Services*, JOURNAL OF CONSUMER POLICY, Vol. 40, No. 3, pp. 367–388 (2017) <https://doi.org/10.1007/s10603-017-9353-0>
- P. Pałka, *On Philosophy of Legal Education. An Analytical Sketch*, STUDIA IURIDICA UNIVERSITATIS VARSOVIENSIS, Vol. 62, pp. 209-218 (2016)

Book chapters

- P. Pałka, *Distributive Consequences of Regulating Boilerplate: Between Price Effects and Socialization of Risk*, in THE INFRAMARGINAL REVOLUTION: MARKETS AS WEALTH DISTRIBUTORS, R. Woodcock ed., Cambridge University Press (2023, forthcoming), preprint available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4357870

- P. Pałka & K. Wiśniewska, *Normative Considerations in Data-driven Personalization of Consumer Insurance Contracts*, in EUROPEAN INSURANCE CONTRACT LAW: THE PROMISES AND PERILS OF DIGITALIZATION, Cristina Poncibò and Piotr Tereszkievicz eds. Springer International (2023, forthcoming), preprint available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4391650
- P. Pałka, *Private Law and Cognitive Science*, in LAW AND MIND, J. Hage & B. Brożek eds., Cambridge University Press (2021) <https://doi.org/10.1017/9781108623056.011>
- P. Pałka, *Some Light Remarks on Methodology of Law & Technology*, in A CONTRACT LAW FOR THE AGE OF DIGITAL PLATFORMS? Elena Bargelli & Valentina Calderai eds., Pacini Giuridica, (2021). AAM available in open access: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4364991
- P. Pałka & Marco Lippi, *Big Data Analytics, Online Terms of Service and Privacy Policies*, in BIG DATA LAW RESEARCH HANDBOOK, R. Vogl ed., Edward Elgar (2021) <https://doi.org/10.4337/9781788972826.00011>
- A. Jabłonowska, P. Pałka, *EU Consumer and Artificial Intelligence*, in THE TRANSFORMATION OF ECONOMIC LAW: ESSAYS IN HONOUR OF HANS MICKLITZ, L. de Almeida, M. Cantero Gamito, M. Durovic & K. P. Purnhagen eds., Hart (2019)
- P. Pałka, *Terms of Service Are not Contracts: Beyond Contract Law in the Regulation of Online Platforms*, in EUROPEAN CONTRACT LAW IN THE DIGITAL AGE, S. Grundmann ed., Intersentia (2018)
- G. Contissa, K. Docter, F. Lagioia, M. Lippi, Hans-W. Micklitz, P. Pałka, G. Sartor & P. Torroni, *Automated Processing of Privacy Policies Under the EU General Data Protection Regulation*, FRONTIERS IN ARTIFICIAL INTELLIGENCE AND APPLICATIONS: VOL. 313: LEGAL KNOWLEDGE AND INFORMATION SYSTEMS: JURIX 2018, M. Palmirani ed., IOS Press (2018); open access: <https://doi.org/10.3233/978-1-61499-935-5-51>
- G. Contissa, F. Lagioia, M. Lippi, Hans-W. Micklitz, P. Pałka, Y. Panagis, G. Sartor & P. Torroni, *Automated Detection of Unfair Clauses in Online Consumer Contracts* FRONTIERS IN ARTIFICIAL INTELLIGENCE AND APPLICATIONS: VOL. 312: LEGAL KNOWLEDGE AND INFORMATION SYSTEMS: JURIX 2017, A. Wyner & G. Casisni eds., IOS Press (2017) <https://doi.org/10.3233/978-1-61499-838-9-145>

Other Publications (Working Papers, Reports, etc.)

- C. Guitton, A. Tamò-Larrieux, S. Mayer, E. Fosch-Villaronga, I. Kamara, D. Van Landuyt, M. Langheinrich, P. Pałka, & Z. Zihlmann, *A Framework to Determine How and Whether to Implement Automatically Processable Regulation*. Available at SSRN: <https://ssrn.com/abstract=4226090> or <http://dx.doi.org/10.2139/ssrn.4226090>
- M. Kuziemski, P. Pałka, *AI-Governance Post-GDPR: Lessons Learned and the Road Ahead*, EUI School of Transnational Governance Policy Brief 2019/07, available at: <https://cadmus.eui.eu/handle/1814/64146> (2019)
- G. Contissa, K. Docter, F. Lagioia, M. Lippi, Hans-W. Micklitz, P. Pałka, G. Sartor & P. Torroni, *Claudette Meets GDPR: Automating the Evaluation of Privacy Policies Using Artificial*

Intelligence, A Report Authored for the European Consumer Organization, available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3208596 (2018)

A. Jabłowska, M. Kuziemski, A.M. Nowak, H-W. Micklitz, P. Pałka, G. Sartor, Consumer Law and Artificial Intelligence: *Challenges to the EU Consumer Law and Policy Stemming from the Business' Use of Artificial Intelligence - Final report of the ARTSY Project*, EUI Department of Law Research Paper 2018/11, available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3228051 (2018)

P. Pałka, A. Jabłowska, H.-W. Micklitz, G. Sartor, *Before Machines Consume the Consumers: High-Level Takeaways from the Artsy Project*, EUI Department of Law Research Paper No. 2018/12, available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3228085 (2018)

P. Pałka, *Virtual Property: Towards a General Theory*, PhD Thesis, available in open access at: <https://cadmus.eui.eu/handle/1814/49664> (2017)

P. Pałka, *Redefining 'Property' in the Digital Era: When Online, Do as the Romans Did*, EUI Department of Law Research Paper No. 2016/08, available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2749701 (2016)

CONFERENCE PRESENTATIONS & INVITED LECTURES

An Alien Body: Purpose Limitation Principle in the Market Economy, paper presentation at the 25th Anniversary Conference of the Information Society Project, Yale Law School, New Haven CT, October 1, 2022

The Politics of Data Policy: Proportionality of Goals or Means? Paper presentation at the Digital Law & Policy – Proportionality Principle In IT Regulation, University of Warsaw, Poland, September 11, 2022

Get Out of My Mind! Towards a Theory of Mental Costs in Consumer Protection, paper presentation at the Global Meeting on Law and Society, Lisbon, Portugal, July 15, 2022

The Future of European Data Law: Promises, Pathologies, and Problems, panel discussion, ICON-S Annual Meeting, Wrocław, Poland, July 5, 2022

Private-Public Principles for a Global Data Economy: Data Transactions, Data Rights, and Data Values? Panel discussion, ICON-S Annual Meeting, Wrocław, Poland, July 5, 2022

Democratic & Polycentric Content Moderation, paper presentation, ICON-S Annual Meeting, Wrocław, Poland, July 4, 2022

Digital Sovereignty; The New GDPR? panel moderation, the Future of Data Protection: Effective Enforcement in the Digital World, European Data Protection Supervisor's Conference, Brussels, Belgium, June 16-17, 2022

Big Tech, Consumers and Inequality Transatlantic Seminar: Consumer Law, Technology and Inequality, panel moderation, Max Planck Hamburg, Germany, April 20, 2022

Get Out of My Mind! Towards a Theory of Mental Costs in Consumer Protection, Technologies of Deception Yale ISP Conference, New Haven CT, United States, March 25, 2022

Get Out of My Mind! Towards a Theory of Mental Costs in Consumer Protection, Consumer Law Scholars Conference, Boston MA, United States, March 3-4, 2022

European AI: Next Steps, The Geopolitics of European AI panel, Georgetown/Yale virtual symposium, February 25, 2022

Forging Trust in the Digital Economy: A Consumer Perspective, Internet Governance Forum, Katowice, Poland, December 8, 2021

The Phantom Menace: A Critique of the European Commission's Artificial Intelligence Act Proposal, lecture at the European New School of Digital Studies (at the Invitation of Dr Philipp Hacker), Frankfurt nach Oder, Germany, October 26, 2021

The Phantom Menace: A Critique of the European Commission's Artificial Intelligence Act Proposal, lecture at the Yale Law School Information Society Project (at the invitation of Prof. Jack Balkin), New Haven CT, United States, August 31, 2021

The Phantom Menace: A Critique of the European Commission's Artificial Intelligence Act Proposal, a paper presentation at the Legal Code workshop, University of St. Gallen, Switzerland, August 26, 2021

The Phantom Menace: A Critique of the European Commission's Artificial Intelligence Act Proposal, lecture at Humboldt University (at the invitation of Prof. Stefan Grundmann), Berlin, Germany, July 12, 2021

Terms of Injustice, a paper presentation at the 5th Annual Empirical Contracts Workshop, New York University, United States, June 7, 2021

The Politics of Data Management Law, a lecture for the European Data Protection Supervisor's staff, Brussels, Belgium, March 18, 2021

The World of Fifty Interoperable Facebooks, lecture at Humboldt University, "Law and Algorithmic Society" speaker series, Berlin, Germany, March 10, 2021

Terms of Injustice: Distribution of Wealth and Risk in Digital Capitalism, Inframarginalism & Internet: The Distributive Perspective on Internet Governance, University of Kentucky Rosenberg College of Law, Lexington KY, United States, February 18-19, 2021

Privacy Policies: Between Mandated Disclosures, Commercial Practices and Contracts, lecture at King's College London School of Law (at the invitation of Dr Mateja Durovic), London, United Kingdom, November 24, 2020

Virtual Goods and the EU Consumer Law, lecture at the NOVA School of Law (at the invitation of Professor Jorge Morais Carvalho), Lisbon, Portugal, November 4, 2020

Combating the Emptiness of Privacy Policies Using Machine Learning, lecture at the University of North Carolina School of Law (at the invitation of Professor Andrew Chin), Chapel Hill NC, United States, September 14, 2020

Social Fairness, Accountability and Transparency of the Data Economy: Using Machine Learning to Combat the Emptiness of Privacy Policies, International Conference on Machine Learning, Workshop on Law and Machine Learning, Vienna, Austria, July 17, 2020

CLAUDETTE: Empowering Consumers Through Artificial Intelligence, lecture at McGill University Faculty of Law (at the invitation of Professor Fabien G  linas), Montreal, Canada, February 5, 2020

The (Non)Imaginariness of “Data” in Law, and their Politics, lecture at Harvard University (at the invitation of Professor Sheila Jasanoff), Cambridge MA, United States, October 21, 2019

Two Cultures of Data Governance: Market vs. Human Rights, 8th Annual Conference of the Younger Comparativists Committee (YCC), McGill University Faculty of Law, Montreal, Canada, May 10-11, 2019

Personalised Online Ads: Regulatory Assumptions vs. Socio-Technical Reality, 1st Istanbul Privacy Symposium: Data Protection and Innovations, Bilgi University, Istanbul, Turkey, October 11-12, 2018

With Great Power Came No Responsibility: Private-Public Relations between Users and Owners of Social Media Platforms, Private Law Junior Scholars Conference, University of Toronto Faculty of Law, Canada, September 26-27, 2018

CLAUDETTE: Automated CLAUse DETecTEr, CodeX group weekly meeting (remotely, video [available here](#)), Stanford Law School, Palo Alto, California, March 15, 2018

The Use of Machine Learning for the Automatic Scanning of Privacy Policies and Digital Enforcement, Data Protection Enforcement Sub-Group Meeting of the European Consumer Organization Brussels, Belgium, February 2018

Law-abiding by Design: Legal Status and Regulation of Artificial Agents, Machine Ethics and Machine Law Conference, Jagiellonian University, Cracow, Poland, November 18-19, 2016

Terms of Service Are Not Contracts, European Contract Law in the Digital Age Conference, University of Tartu, Estonia, June 17-18, 2016

When Online, Act as the Romans Did: ‘Property’ Redefined in the Digital Era, Law, Technology and Identity Conference, University of Florence, Italy, November 2015

Towards a New Typology of Objects in Private Law, Graduate Legal Research Conference, Catolica University Faculty of Law, Lisbon, Portugal, September 2015

ORGANIZATION OF INTERNATIONAL CONFERENCES

Seminar in Data Law, October 13, 2022 – December 15, 2022, a weekly online seminar, Jagiellonian University in Krakow, Poland

Reimagining the Future of Law, June 24-25, 2022, Jagiellonian University in Krakow, Poland

Transatlantic Seminar on Consumer Law, Technology, and Inequality, a series of panels, September 2021 – April 2022, in partnership with the Max Planck Institute for Comparative and International Private Law in Hamburg, Yale Law School, European University Institute and the Free University of Berlin

Mapping the Future of Law Seminar, June 17-18, 2021, Jagiellonian University in Krakow, Poland

Symposium on the Market as a Legal Construct, 20-21 September 2019, Yale Law School, New Haven CT, United States

North American Workshop in Private Law Theory VI, 26-27 October 2018, Yale Law School, New Haven CT, United States

Before Machines Consume the Consumers: ARTSY Project Final Workshop, 28-29 June 2018, European University Institute, Law Department, Florence, Italy

High Level Policy Dialogue – Artificial Intelligence Governance in the aftermath of GDPR, 26 June 2018, European University Institute, School of Transnational Governance, Florence, Italy

PRIZES AND AWARDS

Scholarship for Outstanding Achievement in Science by the Minister of Science and Higher Education of the Republic of Poland, 2012/2013

Second prize in the national essay contest on personal data protection law, organized by Polish Data Protection Authority (GIODO) 2012, 2nd edition

First prize in the national essay contest on personal data protection law, organized by Polish Data Protection Authority (GIODO) 2011, 1st edition

LANGUAGES

Polish:	Native Speaker
English:	Fluent
Italian:	Intermediate