



Short biography

David Ramos Muñoz (Badajoz, 1979) is Senior Lecturer of Commercial Law at Universidad Carlos III de Madrid, and the University of Bologna.

He majored in Law and Business Administration at Universidad Carlos III de Madrid (top student of his class), won distinctions such as the Freshfields Prize for the Best European Law Student, and practiced as a lawyer before joining academia. He got a Masters Degree in Private Law from Universidad Carlos III, and a PhD from University of Bologna, for a thesis on Structured Finance SPVs.

He has been a fellow, among other, at the *Real Colegio de España en Bolonia* (2007-2009), the *London School of Economics* (2010). His research has benefited from different grants, among other the Colegio de España grant (2007) or the *José Castillejo* programme (2010), and has participated in conferences and seminars around the World.

His publications include the books *The Law of Transnational Securitization* (Oxford University Press, 2010) and *EU Financial Law* (with Marco Lamandini, in Kluwer/CEDAM, 2016) and numerous articles in the *Columbia Journal of European Law*, *Capital Markets Law Journal*, *European Company and Financial Law Review*, or *European Company Law Review*, primarily in two areas: the law of financial markets, and the law of international contracts and international arbitration. He has participated in national and international research projects and contacts, including for the European Central Bank, or the European Commission.

Ramos Muñoz teaches undergraduate and postgraduate courses in Credit and Banking, Corporate and Securities Law, Financial markets Law, International Business Transactions and Commercial Contracts, in English, Spanish and Italian. He is also a coordinator of the *Moot Madrid* (<http://www.mootmadrid.es/>) and responsible for the umbrella course that encompasses Carlos III competitive moot court program.

David Ramos Muñoz is a lawyer at the Madrid Bar, and has advised companies on cross-border issues with business law, regulatory law and competition; he is also an Arbitrator at the Madrid Arbitration Court, and a consultant on international matters, primarily related to regulation and institutional reform.

Apart from his mother tongue (Spanish) David Ramos is fluent in English and Italian, has working knowledge of French, and a basic command of Mandarin. He lives in Madrid with his wife and two children.

I. PUBLICATIONS AND RESEARCH

1. Books and book chapters

1.1. Books

With Marco Lamandini: *EU Financial Law. An Introduction* Kluwer/CEDAM, 2016, 900 p.

With Marco Lamandini and Javier Solana Depicting the limits to the SSM's supervisory powers: The Role of Constitutional Mandates and of Fundamental Rights' Protection *Quaderni di ricerca giuridica della consulenza legale della Banca d'Italia* No. 79 (October 2015) 120 p.

The Law of Transnational Securitization. Oxford: Oxford University Press, 2010, ISBN: 978-0-19-958392-8 459 p. (monograph)

1.2. Book Chapters:

1.- With Ignacio Tirado “El procedimiento de liquidación mediante intermediario financiero” In *La reforma de la post-contratación* Revista de Derecho Bancario y Bursátil (forthcoming, 2017).

2.- “La electrificación de los valores negociables” En *Derecho de los títulos valor electrónicos* Thomson-Aranzadi, 2017.

3.- “Fundamental Rights and Private Law: A Blueprint of Comparison with Spanish Eyes” in Bettina Heiderhoff; Sebastian Lohsse; Reiner Schulze *EU Grundrechte un Privatrecht - EU Fundamental Rights and Private Law* Baden-Baden: Nomos (2016); ISBN: 978-3848731350.

4.- “Shadow Banking: from the margins of the system to the mutation of its core” R. Marimón (ed.) *Sistema Bancario en la Sombra* Aranzadi, 2015.

5.- El Derecho de Grupos que viene: Cuidado con lo que deseas. In *Estudios sobre el Futuro Código Mercantil. Libro homenaje al profesor Rafael Illescas* 2015, pp. 840-859.

6- “A game of snakes and ladders. Tax Arbitration in an International and EU setting”. In Daniel Sarmiento Jesús Domínguez (eds) *Litigating EU Tax Law in International, National and Non-EU National Courts* IBFD, 2013.

7.- “Power of arbitrators to make *pro-futuro* orders” In “*Performance as a Remedy. Non-Monetary Relief in International Arbitration*” Proceedings of the ASA Conference on Performance as a Remedy. Non-Monetary Relief in International Arbitration. Iuris Publishing, ISBN: 978-1-933833-36-1 (2011) p. 91-123.

8.- With María del Pilar Perales Viscasillas ‘From Competition to Symbiosis – Commercial Context, Commercial Law, and their Importance for Legal Education’ In Kroll, Stefan; Mistelis, Loukas; Perales Viscasillas, Pilar; Rogers, Vikki *International Arbitration and International Commercial Law: Synergy, Convergence and Evolution - Liber Amicorum Eric Bergsten*, Kluwer Law International, 2011, p. 773-811.

9.- “La Convención de Viena sobre Contratos de Compraventa Internacional de Mercaderías” (The Vienna Convention on Contracts for the International Sale of Goods). In “Derecho Internacional Económico” (International Economic Law). Palestra (2009) p. 681-729.

2. Articles

1.- With Marco Lamandini and Javier Solana ‘The ECB as a Catalyst for Change in EU Law. (Part 2). Fundamental Rights Protection. *Columbia Journal of European Law* Vol. 29 No. 1 (2017); ISSN: 1076-6715 (65 p.)

2.- With Marco Lamandini and Javier Solana ‘The ECB as a Catalyst for Change in EU Law. (Part 1). Mandates and Competences’ *Columbia Journal of European Law*, Vol. 29 No. 2 (2017); ISSN: 1076-6715, (75 páginas)

3.- Shadow Banking: The Blind Spot in Banking and Capital markets Reform *European Company and Financial Law Review* 1/2016.

4.- Javier Solana, Ross Buckley and Jonathan Greenacre. “The Regulation of Mobile Money in Civil Law Jurisdictions. Protection of Customers’ Funds” *International and Comparative Quarterly* Vol. 65 Issue 3 (2016); ISSN: 0020-5893; DOI: <https://doi.org/10.1017/S0020589316000142>; pp. 705-739.

5.- Bankruptcy-remote transactions and bankruptcy law—a comparative approach (part 2): can parties validly waive bankruptcy proceedings? *Capital Markets Law Journal* 2015 10 (3) ISSN 1750-17219, pp. 362-389; DOI: 10.1093/cmlj/kmv031

6.- “Bankruptcy-remote transactions and Bankruptcy Law. A Comparative Approach (Part I). Changing the Focus on Vehicle Shielding” *Capital Markets Law Journal forthcoming* Volume 10 Issue 2 (2015).

7.- Tax arbitration and its issues: from fiction to reality, to surrealism *Spain Arbitration Review* N° 21 (2014), (ISSN 1888-4377) pp. 5-37.

8.- “Banca en la Sombra: regulando el futuro con las dudas del pasado” *Cuadernos de Información Económica* Vol. 241 (2014) pp. 63-74.

9.- Derecho uniforme, interpretación uniforme y sus retos evolutivos. De la diversidad en las jurisdicciones a la diversidad en las transacciones y contextos comerciales (Uniform Law and its evolutionary challenges. From diversity in jurisdictions to diversity in transactions and comercial contexts) *Revista de Derecho Mercantil* N° 86 (Octubre-Diciembre 2012), pp. 93-151.

10.- ‘Abuso del Derecho, transacciones transfronterizas y la construcción del mercado interior y de la UE. ¿Un equilibrio imposible?’ (Abuse of Law, Cross-Border Transactions and the Construction of the Internal Market and the EU. An Impossible Equilibrium?) *Revista Española de Derecho Europeo* Número 44 (Octubre-Diciembre 2012), pp. 61-125.

11.- ‘Transacciones trascendentes. Operaciones fuera de balance, disociación de la propiedad y problemas regulatorios, patrimoniales y de gobierno’ (Transcending transactions. Off-balance sheet transactions, property dislocation and patrimonial, regulatory and governance problems) *Revista de Derecho Bancario y Bursátil* (Jan-Mar 2012) (accepted for publication) 85 pages.

12.- With María del Pilar Perales Viscasillas. ‘CISG & Arbitration’ *Spain Arbitration Review*, ISSN 1888-4377, N° 10 (2011) pp. 63-84.

13.- In praise of small things: securitization and governance structure *Capital Markets Law Journal* Vol. 5, No. 4 (October 2010), p. 363-419. ISSN 1750-7219. DOI: 10.1093/cmlj/kmq023.

14.- SEC v Goldman Sachs and the new wave of (asset-backed) securities litigation. What are the arguments? What is at stake? *Law and Financial Markets Review* ISSN: 1752-1440 Volume 4, No. 4, (July 2010), pp. 413-420. DOI: 10.5235/175214410791942788

15.- ‘Living on the Edge: Securitization Supervision and Characterization Problems’ *European Company Law Review* (October 2009), 6 (5), ISSN: 1572-4999 pg. 217-227

16.- “Los árbitros y el poder para dictar condenas no pecuniarias” *Revista de Arbitraje Comercial y de Inversiones*. Fasc. 3/2008, 1888-5373 (2008) pp. 659-722. This article received the I Premio de Arbitraje Internacional (1st Prize of Internacional Arbitration), awarded by the Instituto Universitario de Estudios Europeos de la Universidad CEU San Pablo, delivered the 16th April 2008.

17.- “Comparaciones transatlánticas o el retorno a una visión ética del derecho mercantil”. *Revista de Derecho Mercantil*, ISSN 0210-0797, N° 267 (2008) pp. 243-269. (Transatlantic Comparisons, or the Return to an Ethical Vision in Comparative Law). *Revista de Derecho Mercantil*. (March-April 2008).

18.- “La pérdida de volumen de ventas como daño indemnizable” (Loss of volume of sales as damages) *CEF Legal. Revista Práctica de Derecho*, No. 74 (marzo 2007) p. 57-108

19.- With Violeta Ruiz Almendral. “Los problemas tributarios de las Sociedades de Inversión en Capital Variable (SICAV)” (Fiscal problems concerning corporate collective investment entities). Published in: *Quincena fiscal: Revista de actualidad fiscal*, N° 18, 2006, pags. 9-34.

20.- The Rules on Communication of Defects in the CISG: Static Rules and Dynamic Environments. Different Scenarios for a Single Player. 125 pages. Published in Pace University database on the 1980 Vienna Convention on Contracts for the International Sale of Goods and the UNIDROIT Principles for International Contracts. Available at : <http://www.cisg.law.pace.edu/cisg/biblio/munoz.html>

3. Case notes and other publications

- 1.- Entry “Convención de Viena” in *Encyclopedia of Arbitration* Mario Castillo Fraile forthcoming 2017.
- 2.- Entries “Moot” and “Moot Madrid”, with Tatiana Arroyo Vendrell in *Encyclopedia of Arbitration* Mario Castillo Fraile forthcoming 2017.
- 3.- Shadow Banking: Money Markets’ Odd Relationship with the Law. *Observatorio de Divulgación Financiera* Número 20 Abril 2016 B-6953-2016
- 4.- With other authors *Study on exemptions for third-country central banks and other entities under the Market Abuse Regulation and the Markets in Financial Instruments Regulation*. Report for the European Commission to determine the exemptions for central bank counterparties and trading venues regarding the application of EU Regulations MiFIR and MAR.
- 5.- Case note. Reestructuración de grupo, responsabilidad de sociedades beneficiarias de la escisión/segregación parcial y levantamiento del velo. Comentario a la Sentencia del Tribunal Supremo de 3 de enero de 2013 (Commentary Supreme Court decisión 3 January 2013, on liability of beneficiaries in spin-off, and veil piercing). *Cuadernos Civitas de Jurisprudencia Civil* No. 93 – Septiembre – Diciembre 2013; ISSN 0212-6206, N° 93 (2013) pp. 343-363
- 6.- Sobre la Contratación Comercial en el Derecho Comparado. *Revista de Derecho de los Negocios*. No. 209 (2008) ISSN 1130-5711 p. 35-40.
- 7.- Opinion. “Las participaciones preferentes y su contexto: resolviendo el sudoku” *Revista La Ley* Año XXXIII N° 7970 ISSN 1989-6913 26/11- 2/12 2012, pp. 21-28.
- 8.- “Las participaciones preferentes y su contexto: resolviendo el sudoku” (analyzes the “drama of the preferred shares” issued by Spanish credit institutions and marketed to retail investors). *Diario La Ley*, N° 7970, Sección Tribuna, 22 Nov. 2012 pp. 1-22.
- 9.- Book review: “La Contratación Comercial en el Derecho Comparado”. Dyckinson. Author: Boris Kozolchyk Published in *Revista de Derecho de los Negocios*. No. 209 (2008) p. 35-40.
- 10.- Book review: “Comercio Electrónico: antecedentes, fundamentos y estado actual”. Universidad Rey Juan Carlos, servicio de publicaciones – Dyckinson de Ana Belén Alonso Conde. Published in *Revista de la Contratación Electrónica*. November 2004.
- 11.- Press article. “Las participaciones preferentes: un drama en tres actos” *Luces Rojas InfoLibre* (2013)

4. Papers

- 1.- With Ignacio Tirado and Javier Solana “EU Bank Resolution and Insolvency Priorities” (2017)
- 2.- “Bargaining in the Shadow of Bankruptcy Law. Can Complex Contracting Replace Bankruptcy Principles?” (2017).

3.- Fundamental Rights and Private Law: A Spanish Perspective (2017).

4.- With Mr. Javier Solana, Ross Buckley and Jonathan Greenacre “The Regulation of Mobile Money in Civil Law Jurisdictions. Protection of Customers’ Funds” (2015). Published as Working Paper by the *Global Economic Governance* (GEG) Program, Oxford University, GEG WP 2015/102.

5.- Teaching publications

With María del Pilar Perales Viscasillas “Alternative Dispute Resolution and Career Education: Mooting its Way through the Study Plans”
Spain Arbitration Review ISSN 1888-4377, N° 2 (2008) pp. 67-74.

Cases of international moot court competition Moot Madrid (<http://www.mootmadrid.es>) in 2009, 2010, 2011, 2012, 2013, 2014, 2015 and 2016.

II. PROJECTS, RECOGNITIONS AND FELLOWSHIPS

1. Projects

Project DER2016-78572-P

Ministerio de Economía y Competitividad. 2016-
Infraestructuras e instituciones de Derecho Privado, nacional e internacional, en mercados en red: entre la regulación y la competencia. Solución arbitral de conflictos.

Main researchers: Antonio Robles Martín-Laborda; Pilar Perales Viscasillas

ECB Legal Research Program – 2016

Bank Resolution, Bail-in and Insolvency Priorities

Main researcher: David Ramos Muñoz

ECB Legal Research Program – 2015

The actual extent of the banking supervisor's powers. Banking Union, Single Supervisory Mechanism and its Limits – Mandates and Fundamental Rights

Main researcher: Marco Lamandini

Contract: MARKT/2014/069/G

European Commission

Study on exemptions for third-country central banks and other entities under the Market Abuse Regulation and the Markets in Financial Instruments Regulation.

Entities: Centre for European Policy Studies (CEPS); University of Bologna

Project DER2011-29871

Ministerio de Ciencia e Innovación

“Estudio de la Problemática y estado de la Legislación relativos a la Emisión y negociación de Valores Mobiliarios y Documentos Negociables por medios Electrónicos”

Main researcher: Rafael Illescas Ortiz.

Project DER2008-02244/JURI

Ministerio de Educación y Ciencia

“El Derecho Uniforme del Comercio Internacional y su Incidencia en el Derecho Mercantil Español y en el Contractual Europeo: Principios UNIDROIT 2004 y Arbitraje Mercantil Internacional en UNCITRAL”

Main researcher: María del Pilar Perales Viscasillas, Catedrática de Derecho Mercantil.

2.Recognitions

Prize of excellence for Young research faculty. [Premio de Excelencia. Joven Personal Investigador](#). Consejo Social. Universidad Carlos III de Madrid (2016).

[I Premio de Arbitraje Internacional](#). Instituto Universitario de Estudios Europeos de la Universidad San Pablo CEU, 16 April 2008. “Los árbitros y el poder para dictar condenas no pecuniarias”. 2008

Prize for the best teaching practices, Universidad Carlos III de Madrid. 2007. 1st edition. Category: *Labor docente orientada a la puesta en práctica de la metodología de Bolonia y desarrollada en el curso 2005/2006*

Runner-up in “*The Clive M. Schmitthoff Essay Competition*”, 2005. Pace University (Nueva York) for student essays based on the Vienna Convention on Contracts for the International Sale of Goods and the UNIDROIT Principles. Title: of the paper: “*The Rules on Communication of Defects in the CISG: Static Rules and Dynamic Environments. Different Scenarios for a Single Player*”. Available at: <http://www.cisg.law.pace.edu/cisg/biblio/munoz.html>

Freshfields prize for the best Business Law Student, 2004. Freshfields Bruckhaus Deringer - Financial Times. Spanish candidate and 2nd prize European stage.

Extraordinary award to the top student. Law and Business Administration. 2004.

3.Fellowships

European Banking Institute (as part of institution: **University of Bologna**) (2016 – present)

European Law Institute (2015 – present)

Fellowship-stay. London School of Economics and Political Sciences, 1 May – 31 August 2010, beneficiary of a José Castillejo Grant for post-doctoral stays.

Fellowship Royal College of Spain (Bologna). 2007- present (stay: January-June 2007; January-June 2008) (PhD University of Bologna 2007-2009)

Fellowship – Stay National Law Center for Inter-American Free Trade, University of Arizona, July-September 2006

Fellowship – Stay *Queen Mary University of London* July-September 2005

III. TEACHING AND SUPERVISION

1.Master courses

General LLM (to access the legal profession). Universidad Carlos III de Madrid:

- 2015-today. Coordinator of courses (3 credits each):
 - o Company Law ([Derecho Societario](#))
 - o Law of Financial Markets ([Derecho de los Mercados Financieros](#))
- 2014-today (3 credits)
 - o Law of International Business Transactions ([Derecho de los Negocios Internacionales](#)).
- 2013-today
 - o “Integrated Practical Exercise” (interdisciplinary case with role play)

Master in Regulated Sectors

- 2015-today. Course on Credit and Banking ([Crédito y Banca](#) coordinator)

Master in Legal Advice for Businesses (*Máster en Asesoría Jurídica de Empresas*). Universidad Carlos III de Madrid. Regular contributions to courses on Commercial Contracts (topic: Lease Contracts), Corporate Law (topic: Securitization), Law of International Business Transactions (topic: International Sale of Goods), and Electronic Securities Markets (topic: Securities Markets after the Financial Crisis). Average of 15 hours per year, since 2011

Master in EU Law. Universidad Carlos III de Madrid

- 2014-today. International Sales Contracts

International MBA. Universidad Carlos III de Madrid. Module of International Business Law, (topic: International Sales, Agency and Distribution Contracts, and Company Law). Average of 7 hours per year, since 2010.

Master in Law and Economics. Università di Bologna. Course on Capital Markets Regulation. Topic: securitization. Years: 2008-2009 and 2007-2008.

1. Undergraduate courses

University of Bologna

Diritto Commerciale. Language: Italian 2016-2017

University Carlos III of Madrid.

Corporate and Securities Law 2011-present. Language: English.

Global Bachelor Degree with University Paris Dauphine. Course: Introduction to Private Law, 2016-2017

Moot court competitions. Coordinator since 2009 of the course “[International Commercial Practices](#)”, an umbrella course for the participation of Universidad Carlos III de Madrid in international moot court competitions.

Coach for the [Willem C Vis International Commercial Arbitration Moot](#) 2005-2014 (best track record of a Spanish-speaking University)

Year 2013-2014, coordinator for the Faculty of Social and Juridical Sciences of the “Trabajo de Fin de Grado” (Undergraduate Studies’ Final Project) for the double degrees of Law and Business, Law and Economics and Law and Political Sciences (total: 15 groups).

“Commercial Law” in Business Administration (contents: law for entrepreneurs; language: English) 2012-2013

Year 2010-2011. 6 hours in the Economics degree at Università degli Studi di Bologna. Course: Financial Regulation. Topic: securitization

3. Supervision

Mauricio Inostroza. Título: “Las acciones por incumplimiento del arrendatario en el contrato de *leasing*”. Expected date: first semester, 2017

Paola Ferro. “OTC Derivatives” Expected date: 2018.

Tiago Andreotti da Silva. “Financial Transactions and Dispute Resolution”. *European University Institute*, 2012-2014. Discussion: 12/12/2014.

Master theses:

Francesca Pellegrini. Título: “Securitization 2.0”. Expected date: June 2017.

Mauricio Inostroza. ‘La naturaleza del leasing mobiliario y su influencia en los remedios contractuales’ Universidad Carlos III de Madrid, 2011. Cum laude.

Undergraduate theses:

Year 2013-present, Teacher/tutor of undergraduates’ interdisciplinary theses on *Financial Regulation*. Double degree of Law and Economics. Total no: 48

IV. PRACTICE AND OTHER RELEVANT SERVICES

- Coordinator of the Moot Madrid (<http://www.mootmadrid.es>). Designing the moot problem, managing relationships with stakeholders (firms and arbitration courts), and organizing the competition.
- Arbitrator with the Madrid Court of Arbitration. Arbitrated cases involving financial derivatives (swap) contracts, concerning major banking institutions.
- International consulting
 - o European Commission (see “other publications”)
 - o Legal advice to firms in cross-border situations between Italy and Spain.
- Lawyer at J&A Garrigues 2003-2004; Trainee at Freshfields Bruckhaus Deringer (London office) 2005 (part of Freshfields prize: se above).