



BUSINESS WAY FORUM

26-27
SEPTEMBER

International Conference

LEGAL ISSUES OF E-COMMERCE

E-Solutions

- Electronic exchange of information
- Electronic movement of capital
- Electronic commerce
- Electronic money
- Electronic banking

Venue

"Marriott Grand Hotel"



08:30 - 09:30**REGISTRATION. WELCOME COFFEE****SESSION 1:
RISK MANAGEMENT RELATED TO ONLINE
CONTRACTS****09:30 - 10:00****Topic:**

User identification in E-commerce:

- Digital identity in e-Commerce;
- Identification and authentication in various E-commerce sectors;
- Identification via mobile phone subscriber number;
- International experience.

Anzhelika Izotova - Lead counsel, **MTC, Russia****10:00 - 10:30****Topic:**

The use of simple electronic signatures for aggregators and marketplaces:

- Legality of simple electronic signatures for B2B, B2C transactions;
- Problems of proof when using a simple electronic signature;
- Analysis of judicial practice.

Lyudmila Kharitonova - Managing Partner,
Zartsyn and Partners, Russia

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10:30 - 11:00**Topic:**

Negotiations with the marketplace, problematic terms of the contract:

- Limitation of liability of the aggregator under the contract with the marketplace;
- Condition on compensation of losses. Are the property losses of affiliates covered?;
- Unconditional unilateral withdrawal from the contract.

Aleksey Petrusha - Counsel, AliExpress Russia,
Alibaba Group, Russia**11:00 - 11:30****Topic:**

Practical aspects of Consumer protection in the Lamoda context:

- Main types of abuse;
- Lamoda's case law;
- The role of GR function in addressing legislative gaps.

Anatoly Markov - Lawyer, **Lamoda, Russia****11:30 - 12:00****COFFEE-BREAK**

12:00 - 12:30**Topic:**

Case-study: The procedure for concluding contracts on trading platforms, including in accordance with the Federal law of July 18, 2011 № 223-FZ:

- Contract in electronic form from the point of view of civil legislation;
- The ideal option for electronic contracts from the point of view of FAS;
- Differences between 223- FZ and 44-FZ: similarities and differences;
- The algorithm of signing the agreement electronically;
- The relationship with the signing of the treaty in paper form in electronic procurement.

Konstantin Mamilov - Head of legal department, **Kalashnikov Group, Russia**

12:30 - 13:00**Topic:**

Commercial operations with oil and petroleum products based on blockchain and smart contracts: challenges and opportunities for lawyers.

Denis Karachev - Head of commercial department, **Gazprom-neft, Russia**

13:00 - 14:00**LUNCH**
**SESSION 2:
PROBLEMS OF LEGAL REGULATION OF
ELECTRONIC FUNDS TRANSFER**
14:00 - 14:30**Topic:**

Banking legislation on payment cards in the Russian Federation:

- Legal nature of payment cards under the legislation of the Russian Federation;
- The principle of zero liability ("Zero liability") for payment cards.

Timur Kakabadze - Head of legal support Department, **Korona Pay**

14:30 - 15:00**Topic:**

Problems of legal regulation of electronic funds transfer:

- Payment statistics;
- Cyber fraud risks;
- The European Approach: PSD2 and RTS;
- PSD2 Security Guidelines;
- EBA Opinion on strong customer authentication.

Philipp Süß - Partner, **Reed Smith, Germany**

15:00 - 15:30**Topic:**

Electronic payments – regulation and risks:

- Risks of electronic payments: manifestations, dynamics, methods of minimization;
- The main problems of legal regulation of the functioning of the EFT;
- Legal issues of making payments on the Internet.

Ilya Aleksandrov - Corporate Risk Manager, **QIWI**

**SESSION 3:
LEGAL REGULATION OF TAXATION OF
ELECTRONIC COMMERCE**
15:30 - 16:00**Topic:**

Taxation of electronic services:

- Innovations in tax legislation and their significance for B2B;
- Implications for foreign e-service providers;
- Legal recommendations and protective measures.

Roman Fedorov - Senior lawyer, **Pepsico, Russia**

16:00 - 16:30**COFFEE-BREAK**

16:30 - 17:00

Topic:

Novelties of tax legislation and presentation of the French tax legislation of e-Commerce:

- Novelties of tax legislation (ICO,Blockchain, Libra...);
- Trends in the development of legal regulation of taxation of e-Commerce;
- Presentation of the French tax legislation of e-Commerce for B2B;
- Presentation of tax legislation of e-Commerce between France and Russia;
- Bringing to responsibility for tax offenses;
- How to appeal a tax assessment.

Manouk Minasyan - Associate, **Bignon Lebray, France**

17:00 - 17:30

Topic:

E-commerce to Europe – Consequences from a European VAT and Customs perspective:

- Brief outline of the European e-Commerce VAT package and its relevance for Russian companies;
- Brief outline of the European customs legislation as regards e-commerce from Russia to Europe;
- Case studies outlining the VAT and customs aspects of e-commerce from Russia to Europe.

Stein De Maeijer - Counsel, **Tiberghien lawyers, Belgium**

Jurgen Gevers - Counsel, **Tiberghien lawyers, Belgium**

17:30 - 18:00

END OF THE FIRST DAY OF THE CONFERENCE

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**SESSION 1:
PROTECTION OF INFORMATION AND
INFORMATION RESOURCES****10:00 - 10:30****Topic:**

20 + options for blocking information on the Internet.

- Grounds and procedures for blocking
- Categories of information to be blocked
- Removing information from search results
- How to apply to unwanted information and how to avoid applying to your own;
- Interesting cases from law enforcement practice

Eugenia Pleshkova, The legal adviser, **Digital Horizon, Russia**

10:30 - 11:00**Topic:**

Website protection: problems and solutions:

- The concept of an Internet site;
- The main elements of the website and ways to protect (secure) rights;
- Typical violations and methods of counteraction;
- Actual judicial practice and interesting cases;
- Conclusions and recommendations.

Sergey Medvedev - Partner, Trademark & Design Attorney Ph.D., LL.M., **Gorodissky and Partners, Russia**

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Disputes regarding rights to use registered domain names:

- Risks associated with the use of the domain name;
- The administrator or the Registrar - Who is involved in a claim? Who is responsible?;
- Judicial practice on domain disputes.

Roman Larshin - Lawyer, **Zuykov and partners**

11:30 - 12:00**COFFEE-BREAK****12:00 - 12:30****Topic:**

Linking of digital content in the internet – EU copyright law perspective:

- Understanding the concept of the 'act of communication to the public';
- Provision on a website of clickable links to works freely available on another website (C-466/12 Nils Svensson v. Retriever Sverige AB, C-348/13 BestWater International GmbH v. Michael Mebes and Stefan Potsch);
- Hyperlinks giving access to protected works, made accessible on another website without the rightholder's consent (C 160/15 GS Media«V v. Sanoma Media Netherlands BV);
- Works not yet published by the rightholder.

Dr. Aleksandra Auleytner - Partner, Head of IP&TMT Practice, **Domański Zakrzewski Palinka sp. k, Poland**

**SESSION 2:
E-COMMERCE AND PERSONAL DATA
PROTECTION****12:30 - 13:00****Topic:**

Personal data in e-Commerce: asset or business risk?

- What information about web users can be considered personal data?
- How to organize work with personal data according to the legislation and not to "go under"?
- Do Russian companies need to take into account GDP?
- Practical difficulties in the processing and protection of personal data on the Internet.

Stanislav Rumyantsev - Ph.D., CIPP/E, Senior lawyer, **Gorodissky and Partners, Russia**

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13:00 - 13:30**Topic:**

E-commerce and the GDPR:

- The extraterritorial effect of the GDPR; the GDPR is relevant to almost every company doing e-commerce regardless of place of business;
- Which personal data about the end customers may be processed; what kind of information should be given to the end users and how?
- To what extent may personal data about the end users be used for marketing purposes?
- How long may data about the end users be kept and how to handle the end users' exercising of their rights?
- May data be shared or otherwise processed by third parties, including group companies and external data processors?
- How to handle data security issues, including hacking and other kinds of data breaches?
- What are the risks of non-compliance with the GDPR?
- Tips & tricks about how to achieve and maintain GDPR compliance.

Jesper Langemark - Advokat, LL.M, Partner,
Bird & Bird, Denmark

13:30 - 14:30**LUNCH****14:30 - 15:00****Topic:**

GDPR and legal aspects. Liability for violation of personal data legislation:

- Personal data processing policy in accordance with 152 Federal Law;
- Roskomnadzor inspection;
- Transfer of personal data to countries that do not provide adequate protection of personal data;
- Corporate policy on personal data processing, correlation of GDPR and Russian legislation;
- Practical recommendations and conclusions.

Maria Lukina - Senior Manager, Legal Resources,
Mary Kay, Russia

15:00 - 15:30**Topic:**

Roskomnadzor inspections: what has already changed and what else to expect in 2020?

- How to prepare for the inspection?
- What does Roskomnadzor pay attention to during inspection and how to avoid mistakes?
- Analysis of cases that arose during the inspections in 2019

Aleksandra Vvedenskaya - Lawyer, **PwC Legal**

15:30 - 16:00**Topic:**

Practical experience in localization of databases with personal data of Russian citizens in accordance with the requirements of Russian legislation:

- Data localization has long been a global trend that business must consider;
- There is a limited set of strategies to meet Russian requirements for the localization of databases with personal data;
- The strategy of creating intermediate databases with personal data can be considered as one of the best.

Alexey Muntyan - Independent expert

16:00 - 16:30**Topic:**

Sovereign Internet: how the new law will affect the company's business processes:

- Can the Russian office be disconnected from the Internet?
- Is it possible to bypass locks (for example, using corporate DNS servers, VPN channels and similar technologies)?
- How to simultaneously comply with sovereign Internet law, personal data law and GDPR?

Alina Davletshina - Senior lawyer, **Deloitte Legal**

16:30 - 17:30**COCKTAIL-PARTY, END OF THE CONFERENCE**