



## COURSE UNIT (MODULE) DESCRIPTION

| Course unit (module) title | Code |
|----------------------------|------|
| TECHNOLOGY LAW             |      |

| Lecturer(s)                                                                               | Department(s)                                                                                                                                                                                                         |
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| <b>Coordinator:</b> Prof Dr Rimantas Simaitis<br><b>Other(s):</b> lect. Aurelija Šerniūtė | Department of Private Law, Vilnius University, Faculty of Law, Saulėtekio av. 9, Building 1, LT-10222, Vilnius, Room 311, phone (+370 5) 236 61 70, email: <a href="mailto:ptkatedra@tf.vu.lt">ptkatedra@tf.vu.lt</a> |

| Study cycle | Type of the course unit (module) |
|-------------|----------------------------------|
| Second      | Compulsory (track – Tech Law)    |

| Mode of delivery | Course unit delivery period | Language(s) of instruction |
|------------------|-----------------------------|----------------------------|
| Face-to-face     | 1 (autumn) semester         | English                    |

| Requirements for students   |                                     |
|-----------------------------|-------------------------------------|
| <b>Pre-requisites:</b> None | <b>Co-requisites (if any):</b> None |

| Number of credits allocated | Total student's workload | Contact hours | Self-study hours |
|-----------------------------|--------------------------|---------------|------------------|
| 5                           | 133                      | 32            | 101              |

| Purpose of the course unit (module): programme competences to be developed                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                            |                                                                                                                  |
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| The purpose of this course is to enhance students' knowledge related to various types of emerging technologies - so-called "main driving forces" of the 4 <sup>th</sup> industrial revolution - as well as legal issues associated to them. Students will: <ul style="list-style-type: none"> <li>✓ develop the ability to analyse and assess the regulatory debates pertinent to each group of the emerging technologies;</li> <li>✓ be able to critically reflect on the controversial legal, ethical, societal topics related to the emerging technologies;</li> <li>✓ gain a systematic view of how different branches of law are being reshaped by innovations.</li> </ul> |                                                                                                                                                                                                                                                                                                                            |                                                                                                                  |
| Learning outcomes of the course unit (module)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Teaching and learning methods                                                                                                                                                                                                                                                                                              | Assessment methods                                                                                               |
| Students will be able to analyse the existing regional and international legal standards for the outlined types of emerging technologies and will be able to provide suggestions on how the technology should (not) be regulated.                                                                                                                                                                                                                                                                                                                                                                                                                                               | An interactive method of teaching during seminars (the analysis of problematic issues, presentations of reaction papers, group discussions), individual studies (search of information, critical literature studies and the analysis of theoretical and practical problems), regular written assignments (reaction papers) | Evaluation of the final written assignment, reaction papers and students' performance during seminar discussions |
| Students will be able to identify the connections between different types of technologies, adequately use the basic terminology related to their architecture.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | An interactive method of teaching during seminars (the analysis of problematic issues, presentations of reaction papers, group discussions), individual studies (search of information, critical literature studies and the analysis of theoretical and practical problems), regular written assignments (reaction papers) | Evaluation of the final written assignment, reaction papers and students' performance during seminar discussions |
| Students will be able to systematically evaluate and explain theoretical, practical opportunities and risks arising at the intersection of law and technologies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | An interactive method of teaching during seminars (the analysis of problematic issues, presentations of reaction papers, group discussions), individual studies (search of information, critical literature studies and the analysis of theoretical and practical problems), regular written assignments (reaction papers) | Evaluation of the final written assignment, reaction papers and students' performance during seminar discussions |
| Students will be able to work individually, use electronic databases to research relevant topics, will practise critical, creative thinking skills while providing the interpretations and insights to the interdisciplinary content.                                                                                                                                                                                                                                                                                                                                                                                                                                           | Preparation of reaction papers, individual studies (search of information, critical literature studies and the analysis of theoretical and practical problems)                                                                                                                                                             | Evaluation of the reaction papers and students' performance during seminar discussions                           |

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| Students will be able to productively participate in cross-cultural group activities, will professionally communicate orally and in written, clearly present and discuss own conclusions and well-grounded arguments in a constructive dialogue with legal specialists and professionals of other fields. | An interactive method of teaching during seminars (the analysis of problematic issues, presentations of reaction papers, group discussions), individual studies (search of information, critical literature studies and the analysis of theoretical and practical problems), regular written assignments (reaction papers) | Evaluation of the reaction papers and students' performance during seminar discussions |
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| Content: breakdown of the topics                                                                                          | Contact hours |               |          |                    |                       |                           |               | Self-study: hours and assignments |
|---------------------------------------------------------------------------------------------------------------------------|---------------|---------------|----------|--------------------|-----------------------|---------------------------|---------------|-----------------------------------|
|                                                                                                                           | Lectures      | Consultations | Seminars | Practical sessions | Laboratory activities | Internship/work placement | Contact hours | Self-study hours                  |
| 1. Introduction to the course.<br>Overview of the emerging technologies: definitions, societal effects, regulatory debate |               |               | 2        |                    |                       |                           | 2             | 6                                 |
| 2. Big Data                                                                                                               |               |               | 2        |                    |                       |                           | 2             | 6                                 |
| 3. Artificial intelligence, machine learning, deep learning                                                               |               |               | 4        |                    |                       |                           | 4             | 12                                |
| 4. Finding a way in different realities: virtual, augmented, mixed, extended                                              |               |               | 2        |                    |                       |                           | 2             | 6                                 |
| 5. Myths and facts about robotics                                                                                         |               |               | 3        |                    |                       |                           | 3             | 11                                |
| 6. Unmanned aerial and ground vehicles                                                                                    |               |               | 3        |                    |                       |                           | 3             | 9                                 |

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|                                                    |  |  |    |  |  |  |    |     | <b>Reading No. 2</b><br>TAKAHASHI, T. T., Drones and Privacy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 7. Distributed ledger technologies, blockchain     |  |  | 3  |  |  |  | 3  | 9   | <b>RP to one</b> of the assigned readings:<br><b>Reading No. 1</b><br>NABILOU, H., How to regulate bitcoin? Decentralized regulation for a decentralized cryptocurrency<br><b>Reading No. 2</b><br>WERBACH, K., CORNELL, N., Contracts Ex Machina                                                                                                                                                                                                                                                                                                       |
| 8. Internet of Things                              |  |  | 3  |  |  |  | 3  | 9   | <b>RP to one</b> of the assigned readings:<br><b>Reading No. 1</b><br>KIRTLEY, J., MEMMEL, S., Rewriting the “Book of the Machine”: Regulatory and Liability Issues for the Internet of Things<br><b>Reading No. 2</b><br>WEBER, R. H., STUDER, E., Cybersecurity in the Internet of Things: Legal aspects                                                                                                                                                                                                                                              |
| 9. Information and Communications Technology (ICT) |  |  | 3  |  |  |  | 3  | 12  | <b>Compulsory readings:</b><br>✓ WU, T., Network Neutrality, Broadband Discrimination<br>✓ HELBERGER, N. <i>et al.</i> Governing online platforms: From contested to cooperative responsibility<br><br><b>RP to one</b> of the assigned readings:<br><b>Reading No. 1</b><br>BOSHER, H., YEŞİLOĞLU, S. An analysis of the fundamental tensions between copyright and social media: the legal implications of sharing images on Instagram<br><b>Reading No. 2</b><br>VOLOKH, E., What Cheap Speech Has Done: The Transformation of Libel and Privacy Law |
| 10. Biotechnology                                  |  |  | 3  |  |  |  | 3  | 9   | <b>RP to one</b> of the assigned readings:<br><b>Reading No. 1</b><br>KOPLIN, J. J., SAVULESCU, J. Time to rethink the law on part-human chimeras<br><b>Reading No. 2</b><br>NICOL, D. <i>et al.</i> International Divergence in Gene Patenting                                                                                                                                                                                                                                                                                                         |
| 11. Neuroscience technology                        |  |  | 2  |  |  |  | 2  | 6   | <b>Compulsory reading:</b><br>SHEN, F. X., Law and Neuroscience 2.0<br><br><b>RP to the assigned reading:</b><br>IENCA, M., ANDORNO, R., Towards new human rights in the age of neuroscience and neurotechnology                                                                                                                                                                                                                                                                                                                                        |
| 12. Nanotechnology                                 |  |  | 2  |  |  |  | 2  | 6   | <b>Compulsory reading:</b><br>OUELLETTE, L. L., Nanotechnology and Innovation Policy<br><br><b>RP to the assigned reading:</b><br>SODANO, V. <i>et al.</i> Regulating food nanotechnologies in the European Union: Open issues and political challenges                                                                                                                                                                                                                                                                                                 |
| <b>Total</b>                                       |  |  | 32 |  |  |  | 32 | 101 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

| Assessment strategy       | Weight, percentage | Assessment period   | Assessment criteria                                                                                                                                                                                                                                                                             |
|---------------------------|--------------------|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Final written examination | 10 %               | End of the semester | The final written assignment will consist of one open-ended question that would allow to test students’ knowledge and competencies acquired during the semester. Main assessment criteria: comprehensiveness of the analysis, clarity and correctness of argumentation, conclusion formulation. |
| Reaction papers           | 80 %               | During the semester | ✓ Throughout the course a student is expected to submit <b>5 reaction papers</b> (out of 17 available) containing his/her personal reflections and                                                                                                                                              |

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|-----------------------------------|------|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                   |      |                     | <p>interpretation of the readings.</p> <ul style="list-style-type: none"> <li>✓ The reaction papers should reflect student's thorough understanding of <b>5 different topics</b> of the course (topics and readings will be assigned by the lecturers).</li> <li>✓ Maximum amount of words for one reaction paper: 500* (for students who will be leading a discussion – 700).</li> <li>✓ Papers must be submitted in a timely manner, before each week's seminar (as indicated by the lecturers). Late submissions will not be evaluated.</li> <li>✓ Each reaction paper will be assessed according to the following criteria: <ul style="list-style-type: none"> <li>- content,</li> <li>- structure and style,</li> <li>- coherence,</li> <li>- persuasiveness.</li> </ul> </li> </ul> <p>Each reaction paper will be graded in the scale from 1 to 10. Then, the average grade of 5 reaction papers shall be calculated and multiplied by 0.8.</p> |
| Participation in class activities | 10 % | During the semester | <p>10 % of the overall grade will depend on the leadership criterion. Once per semester (or more, depending on a number of students), a student will be assigned a role of the "discussion leader". In the beginning of the seminar (s)he will have to present the reaction paper and direct a thought-provoking discussion around it.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

| Author                                | Year of publication | Title                                                                                                                                        | Issue of a periodical or volume of a publication                                                          | Publishing place and house or web link                                                                                                                                                                                  |
|---------------------------------------|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Compulsory reading</b>             |                     |                                                                                                                                              |                                                                                                           |                                                                                                                                                                                                                         |
| ABBOTT, K. W.                         | 2013                | Chapter 1: Introduction: the challenges of oversight for emerging technologies (in "Innovative Governance Models for Emerging Technologies") | –                                                                                                         | <a href="https://doi.org/10.4337/9781782545644.00006">https://doi.org/10.4337/9781782545644.00006</a>                                                                                                                   |
| BOYD, D., CRAWFORD, K.                | 2012                | Critical Questions for Big Data                                                                                                              | Information, Communication & Society, 15:5                                                                | <a href="https://doi.org/10.1080/1369118X.2012.678878">https://doi.org/10.1080/1369118X.2012.678878</a>                                                                                                                 |
| CALO, R.                              | 2015                | Robotics and the Lessons of Cyberlaw                                                                                                         | California Law Review, Vol. 103, No. 3, University of Washington School of Law Research Paper No. 2014-08 | Available at SSRN: <a href="https://ssrn.com/abstract=2402972">https://ssrn.com/abstract=2402972</a> or <a href="http://dx.doi.org/10.2139/ssrn.2402972">http://dx.doi.org/10.2139/ssrn.2402972</a>                     |
| HELBERGER, N., PIERSON, J., POELL, T. | 2018                | Governing online platforms: From contested to cooperative responsibility                                                                     | The Information Society, 34:1                                                                             | <a href="https://doi.org/10.1080/01972243.2017.1391913">https://doi.org/10.1080/01972243.2017.1391913</a>                                                                                                               |
| LEHR, D., OHM, P.                     | 2017                | Playing with the Data: What Legal Scholars Should Learn about Machine Learning                                                               | 51 U.C.D. L. Rev. 653                                                                                     | <a href="https://lawreview.law.ucdavis.edu/issues/51/2/Symposium/51-2_Lehr_Ohm.pdf">https://lawreview.law.ucdavis.edu/issues/51/2/Symposium/51-2_Lehr_Ohm.pdf</a>                                                       |
| LEMLEY, M., VOLOKH, E.                | 2018                | Virtual Reality and Augmented Reality                                                                                                        | 166 U. Pa. L. Rev. 1051                                                                                   | Available at: <a href="https://scholarship.law.upenn.edu/penn_law_review/vol166/iss5/1">https://scholarship.law.upenn.edu/penn_law_review/vol166/iss5/1</a>                                                             |
| LESSIG, L.                            | 1999                | Code is Law                                                                                                                                  | The Industry Standard, 18                                                                                 | <a href="http://www.mba.intercol.edu/Entrepreneurship/UT%20Computer%20Science%20Course/Code_is_Law_Lessig.pdf">http://www.mba.intercol.edu/Entrepreneurship/UT%20Computer%20Science%20Course/Code_is_Law_Lessig.pdf</a> |
| MANDEL, G. N.                         | 2009                | Regulating Emerging Technologies                                                                                                             | Law, Innovation & Technology, Vol. 1, Temple University Legal Studies Research Paper No. 2009-18          | Available at SSRN: <a href="https://ssrn.com/abstract=1355674">https://ssrn.com/abstract=1355674</a>                                                                                                                    |

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| MARCHANT, G. E., ALLENBY, B.                | 2017 | Soft Law: New tools for governing emerging technologies                                                                           | Bulletin of the Atomic Scientists, 73:2                                                  | <a href="https://doi.org/10.1080/00963402.2017.1288447">https://doi.org/10.1080/00963402.2017.1288447</a>                                               |
| OUELLETTE, L. L.                            | 2015 | Nanotechnology and Innovation Policy                                                                                              | Harvard Journal of Law and Technology, Vol. 29, No. 1, 2015                              | Available at SSRN: <a href="https://ssrn.com/abstract=2731943">https://ssrn.com/abstract=2731943</a>                                                    |
| SHEN, F. X.                                 | 2017 | Law and Neuroscience 2.0                                                                                                          | 48 ARIZ. ST. L.J. 1043 (2017) (Symposium issue: Evolutionary Analysis in Law)            | Available at SSRN: <a href="https://ssrn.com/abstract=2942499">https://ssrn.com/abstract=2942499</a>                                                    |
| WACHTER, S., MITTELSTADT, B.                | 2019 | A right to reasonable inferences: re-thinking data protection law in the age of Big Data and AI                                   | Columbia Business Law Review, 2019(2)                                                    | Available at SSRN: <a href="https://ssrn.com/abstract=3248829">https://ssrn.com/abstract=3248829</a>                                                    |
| WU, T.                                      | 2003 | Network Neutrality, Broadband Discrimination                                                                                      | Journal of Telecommunications and High Technology Law, Vol. 2                            | Available at: <a href="https://scholarship.law.columbia.edu/faculty_scholarship/1281">https://scholarship.law.columbia.edu/faculty_scholarship/1281</a> |
| <b>Recommended reading</b>                  |      |                                                                                                                                   |                                                                                          |                                                                                                                                                         |
| BAROCAS, S., SELBST, A. D.                  | 2016 | Big Data's Disparate Impact                                                                                                       | California Law Review 104, No. 3                                                         | <a href="http://www.jstor.org/stable/24758720">www.jstor.org/stable/24758720</a>                                                                        |
| BOSHER, H., YEŞİLOĞLU, S.                   | 2019 | An analysis of the fundamental tensions between copyright and social media: the legal implications of sharing images on Instagram | International Review of Law, Computers & Technology, 33:2                                | <a href="https://doi.org/10.1080/13600869.2018.1475897">https://doi.org/10.1080/13600869.2018.1475897</a>                                               |
| CROOTOF, R.                                 | 2015 | The Killer Robots Are Here: Legal and Policy Implications                                                                         | 36 Cardozo L. Rev. 1837                                                                  | Available at SSRN: <a href="https://ssrn.com/abstract=2534567">https://ssrn.com/abstract=2534567</a>                                                    |
| HARTZOG, W.                                 | 2015 | Unfair and Deceptive Robots                                                                                                       | 74 Maryland Law Review 785                                                               | Available at SSRN: <a href="https://ssrn.com/abstract=2602452">https://ssrn.com/abstract=2602452</a>                                                    |
| IENCA, M., ANDORNO, R.,                     | 2017 | Towards new human rights in the age of neuroscience and neurotechnology                                                           | Life Sci Soc Policy 13, 5                                                                | <a href="https://doi.org/10.1186/s40504-017-0050-1">https://doi.org/10.1186/s40504-017-0050-1</a>                                                       |
| KIRTLEY, J., MEMMEL, S.                     | 2018 | Rewriting the "Book of the Machine": Regulatory and Liability Issues for the Internet of Things                                   | 19 MINN. J.L. SCI. & TECH. 455                                                           | Available at: <a href="https://scholarship.law.umn.edu/mjlst/vol19/iss2/5">https://scholarship.law.umn.edu/mjlst/vol19/iss2/5</a>                       |
| KOPLIN, J. J., SAVULESCU, J.                | 2019 | Time to rethink the law on part-human chimeras                                                                                    | Journal of Law and the Biosciences, Volume 6, Issue 1                                    | <a href="https://doi.org/10.1093/jlb/lrz005">https://doi.org/10.1093/jlb/lrz005</a>                                                                     |
| MARCHANT, G. E., LINDOR, R. A.              | 2012 | The coming collision between autonomous vehicles and the liability system                                                         | 52 Santa Clara L. Rev. 1321                                                              | Available at: <a href="https://digitalcommons.law.scu.edu/lawreview/vol52/iss4/6">https://digitalcommons.law.scu.edu/lawreview/vol52/iss4/6</a>         |
| MASSARO, T. M., NORTON, H., KAMINSKI, M. E. | 2017 | SIRIOUSLY 2.0: What Artificial Intelligence Reveals About the First Amendment                                                     | 101 Minn. L. Rev. 2481                                                                   | Available at: <a href="https://scholar.law.colorado.edu/articles/717">https://scholar.law.colorado.edu/articles/717</a>                                 |
| NABILOU, H.                                 | 2019 | How to regulate bitcoin? Decentralized regulation for a decentralized cryptocurrency                                              | International Journal of Law and Information Technology, Volume 27, Issue 3, Autumn 2019 | <a href="https://doi.org/10.1093/ijlit/ez008">https://doi.org/10.1093/ijlit/ez008</a>                                                                   |
| NICOL, D. <i>et al.</i>                     | 2019 | International Divergence in Gene Patenting                                                                                        | Annu Rev Genomics Hum Genet. 2019;20:519-541                                             | <a href="https://pubmed.ncbi.nlm.nih.gov/30786226/">https://pubmed.ncbi.nlm.nih.gov/30786226/</a>                                                       |
| SODANO, V. <i>et al.</i>                    | 2016 | Regulating food nanotechnologies in the European Union: Open issues and political challenges                                      | Trends in Food Science & Technology, Volume 54                                           | <a href="http://www.sciencedirect.com/science/article/pii/S0924224416302254">http://www.sciencedirect.com/science/article/pii/S0924224416302254</a>     |

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| TAKAHASHI,<br>T. T.         | 2012 | Drones and Privacy                                                            | 72 COLUM. SCI. &<br>TECH. L. REV. Vol.<br>XIV                            | Available at SSRN:<br><a href="https://ssrn.com/abstract=2035575">https://ssrn.com/abstract=2035575</a> or<br><a href="http://dx.doi.org/10.2139/ssrn.2035575">http://dx.doi.org/10.2139/ssrn.2035575</a>                                                                                                           |
| VOLOKH, E.                  | 2018 | What Cheap Speech Has<br>Done: The Transformation of<br>Libel and Privacy Law | —                                                                        | <a href="https://administrativestate.gmu.edu/wp-content/uploads/sites/29/2018/01/What-Cheap-Speech-Has-Done-The-Transformation-of-Libel-and-Privacy-Law.pdf">https://administrativestate.gmu.edu/wp-content/uploads/sites/29/2018/01/What-Cheap-Speech-Has-Done-The-Transformation-of-Libel-and-Privacy-Law.pdf</a> |
| WEBER, R. H.,<br>STUDER, E. | 2016 | Cybersecurity in the Internet<br>of Things: Legal aspects                     | Computer Law &<br>Security Review<br>Volume 32, Issue 5,<br>October 2016 | <a href="https://doi.org/10.1016/j.clsr.2016.07.002">https://doi.org/10.1016/j.clsr.2016.07.002</a>                                                                                                                                                                                                                 |
| WERBACH, K.,<br>CORNELL, N. | 2017 | Contracts Ex Machina                                                          | 67 Duke Law Journal<br>313                                               | Available at SSRN:<br><a href="https://ssrn.com/abstract=2936294">https://ssrn.com/abstract=2936294</a>                                                                                                                                                                                                             |