

PROF. DR. BERTRAM LOMFELD



*13 February 1975 | German national | married with a sculptress | 3 children

PRIVATE & ECONOMIC LAW | IP & IT | COMPARATIVE & GLOBAL LAW | PHILOSOPHY, ECONOMICS & SOCIETY

EDUCATION

Frankfurt University, Ph.D. in law (supervisor: Teubner), *summa cum laude*, 2007-2013
Berlin High Court, legal clerkship & second state examination in law, 2009-2011
Paris Collège Internationale de Philosophie, political philosophy & economy, 2006
Munich & Frankfurt University, philosophy (i.a. Habermas), sociology & economics, 2003-2006
Heidelberg University, first state examination in law (M.A. equivalent), 2002
Vienna University, Roman law & ELTE University Budapest, comparative law, 2000-2001
Paris I Sorbonne, international law & Paris II Assas, philosophy of law (DEA course), 1999-2000
EHESS Paris, philosophy (Derrida) & Collège de France, sociology (Bourdieu), 1999
Cambridge University, research student, Clare Hall College, philosophy of law, 1998
Heidelberg University, undergraduate in law (B.A. equivalent), 1996-1998

CURRENT & PREVIOUS POSITIONS

Free University Berlin [FUB], full professor for private & comparative law, IP & legal theory, since 2022
Free University Berlin, associate professor for private law & foundations of law, 2013-2022
FU Empirical Legal Studies Center (FUELS), co-foundation and co-director, since 2019
Humboldt University Berlin, Humanities and Social Change (HSC) fellowship, winter 2018/19
Harvard Law School, visiting scholar Institute for Global Law & Policy, spring 2018
Columbia Law School, international visiting professor, spring 2017
Sciences Po Paris Law School, visiting professor, spring 2016
Rostock University, lecturer of law, 2011-2013
Cologne University, research fellow, 2009-2010
Frankfurt/Main University, visiting lecturer, 2005-2006
LUISS University Rome, visiting lecturer & UNIDROIT Rome, visiting scholar, 2004-2005

SCHOLARSHIPS & HONORS

Young Academy of Europe (YAE), elected fellow, 2020 (yacadeuro.org/lomfeld/)
European Research Council (ERC) Starting Grant (1st German ERC-STG within law), 2020
Humanities and Social Change Fellowship, Humboldt University Berlin, 2018
VG Wort PhD Award and scholarship for book publication, 2014
German Research Foundation (DFG), PhD scholarship, 2007-2009
Friedrich-Ebert-Foundation (FES), graduate & postgraduate scholarship 1998-2001 & 2003-2006
Heidelberg University, Cambridge research scholarship, 1998
EU scholarship for Europe 2020 Youth Conference, Oxford Jesus College, 1997
Scheffel Award of Baden-Württemberg for A-Levels, 1994

CURRENT RESEARCH PROJECTS & GRANTS

Resolvency: A Global Theory of Reflexive Debt (Deliberation), ERC Starting Grant, €1,5 Mio (PI/sole)
Normativity, Critique & Change, DFG interdisciplinary graduate school, €4 Mio (PI/14 & co-speaker)
Laws of Social Cohesion, Excellence Network Berlin University Alliance, €1,3 Mio, 2020 (PI/12)
Artificial Intelligence & Law, Cooperation FU & King's College London, conference funding (PI/3)
Temporality of Intellectual Property: A Comparative Analysis, grant application (PI/2)
Liminal Property: Practices of Heritage and Its Crisis, interdisciplinary grant application (PI/8)

ACADEMIC TEACHING, SUPERVISION & SERVICE

Lecture courses & seminars: Contract law, property law, civil procedure, economic law, IP (patent) & IT law, comparative law, legal philosophy, law & society, law & political economy
Supervision: Supervisor or co-supervisor in 21 PhD projects, 13 master projects and over 100 bachelor projects in law and in philosophy
Academic service (selection): Board of examiners (vice chair) MBL FUB; election committee FUB law; board of tutorial commission FUB law; member of 6 appointment committees FUB

ORGANISATION OF SCIENTIFIC EVENTS (selection)

AI & Law, Academic Workshop Series, FUB & King's College London, London 2022 & Berlin 2023
Deliberative Contract Theory, PLT workshop, FUB & EUI Florence, Berlin 2021
Choice Theories of Law, PLT workshop, FUB, HU Berlin & Columbia University, Berlin 2018
Meritocracy & Law, workshop, FUB & Yale Law School, Berlin 2017
The Core of Property, PLT workshop, Königswinter 2015
The Future of Sociological Jurisprudence, Honorary Symposium for G. Teubner, Berlin 2014
Cultures of Contract Interpretation, PLT workshop, FUB, Münster University & VIU Venice 2014
Private Law & Economic Crisis, PLT conference, FUB, Osgoode Hall Toronto & U Ferrara 2012
The Public Dimension of Contract, PLT conference, Villa Vigoni Talks, Lago di Como 2011
POLAR Salon, Biannual Symposium on Politics, Philosophy & Art, KOW Gallery Berlin 2010-2015

REVIEW & EXPERT POSITIONS

Editorial board: International Studies of Private Law Theory (Hart Publishing & Nomos), Journal of Political Philosophy, Culture and Art POLAR (Campus, co-founder & co-editor-in-chief 2005-2019)
Reviewer (selection): European Review of Contract Law (ERCL), Zeitschrift für Rechtssoziologie, InterDisciplines, Deutsche Forschungsgemeinschaft (DFG), Austrian Academy of Sciences (ÖAW), Dutch Research Council (NWO), Studienstiftung des deutschen Volkes
Consultation (selection): WIPO (AI & IP), World Bank (sustainability standards), German Ministry for Development (sovereign debt), German Federal Parliament (Enquete "Digital Society"), Goethe Institute (digital property), Green Academy for Science & Politics (permanent member)

SCIENTIFIC SOCIETIES

Young Academy of Europe (YAE), elected fellow, 2020
European Law Institute (ELI), elected fellow (since 2017)
Private Law Theory Network (PLT), co-founder & coordinator (www.privatelawtheory.net)
Law & Society Association (LSA) and German Vereinigung für Recht & Gesellschaft (VRG)
International Association for Legal and Social Philosophy (IVR)
German Association for IP Law "Gewerblicher Rechtsschutz und Urheberrecht" (GRUR)

KEYNOTES & INVITED TALKS (selection)

The Grammar of Property, opening keynote, Association for Semiotics Congress, Lausanne, (05/2024)
Every Thing Is Music: On Re-Constructing Property, SFB Structural Change of Property, Erfurt, (06/2023)
Justice by Algorithm (ChatGPT, Legal Tech, Blockchain)?, German Notary Association, Berlin, (05/2023)
Rights of Nature as Collective Form [in German], SFB Intervening Arts, Berlin, 12/2022
Legal Norms as Social Reflexivity [in German], opening lecture, GRK lecture series, Berlin, 11/2022
(Reflexive) Law for the Anthropocene [in German], MPI for Legal History & Theory, Frankfurt/M, 11/2022
AI Patents: New Tracks In Legal Innovation Policy [in German], Technical University Berlin, 11/2020
Who Owns Algorithms? [in German], Green Academy Annual Meeting, Berlin, 02/2019
Beyond To Pay or Not to Pay: the Global Political Economy of Debt, Harvard Law School, 06/2018
Varieties of Discharge: Comp. Political Economy of Consumer Bankruptcy, Yale Law School, 04/2017
Deliberating Property: A Global Grammar of Property Law, Columbia Law School, 03/2017
Debt in the Anthropocene, Cambridge University & Collège de France (joint conference), 09/2016
Emotional Foundations of Judgement [in German], HU Berlin, 06/2014 (keynote review: FAZ 11/06/2014)
Discursive Passages: A Deliberative Grammar of Global Law, Academy Loccum, 10/2013

BOOKS (selection)

Die Fälle der Gesellschaft: Eine neue Praxis soziologischer Jurisprudenz [Towards a New Sociological Jurisprudence], edited experimental case book in honor of G. Teubner, Tübingen: Mohr Siebeck, 2018
Reshaping Markets: Economic Governance, the Global Financial Crisis & Liberal Utopia, edited research volume (with A. Somma and P. Zumbansen), Cambridge/UK: Cambridge University Press, 2016
Die Gründe des Vertrages: Eine Diskurstheorie der Vertragsrechte [The Reasons of Contract: A Discourse Theory of Contract Laws], research monograph, Tübingen: Mohr Siebeck, 2015

JOURNAL ARTICLES & BOOK SECTIONS (selection)

Property, in: Sellars & Kirste (eds), *Encyclopedia of Philosophy of Law and Social Philosophy*, New York: Springer, 2023, https://doi.org/10.1007/978-94-007-6730-0_546-1
Rethinking Debt By Its Limits, in: 11 PRJ 110 (2021), www.europeandissemination.eu/project-repository-journal-volume-11-october-2021/17509
Encoding Legal Balancing (with C. Benz Müller & D. Fuenmayor), conference paper for KR 2020, submitted article for Artificial Intelligence [Preprint: arxiv.org/abs/2006.12789]
Reasonable Machines (with C. Benz Müller), in: KI 2020: Advances in Artificial Intelligence, Proceedings 43rd German Conference on Artificial Intelligence, Berlin: Springer, 2020
Grammatik der Rechtfertigung [A Grammar of Justification], 52 Kritische Justiz 516-527 (2019)
Narrative Jurisprudenz [Narrative Jurisprudence], 74 Juristen Zeitung (JZ) 369-373 (2019)
Wem gehören intelligente Roboter? [Who Owns Intelligent Robots?], 59 Jur. Schulung (JuS) 372 (2019)
Watching the Watchmen: Power Analyses of Democratic Judicial Systems, in: Czeguhn (ed), *Control of Supreme Courts in Europe*, Berlin: Duncker & Humblot, 11-27 (2018)
Fondements de la propriété [Foundations of Property], in: Cornu, Orsi & Rochfeld (eds), *Dictionnaires des Communs*, Paris: Presses universitaires de France (2017)
Structured Error: Case Study on a Discourse Logic of Comparative Law, 1 Italian Law J 249-272 (2015)
Contract as Deliberation, in: 76 Law and Contemporary Problems 1-18 (2013)
Occupy Global Law: Against a Realist Takeover of World Rule, 4 Transnat Legal Theory 446-451 (2013)
Favor Contractus: Reading the CISG in Favor of the Contract, in: Andersen & Schroeter (eds), *Sharing International Commercial Law Across Boundaries*, Festschrift Kritzer, London: Wildy, 247-266 (2008)
Im Taumel der Freiheit: Demokratie und Repräsentation bei Jürgen Habermas [Democracy and Representation in the work of Jürgen Habermas], 39 Der STAAT 185-207 (2000)