

The Revised Product Liability Directive Strict Liability for Innovative Digital Technologies?

Organized by Martin Ebers and Clemens Danda

SCHEDULE

- 5.00 **Introduction**
Jan De Bruyne & Martin Ebers
- 5.10 **AI and the Revised PLD – An Overall Assessment of the Proposal**
Georg Borges
- 5.30 **The Scope of Damage and its Controversy under the Revised PLD**
Shu Li
- 5.50 **The Dichotomy of Digital Products and (Related) Services**
Clemens Danda
- 6.10 **Liability of Platforms under the Revised PLD**
Teresa Rodríguez de las Heras Ballell

Registration: ai-laws.org/webinar

[Privacy policy](#)

**24
Oct
2023**

**5.00-6.30 pm
CEST**

The landscape of liability concerning harm caused by innovative digital technologies - particularly artificial intelligence, and within contexts like online platforms, introduces distinctive complexities that require an examination of the product liability framework. The most pressing issues stem from the immateriality of software, the service dimension of software and platforms, and the ever-increasing value of data as a commodity. The revised Product Liability Directive addresses these challenges horizontally, extending strict liability to software products and related services, as well as introducing liability for harm to data. These represent decisive changes compared to the old framework of EU strict liability law, which are in need of thorough discussion.

Whilst also dealing with broader dogmatic topics, the webinar considers specific use cases in the digital

economy. First, we will look at the overall relevance of the revised Product Liability Directive for innovative technology – specifically, considering artificial intelligence software. Further, we will examine how the proposal adapts to the scope of damages, in particular - harm to data. Another central change is the adaptation of the framework to software products and related software services. We will analyse what this implies for the fundamentals of strict producer's liability which is traditionally oriented around harm caused by physical products. Finally, we will learn more about the implications of the new liability framework for online platforms. As we navigate these terrains, we hope to shed more light on the evolving landscape of liability for harm caused by innovative digital technologies, and the far-reaching consequences it holds for its stakeholders.