

## **FABIOLA MASSA**

“Tor Vergata” University  
Faculty of Economics  
Department of Management and Law

Via Columbia n. 2  
00133 – Rome ITALY  
(+39) 06 7259.5831 office  
e.mail: [fabiola.massa@uniroma2.it](mailto:fabiola.massa@uniroma2.it)

### RESEARCH AND TEACHING

Fabiola Massa is Assistant Professor at “Tor Vergata” University, Department of Management and Law, where she teaches in the field of intellectual property and innovation, with particularly attention to biotech and pharmaceutical topics.

She’s one of the Scientific Committee members of the reviews “Nuovo diritto civile” and “I Battelli del Reno”. She has taken part, for seven years, as member of editorial staff, to the works of “Treccani Legal Encyclopedia”, for which she wrote and published the pages on Biotechnology Inventions, Plant Varieties, Industrial Design and Unfair business-to-consumer Commercial Practices.

Dr. Massa served as Master teacher on IPRs at several courses present in her university and in other institutions. Her studies has been published in law journals and books concerning IPRs.

Since March 1<sup>st</sup>, 2018 Dr. Massa is Principal Investigator of the Research Project “SustainCO - Sustainability measures at Company level: a national survey for better implementation” supported by “Tor Vergata” University with a duration of 18 months.

Furthermore she’s also one of the members of research staff in the Project known with the acronym “OLTRE” (Oltre l'orizzonte. Contro narrazioni dai margini al centro: Impact evaluation research about actions) funded by the European Commission for a period 14 November 2018 - 14 November 2020 (Proposal No. 812584).

In September 2008, Dr. Massa visited the Canadian Universities: Mc Gill and Sherbrooke, thanks to a fellowship of the International Council for Canadian Studies, during her stay she carried out a research on the technology transfer system put in place by the Canadian universities.

Since 2017, Dr. Massa is member of the Scientific Council of the Center for Studies and Research on Economic Intelligence and Security Management of “Tor Vergata” University and Steering Committee member of the Italian Academy of the Internet Code.

Since May 2014, she's member of Joint Committee established by the Conference of Italian University Deans (CRUI), the collecting society SIAE, the Authors and the Publishers, with the duty to manage a fund fed by taxes on photocopies made inside the university libraries.

Since 2011, Dr. Massa is member of the Italian group of ALAI (International Literary and Artistic Association) founded in 1878 by the great French writer Victor Hugo.

From 2007 to date, Dr. Massa is member of Commission for Promoting the University Research Results and the Technology Transfer at the "Tor Vergata" University, with the task to analyze all the inventions carried out by the academic employees and decide how to protect them or to negotiate the IPRs obtained by the University. She's also the lead author of the Academic Inventions Guidelines for "Tor Vergata" University.

Prior to become Assistant Professor Mrs. Massa studied Droit Communautaire, Fiscalité Internationale, Marketing International and Economie Internationale at IPAG of Paris.

#### COLLEGE & UNIVERSITY DEGREES

- 1999 - Doctor of Trade and Economics (cum laude), Faculty of Economics, "Tor Vergata" University, Rome - Italy;
- 2000 - Post-graduate Specialization Course on Intellectual Property, of Turin University with the sponsorship of WIPO Academy, Genève - Switzerland;
- 2005 - PhD. in Industrial Law, Faculty of Law, Pavia University - Italy.

#### ADDITIONAL EDUCATION

- 1999- 2000 - Performing Course of in IPRs supported by the European Commission and managed by "Tor Vergata" University, for the duration about 480 hours;
- 2010 - Course of Specialization on Development and Management of Intellectual Property, organized by the Italian General Direction Against Counterfeiting, Ministry of Economic Development, Italy, for the duration of 40 hours;
- 2004 - Cycle of seminars on "Towards new rules of Intellectual Property", Perugia University;
- 2014-2015 - Course of Specialization on "Industrial Property and Trademarks", organized by Milan Polytechnic Foundation, for the duration of 129 hours.

- 2017 - Distance learning course on "Technology Commercialisation" organized by European Patent Office Academy.

#### EMPLOYMENTS

- from 2006 to date - Assistant Professor in Commercial Law at the University of Rome "Tor Vergata" for the needs of Economics Faculty;
- from 2003 to 2016 and from 2018 to date - Aggregate Professor at the Faculty of Medicine, University of Rome "Tor Vergata" for the course of "Legislation and Patents";
- from 2011 to 2016 - Aggregate Professor at the Faculty of Science, University of Rome "Tor Vergata", for the course of "Legal and Ethical Aspects of Biotechnologies";
- from 2012 to 2017 - Aggregate Professor at the Faculty of Science, University of Rome "Tor Vergata", for the course of "Italian and European Pharmaceutical Legislation and Commercial Law";
- from 2007 to 2011 - Contract Professor at the Faculty of Medicine, Teramo University, for the course of "Discipline of Biotechnology Patents";
- from 2016 to 2017 - Professor of Industrial Law at the Faculty of Economics, "Tor Vergata" University;
- from 2017 to date - Professor of "Market Law and Protection of Innovation";
- from 2012 to 2016 - Professor of the course of "Commercial Law" at the Faculty of Law, University of Rome "Tor Vergata", within the Degree in "Legal Science of Security".

#### AWARDS, GRANTS AND FELLOWSHIPS

- 2008 - International Council for Canadian studies Fellowship;
- 2002 - Distinguished Visiting Researcher at the European Court of Justice, thanks to Ministry of Culture, Higher Education and Research Luxembourg Research Grant;
- 1996-1997 - ERASMUS Fellowship, at IPAG, Paris;
- 1994-1995 - ADISU Fellowship for academic merits.

- March 2018 – Centre for Economic and International Studies (CEIS) of “Tor Vergata” University Research Fellow.

#### MEMBER OF PH.D. SCIENTIFIC BOARDS

- 2013-2014 - Member of Academic Board of Ph.D. in “Diritto e Tutela: esperienza contemporanea, comparazione, sistema giuridico-romanistico”, cycle XXIX, Faculty of Law - “Tor Vergata” University;
- From 2017 to date - Member of Academic Board of Ph.D. in "Teoria dei contratti, dei servizi e dei mercati", cycles XXXIII - XXXVI, Faculty of Economics - “Tor Vergata” University.

#### INSTITUTIONAL INVOLVEMENTS

- 2016 - Member of technical panel nominated by the Italian Honourable Parliamentarian Dr. Anna Ascani with the scope to write a proposal law concerning the reform of professor’s privilege for academic inventions at this moment governed by art. 65 of Italian Industrial Code. The work became the text of proposal law n°. C. 3928 filed into the Parliament on June 24 2016, and illustrated to the public by means a Press Conference took place on June 15 2016 at the Italian Parliament;
- July 2016 - Consulted by the Agricultural Commission of Italian Senate (one of two Italian Parliament Chambers), as expert of patentability of new technics called “cisgenesis and genome editing”, on which she gave a technical opinion.

#### REFEREE ACTIVITY

- September-October 2012: Referee on behalf of Italian Ministry of Education, University and Research for the evaluation of a Research Project of National Interest -“PRIN 2010-2011”;
- December 2014: Referee on behalf of Italian Ministry of Education, University and Research for the evaluation of a research project of Scientific Independence of young Researchers - “SIR 2014”;
- June 2016 – September 2016: Referee on behalf of Italian Ministry of Education, University and Research for the evaluation of scientific papers carried out by the Italian academics of the Commercial Law scientific sector (VQR 2011-2014);

- September – October 2018: Referee on behalf of Insubria University for the evaluation of a Research Project relating to a call for a postdoc fellowship.

#### AREAS OF INTEREST

- Intellectual property rights, biotechnology and pharmaceutical inventions, plant variety rights, information technology, trade secret, commercial practices, unfair competition and sustainability.

#### PUBLICATIONS

##### **Journal articles**

- *La tutela a cascata delle varietà vegetali e le conseguenze del rilascio della privativa*, in *Contratto e impresa*, 2021, n. 3, being published;
- *Spigolature sulla normativa in tema di protezione giuridica delle varietà vegetali derivate*, in *Diritto agroalimentare*, 2018, fasc. No. 2, pp. 393-423;
- *Considerazioni dall'angolo visuale dei diritti di proprietà industriale sulla cisgenesi e sul genome editing applicati agli organismi vegetali*, in *Diritto agroalimentare*, 2016, n. 2, pp. 293- 313;
- *Introduzione di drag-along e consenso del socio forzabile*, in *Il corriere del merito*, No. 7, 2011, pp. 692-698;
- *Creazioni del lavoratore dipendente e Codice della proprietà industriale*, in *Studium iuris*, 2007, p. 23 ss.;
- *La normalizzazione dei trasporti e l'interferenza della proprietà intellettuale*, in *Trasporti e globalizzazione: materiali per una ricerca*, (a cura di A. Xerri), Cagliari, 2004, p. 209 ss.;

##### **Articles/chapters in books and monographs**

- *Società benefit ed esternalizzazione della vocazione alla sostenibilità*, in (a cura di Fabiola Massa) *SustainCO. Stato dell'arte ed evoluzione della sostenibilità nelle PMI italiane*, in press;

- *Comment to art. 19 d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, V ed., Milano, 2019, pp. 132-155;
- *Comment to art. 20 d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, V ed., Milano, 2019, pp. 155-173;
- *Comment to art. 21 d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, V ed., Milano, 2019, pp. 173-203;
- *Comment to art. 22 d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, V ed., Milano, 2019, pp. 203-215;
- *Comment to art. 22 bis d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, IV ed., Milano, 2019, pp. 215-218;
- *Comment to art. 23 d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, V ed., Milano, 2019, pp. 218-224;
- *La nozione di invenzione brevettabile*, in *Trattario di diritto civile* (a cura di Paolo Cendon), Milano, 2017, pp. 1-10;
- *Comment to Art. 10 Directive No. 2014/17/UE*, in *I mutui ipotecari nel diritto comparato ed europeo. Commentario alla direttiva 2014/17/UE*, (a cura di Pietro Sirena), Milano, 2016, pp. 247-251;
- *Comment to Art. 11 Directive No. 2014/17/UE*, in *I mutui ipotecari nel diritto comparato ed europeo. Commentario alla direttiva 2014/17/UE* (a cura di Pietro Sirena), Milano, 2016, pp. 261-267;
- *Comment to Art. 19 d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, IV ed., Milano, 2015, pp. 119-138;
- *Comment to Art. 20 d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, IV ed., Milano, 2015, pp. 138-158;
- *Comment to Art. 21 d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, IV ed., Milano, 2015, pp. 158-183;
- *Comment to Art. 22 d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, IV ed., Milano, 2015, pp. 183-193;
- *Comment to Art. 22 bis d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, IV ed., Milano, 2015, pp. 193-194;
- *Comment to Art. 23 d. lgs. n. 206/2005*, in *Codice del consumo*, a cura di V. Cuffaro, IV ed., Milano, 2015, pp. 194-198;

- Comment to Art. 46 d. lgs. n. 21/2014, in *I nuovi diritti dei consumatori. Commentario al d. lgs. n. 21/2014*, Torino, 2014, pp. 35-45;
- Comment to Artt. 22-23 d. lgs. n. 206/2005, in *Codice del consumo*, a cura di V. Cuffaro, III ed., Milano, 2012, pp. 165-177;
- Comment to Art. 19 d. lgs. n. 206/2005, in *Codice del consumo*, a cura di V. Cuffaro, III ed., Milano, 2012, pp. 112-125;
- Comment to Art. 21 d. lgs. n. 206/2005, parr. 1-4, in *Codice del consumo*, a cura di V. Cuffaro, III ed., Milano, 2012, pp. 143-150;
- Comment to Art. 21 d. lgs. n. 206/2005, parr. 10-11, in *Codice del consumo*, a cura di V. Cuffaro, III ed., Milano, 2012, pp. 157-161;
  
- *Invenzioni biotecnologiche*, in *Enciclopedia giuridica Treccani*, XVIII vol. di aggiornamento, Roma, 2009;
- Comment to Art. 19 d. lgs. n. 206/2005, in *Codice del consumo*, a cura di V. Cuffaro, II ed., Milano, 2008, pp. 93-20;
- Comment to Art. 21 d. lgs. n. 206/2005, §§ 1-4, 11 and 13, in *Codice del consumo*, a cura di V. Cuffaro, II ed., Milano, 2008, pp. 116-120, 127-128, 130;
- Comment to Art. 22 d. lgs. n. 206/2005, in *Codice del consumo*, a cura di V. Cuffaro, II ed., Milano, 2008, pp. 131-136;
- Comment to Art. 23 d. lgs. n. 206/2005, in *Codice del consumo*, a cura di V. Cuffaro, II ed., Milano, 2008, pp. 136-139;
- *Pratiche commerciali scorrette*, in *Enciclopedia giuridica Treccani*, volume di aggiornamento XVI, Roma, 2007;
- *Modelli industriali e disegni ornamentali (Postilla di aggiornamento)*, in *Enciclopedia giuridica Treccani*, XX, Roma, 2006;
- Comment to Artt. 18 d. lgs. n. 206/2005, in *Codice del consumo*, a cura di V. Cuffaro, I ed., Milano, 2006, pp. 69-73;
- Comment to Artt. 19 d. lgs. n. 206/2005, in *Codice del consumo*, a cura di V. Cuffaro, I ed., Milano, 2006, pp. 73-76;
- Comment to Artt. 21 d. lgs. n. 206/2005, in *Codice del consumo*, a cura di V. Cuffaro, I ed., Milano, 2006, pp. 88-99;

- Comment to Art. 24-bis legge invenzioni, in Marchetti, P.-Ubertazzi, L.C., *Commentario breve al diritto della concorrenza*, ed. 3<sup>rd</sup> Padova, 2003, pp. 794-797;
- *Ritrovati vegetali*, in *Enciclopedia giuridica Treccani*, XXVII, Roma, 2002;
- *I nuovi beni - l'innovazione nei settori della creazione intellettuale, della comunicazione e nel trasferimento di tecnologie*, (a cura di P. Masi), Il Sole-24 ore, Milano, 2002, in which prof. Massa is author of the following paragraphs:

§ 2.4 Il rapporto nella creazione tra idea e contributo dell'impresa, e la creazione del dipendente;

§ 2.4.1 ...(segue) l'invenzione universitaria e nella Pubblica Amministrazione;

§ 4.1 Il trasferimento con contratti di diritto comune e il trasferimento mediante cessione o licenza di brevetto o di marchio;

§ 4.1.1 ...(segue) la circolazione del brevetto;

§ 4.1.2 ...(segue) la circolazione del marchio;

§ 4.2 La diffusione di contratti "nuovi";

§ 4.3 Il trasferimento con contratti specificamente previsti e l'esempio del contratto di edizione;

§ 4.4 Il trasferimento con contratti di know how;

§ 4.5 I contratti di ricerca,

§ 5.5 Il sistema dei parchi scientifici.

- *Novelty and Non-Obviousness of Biotechnological inventions under EU and US law*, written in collaboration with Valeria Pignata and Dominic Metlae, in Post-Graduate Specialization Course on Intellectual Property, WIPO, 2001, 111-143.

## **Media articles**

- *Tribunale ad hoc per il brevetto Ue*, in *Italia Oggi*, del 10 gennaio 2001, p. 37;
- *Il contratto nell'E-commerce*, in *Summa*, 2000, n. 157, p. 10



