

CURRICULUM VITAE
Rossella Esther CERCHIA



Areas of Research:

Comparative Law

- Contract Law
- Tort Law

European Legal History

Fashion Law

Born in Milan (Italy) on 18 January 1977.

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Current Position and Qualifications: Full Time Associate Professor of Comparative Law at University of Milan – Adjunct Professor of Law at Cornell Law School (Fall 2018)

Since 2014: Recipient of the National Scientific Qualification of “Full Professor in Comparative Law (ASN)”.

2016 - present: Coordinator for the University of Milan of the post-graduate course in “FASHION LAW, The legal problems of the fashion industry”, in partnership with the University of Insubria (Como);

2016 - present: Coordinator for the University of Milan of the post-graduate course in “Legal Translation of English-Italian Contract and Business documents”, in partnership with the University of Insubria (Como);

Member of the Scientific Committee of the Inter-university Research Center in Comparative Law (CCDC) for the University of Milan.

Member of the Commission for the Internationalization of the Law School at the University of Milan;

Member of the Board of Professors for the LLM Program in Sustainable Development - University of Milan;

Member of the Review Commission for the LLM Program in Sustainable Development - University of Milan;

2010 – present: Member of the Board of Professors for the PhD in “Comparative law, Private law, Procedural law and Company law” at the University of Milan;

Associate Member of the International Academy of Comparative Law;

Fellow of the “Società Italiana per la Ricerca nel Diritto Comparato (SIRD) – Italian Association for Research into Comparative Law”;

Fellow of the “Association of Henry Capitant Des Amis de la Culture Juridique Française”;

Fellow of the European Law Institute (ELI);

Member of the Scientific Board of the law review “Diritto e letteratura”, directed by Professor F. Casucci;

Member of the Scientific Board of the law review “Il diritto dell’agricoltura”, directed by Professors F. Casucci, E. Caterini, F. Santoni and G. Santoni;

Member of the Editorial Board of the law review “Annuario di Diritto Comparato e Studi Legislativi”;

Guest Editor of the Special Issue “The New Frontiers of Fashion Law”, *Laws* (ISSN 2075-471X) 2019.

2004 – Present: Attorney at Law.

Courses to be taught during the 2018/2019 academic year:

- 1) Comparative Contract Law at Cornell Law School – Fall 2018 (USA)
- 2) Comparative Private Law at University of Milan (Italy);
- 3) An Introduction to Italian Private Law in a Comparative Perspective at University of Milan (Italy)
- 4) Comparative Contract Law, in conjunction with Professor Carlo Marchetti, at the University of Milan (Italy)

Honors, awards and education

2014, National Scientific Qualification as Full Professor in Comparative Law.

2013, National Scientific Qualification as Associate Professor in Comparative Law.

2013, National grant “Una tantum” for publications.

2001, Research scholarship by Fondazione Fratelli Confalonieri.

In 2000 the Alumni Association of the University of Milan’s Faculty of Law awarded Rossella for graduating in the top 5 of her class and for having graduated with the maximum GPA and cum laude in four years.

In 1999 she was conferred a Juris Doctor degree (summa cum laude) from University of Milan; Rossella wrote her graduation on “American Indian Law: rapporti tra il Governo Federale e le minoranze native negli Stati Uniti d’America” while attending Seton Hall, School of Law (N.J.) U.S.A.

Grants and financed projects:

Within the University of Milan, Italy:

- “Linea A 2018”: on projects on Comparative Global Law;
- “Linea B and C, 2017”: financed two projects on Comparative Private Law;
- “Linea B, 2016”: financed a project on Comparative Private Law;
- “Linea B, 2015”: financed a project on Comparative Private Law;
- “Linea B, 2014”: financed two interdisciplinary projects with Professors Sara Parini (Legal - history) and Marta Cenini (Civil Law).

National Grants:

- PRIN 2009: participant in “Paradigm shift of the New Institutional Economics and models of comparative law”;

- PRIN 2007: participant in “Legislative multilingualism and financial services”;
- PRIN 2005: participant in “The Common Frame of Reference and Legal Categories in the harmonization of European Law”;
- PRIN 2003: participant in “European legal terminology and categories of private law”.

Other Grants at the University of Milan:

- 2009 PUR 10%, Ate-0118;
- PUR 2006/2008, 2008 Ate-0074, participant in “Punitive damages: the problems surrounding enforcing judgments”, University of Milan;
- PUR 2006/2008, 2007 Ate-0134, participant in “The fiduciary and rapports of fiduciary nature in today’s continental law”;
- PUR 2006/2008, 2006 Ate-0092, participant in “Typing and financing of companies,” University of Milan;
- PUR 2006-2008, participant in “The legal translation of multilingual texts,” University of Milan.

International Visiting:

Fall term 2018: Cornell Law School, Ithaca (N.Y);

July-August 2017: Institute of European and Comparative Law, University of Oxford, Faculty of Law;

June 2015: East China University, Shanghai, China;

January-February 2015: Institute of European and Comparative Law, University of Oxford, Faculty of Law;

February 2014: Institute of European and Comparative Law, University of Oxford, Faculty of Law;

July-August 2013, Institute of European and Comparative Law, University of Oxford, Faculty of Law;

February 2012: Institute of European and Comparative Law, University of Oxford, Faculty of Law;

July 2011: Institute of European and Comparative Law, University of Oxford, Faculty of Law;

October-November 2010: Institute of European and Comparative Law, University of Oxford, Faculty of Law;

July 2009: Institute of European and Comparative Law, University of Oxford, Faculty of Law;

March 2006: Institute of European and Comparative Law, University of Oxford, Faculty of Law;

August-September 2005: University of California, Hastings College of Law, San Francisco (USA).

Rossella has also conducted research at Cambridge (UK), NYU and at the University of Paris.

Recent lectures and conferences:

She teaches degree courses, post-graduate courses and Masters courses in Comparative Law at various universities, and has been invited to speak at national and international conferences at prestigious Italian and foreign universities.

November 2017: “EU Mapping: an Introduction to Consumer Protection in the European Context”, University of Milan;

November 2017: “Was ist Aufklärung?”, University of Milan (Conference on the roots of Civil Law Tradition);

June 2017: “La moda nel prisma del diritto” (Fashion in the “prism” of law), Postgraduate Course on Fashion Law, University of Milan;

June 2017: “Moda, diritto doganale e della contraffazione” (Fashion, customs and counterfeiting), Workshop at University of Insubria (Como);

May 2017: “La circolazione dei modelli giuridici: gli ultimi sviluppi della codificazione del diritto civile in Cina” (The circulation of legal models: the latest developments in the codification of civil law in China), University of Milan;

March 2017: “Principles of English contract law”, Postgraduate Course in “Legal Translation of English-Italian Contract and Documents”, University of Milan;

March 2017: “Principi generali di Diritto Civile e Commerciale tra civil law e common law” (General principles of law: civil and common law traditions), Diploma Course in Patent Law at the University of Milan;

March 2017: “Paillettes e le sudate carte”, Presentation of the Postgraduate Course on Fashion Law, University of Milan;

November 2016: “Legal education e legal professions nell’era della globalizzazione” (Legal education and legal professions in the era of globalization), University of Milan;

November 2016: “Le origini del sistema inglese” (The origins of Common Law), University of Milan;

October 2016: “Legal Transplant and Legal Culture”, University of Milan;

April 2016: “I contratti di sponsorizzazione sportiva” (Sponsorship agreements) at Camera Civile, Mantova;

March 2016: “Nascita e sviluppo del common law” (The origin and development of English common law), University of Milan;

March 2016: “Agency, mandato e mentalità giuridica: un percorso storico comparatistico” (Agency, mandate, mandato and legal mentality: a comparative historical path in Europe), Phd School of Law;

March 2016: "Principi generali di Diritto Civile e Commerciale tra civil law e common law", Corso di Perfezionamento in Brevettistica, University of Milan;

February 2016: “I contratti autonomi di garanzia nella prassi internazionale” (International performance bonds), Covenia, Milan;

October 2016: “I contratti del mondo della moda; dai concession agreements al franchising”, (Fashion law agreements: concession, franchising and other contracts), Camera di Commercio, Mantova.

February 2015: “I contratti di sponsorizzazione sportive” (Sponsorship agreements), Postgraduate Course on Sports Law, University of Milan – Bar association (Milan).

November 2014: “Fashion Law Agreements”, within the post-graduate Course on Fashion Law, University of Milan.

July 2014: “I contratti di diritto internazionale” (International contracts), within the post-graduate Course on Contract Law Drafting, at University of Milan.

March 2014: “Fashion Law Agreements”, within the post-graduate Course on Fashion Law, University of Como.

February 2014: “Sponsorship agreements”, within the post-graduate Course on Sports Law, University of Milan – Bar association (Milan).

May 2013: “The inappropriate use of women in Italian commercial advertising and the IAP case law”, University of Sannio (Benevento).

Publications:

R.E. Cerchia, *Quando il vincolo contrattuale si scioglie: unicità e pluralità di temi e problemi nella prospettiva europea*, Milano, Giuffrè, 2012, ISBN: 88-14-17568-3.

R.E. Cerchia, *Uno per tutti, tutti per uno: itinerari della responsabilità solidale nel diritto comparato*, Milano, Giuffrè, 2009, ISBN: 88-14-14634-9.

R.E. Cerchia, M. Cenini, *Cases and Materials on Italian Private Law*, Milano, Giuffrè, 2016 Jan. - ISBN 978-8814-200342

R.E. Cerchia, *La responsabilità solidale in diritto privato comparato*, Cuem, Milano, 2008, ISBN: 9788860011763.

R.E. Cerchia, *Legal Mentality and Its Influence in Shaping Legal Rules: the Relationship between Principal and Agent*, Global Jurist, 2018.

R.E. Cerchia, S. Parini, *Itinerari europei a favore della risoluzione del contratto by notice: una prospettiva storico comparativa*, in *Un uomo di successo. Studi in onore di Antonio Gambaro*, Milano: Giuffrè, 2017 Jun., ISBN 9788814220555, pp. 971-1010

R.E. Cerchia, *I "corner" nei department store: concession agreement, contratto di affidamento in gestione del reparto e altri contratti*, in *Fashion Law - Le problematiche giuridiche della filiera della moda* / [a cura di] B. Pozzo, V. Jacometti, Dott. A. Giuffrè Edit. spa, 2016. - ISBN 9788814219047.

R.E. Cerchia, *Il common law inglese*, in *Casi e materiali per un corso di diritto privato comparato: le tradizioni di Common law e Civil law* [a cura di] A. Gambaro, A. Candian. – Torin, Giappichelli, 2015, ISBN 9788892102545, pp. 1-72;

R.E. Cerchia, *Naked Women And IAP Case Law: A Defence Against The Inappropriate Use Of Women In Italian Commercial Advertising*, Global Jurist (2012), ISSN: 1934-2640.

R.E. Cerchia, *Interest Rate Swaps' Contract and 'Excessive Onerousness': an Italian Viewpoint*, European Review Of Private Law, vol. 23, p. 121-132, ISSN: 0928-9801, 2015.

R.E. Cerchia, *Art. 2051 c.c. e "stato dei luoghi". Ci si è dimenticati di qualcosa?, Danno e Responsabilità*, 2012, p. 1049-1054, ISSN: 1125-8918.

R.E. Cerchia, *La solidary liability nel DCFR*, in *Il DCFR: lessici, concetti e categorie nella prospettiva del giurista italiano*, Torino, Giappichelli, 2012, ISBN: 978-88-348-2920-2.

R.E. Cerchia, *Come può l'erede provare la simulazione relativa?*, in *D & G. Diritto & Giustizia*, 2012, ISSN: 1590-9255.

R.E. Cerchia, *Remedies*, in *Il contract in Inghilterra: lezioni e materiali*, p. 187-215, Giappichelli, 2012, ISBN: 978-88-348-3807-5.

R.E. Cerchia, *La construction*, in *Il contract in Inghilterra: lezioni e materiali*, p. 141-166, Giappichelli, 2012, ISBN: 978-88-348-3807-5.

R.E. Cerchia, *La nozione di contract e gli unilateral contracts*, in *Il contract in Inghilterra: lezioni e materiali*, p. 5-21, Giappichelli, 2012, ISBN: 978-88-348-3807-5.

R.E. Cerchia, *Le invalidità del contratto*, in *Il contract in Inghilterra: lezioni e materiali*, p. 231-259, Giappichelli, 2012, ISBN: 978-88-348-3807-5.

R.E. Cerchia, *Intention to create legal relations*, in *Il contract in Inghilterra: lezioni e materiali*, p. 47-70, Giappichelli, 2012, ISBN: 978-88-348-3807-5.

R.E. Cerchia, *Agency e privity*, in *Il contract in Inghilterra: lezioni e materiali*, p. 101-113, Giappichelli, 2012, ISBN: 978-88-348-3807-5.

R.E. Cerchia, *Negata la proroga del termine assegnato all'erede: via libera al ricorso straordinario per cassazione*, D & G. Diritto & Giustizia, 2012, ISSN: 1590-9255.

R.E. Cerchia, *Beneficio di inventario, pignorabili i beni dell'erede frutto del reinvestimento di beni ereditari*, D & G. Diritto & Giustizia, 2012, ISSN: 1590-9255.

R.E. Cerchia, *Esecuzione in forma specifica di un preliminare di vendita di un bene in comunione legale: basta la sottoscrizione di un coniuge*, D & G. Diritto & Giustizia, 2012, ISSN: 1590-9255.

R.E. Cerchia, *Itinerari e destini della responsabilità solidale* in *Danno e Responsabilità*, p. 5-13, 2011, ISSN: 1125-8918.

R.E. Cerchia, *Le Advance Directives nei paesi di common law: prospettive per il nostro ordinamento*, Rivista di Diritto Civile, vol. 51, p. 733-758, 2005, ISSN: 0035-6093.

R.E. Cerchia, *The Liability of the Expert Witness: a deep discrepancy between law in books and law in action in the Italian Legal System*, European Review Of Private Law, 2013.

R.E. Cerchia, *Sponsorizzazione (contratto di)* Voce, Digesto Delle Discipline Privatistiche, Sezione Civile, vol. 2013, p. 694-701, ISSN: 1972-8328, 2013.

R.E. Cerchia, *La risoluzione per inadempimento*, in (a cura di) A. Gambaro - U. Morello, *Lezioni di diritto civile: casi, questioni e tecniche argomentative*. p. 615-641, Milano, Giuffrè, ISBN: 9788814180811, 2013.

R.E. Cerchia, *Commento sub art. 183*, in A. Candian – G. Carriero (a cura di), *Codice delle Assicurazioni Private annotato con la dottrina e la giurisprudenza*, Napoli, ESI, 2014, ISBN: 978-88-495-2796-4, 2014

R.E. Cerchia, *Atti sessuali compiuti da un'insegnante su minorenne: liquidazione dei danni non patrimoniali sofferti da persona offesa da reato e dai genitori*, Maggio 2014, RiDaRe Risarcimento Danno Responsabilità, Giuffrè – on line.