

ERCL EUROPEAN REVIEW OF CONTRACT LAW

EDITORIAL BOARD

Hugh Collins

Fernando Gómez

Stefan Grundmann (Managing Editor)

Martijn W. Hesselink

Horatia Muir Watt

Vincenzo Roppo

DE GRUYTER

EUROPEAN REVIEW OF CONTRACT LAW (ERCL)

MANAGING BOARD

Prof. Hugh Collins, London
Prof. Dr. Fernando Gómez, Barcelona
Prof. Dr. Dr. Stefan Grundmann, LL.M. (Managing Editor)
Prof. Dr. Martijn W. Hesselink, Amsterdam
Prof. Dr. Horatia Muir Watt, Paris
Prof. Vincenzo Roppo, Genova

CONSULTING BOARD

Prof. Avv. Guido Alpa, Genova/Roma
Prof. Hugh Gurney Beale, Warwick/London
Prof. Avv. Cesare M. Bianca, Roma
Prof. Jacques Caillousse, Paris
Prof. Muriel Fabre-Magnan, Paris
Prof. Bénédicte Fauvarque-Cosson, Paris
Prof. Dr. Daniel Friedmann, LL.M., Tel Aviv
Prof. Gerrit De Geest, Utrecht
Prof. James R. Gordley, Berkeley
Prof. Dr. Aristides Hatzis, LL.M., Athens
Prof. Dr. Johnny Herre, Stockholm
Prof. Dr. Dr. Dres. h. c. Klaus J. Hopt, Hamburg
Prof. Christophe Jamin, Paris
Prof. Dr. Dr. h. c. mult. Konstantinos Kerameus, Athens
Prof. Dr. Ole Lando, Frederiksberg/Copenhagen
Prof. Dr. Brigitta Lurger, LL.M. (Harvard), Graz

Prof. Ugo Mattei, Torino
Prof. Dr. Denis Mazeaud, Paris
Prof. António Pinto Monteiro, Coimbra
Prof. Dr. Jerzy Rajski, Warsaw
Prof. Dr. Robert Rebhahn, Wien
Prof. Dr. Karl Riesenhuber, M.C.J., Bochum
Prof. Dr. Martin Schauer, Wien
Prof. Dr. Pietro Sirena, Milano
Prof. Jules Stuyck, Leuven
Prof. Dr. Walter van Gerven, Leuven
Prof. Paul Varul, Tartu
Prof. Dr. Lajos Vékás, Budapest
Prof. Stephen R. Weatherill, Oxford
Prof. Dr. Harm Peter Westermann, Tübingen
Prof. Dr. Dr. Thomas Wilhelmsson, Helsinki
Prof. Dr. Dr. h. c. mult. Reinhard Zimmermann, Hamburg

All rights reserved, including those of translation into foreign languages. No part of this journal may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording, or any information storage or retrieval system, without permission in writing from the publisher.

ISSN 1614-9920 · e-ISSN 1614-9939

All information regarding notes for contributors, subscriptions, open access, back volumes and orders is available online at www.degruyter.com/ercl.

RESPONSIBLE EDITOR Prof. Dr. Dr. Stefan Grundmann, LL.M., Humboldt-Universität zu Berlin, Juristische Fakultät, Lehrstuhl für Bürgerliches Recht, Deutsches, Europäisches und Internationales Privat- und Wirtschaftsrecht, D-10099 Berlin, Fax: +49 (0)30 2093-3497,
Email: Stefan.Grundmann@rewi.hu-berlin.de; Assistant to the Managing Editor: Florentine Schreiter, same address. Email: ercl@rewi.hu-berlin.de

JOURNAL MANAGER Katharina Kaupen, De Gruyter, Genthiner Straße 13, 10785 Berlin, Germany, Email: katharina.kaupen@degruyter.com

RESPONSIBLE FOR ADVERTISEMENTS Claudia Neumann, De Gruyter, Genthiner Straße 13, 10785 Berlin, Germany, Tel.: +49 (0)30 260 05-226, Fax: +49 (0)30 260 05-264,
Email: anzeigen@degruyter.com

© 2021 Walter de Gruyter GmbH, Berlin/Boston

TYPESETTING jürgen ullrich typesatz, Nördlingen

PRINTING Franz X. Stücker Druck und Verlag e.K., Ettenheim



Contents

Articles

Mateja Durovic and Marco Montanaro

Data Protection and Data Commerce: Friends or Foes? — 1

Gioia Caldarelli

**Unilateral Modification of Long Term Contracts: American Change of Terms
Clauses and Italian *Ius Variandi* from a ‘Relational’ Point of View — 37**

Zia Akhtar

**Illegality in Employment Contracts, Enforced Labour and Public Policy
Considerations — 54**

EU Legislation

Rossella Delfino

European Union Legislation and Actions — 82

EU Case Law

Fabrizio Esposito and Lucila de Almeida

European Union Litigation — 87

Book Reviews

Mireia Artigot Golobardes

**Antonios Karampatzos, *Private Law, Nudging and Behavioral Economic Analysis.
The Mandated-Choice Model* — 107**

Ricardo Pazos

**Jean-Sébastien Borghetti and Simon Whittaker (eds.), *French Civil Liability in
Comparative Perspective* — 113**

