
DIBATTITI

NADIA ZORZI GALGANO, *La tutela dell'ambiente e degli animali in seguito alla recente modifica della Costituzione* pag. 1

ABSTRACT: The contribution analyzes the protection of the environment and animals following the amendment of the 2022 Constitution. In particular, with reference to the environment, it considers the European sources of laws, the coordinated protection systems, then accounting for the division between State competence and regional competence at the national level. With reference to animals, also considering the disciplines that protect animals, it identifies the interests taken into consideration by them.

MARISARIA MAUGERI, *Il rinnovamento del codice civile e lo European Business Code* » 23

ABSTRACT: The author analyses the proposal to draft a European Business Code. The author is of the opinion that the proposal can only be successful if it is limited to the rationalisation of the existing EU law. The adherence of the EU institutions to neo-liberal economic thinking and the current institutional framework would, in the author's opinion, prevent the success of a project that intended to go beyond such rationalisation.

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STEFANO TROIANO, *Consumatore, turista, viaggiatore: le continue (illusorie?) metamorfosi di un personaggio in cerca di autore* » 33

ABSTRACT: Due to the succession of various regulatory measures, partly in transposition of European legislation, and partly as the result of spontaneous choices of the national legislature, the subjective category on which tourism law is centered has taken on many different features in Italy. From the notion of "consumer of travel packages", dating back to

1995, there has been a shift to that of “tourist”, in 2011, supplanted in 2018 by that of “traveller”. The location of the corresponding rules has also changed over time, first moving from special legislation to the Consumer Code and later to the Tourism Code. That these transitions have given rise to a notion actually changing and iridescent in its application boundaries is, however, mainly an optical illusion. The approach of the European legislator has indeed remained unchanged over time and has always included in the protection also persons travelling for business or professional reasons and subjects other than natural persons. The essay is an opportunity to question the subjective boundaries of the rules protecting weak contracting parties, and to reflect on the (excessive) margins of variability and uncertainty that these boundaries present in the different contexts of EU-derived law.

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ABSTRACT: *The essay examines the consumer’s right to reduction in the total cost of the credit due to the early termination of the credit agreement, in the most recent jurisprudence of the EU Court of Justice and the Italian Constitutional Court.*

GUSTAVO GHIDINI - RICCARDO PISELLI, *Proprietà intellettuale e commercio internazionale. Oltre i confini dei TRIPs* » 83

ABSTRACT: *As concerns the relationship between the Global South and the developed countries, TRIPs Agreement provides a robust protection of IP. This might result in a weaker protection of fundamental rights such as health, in those countries that do not possess the necessary know-how and industrial capacity to manufacture essential medicines. To tackle this problem, we suggest a multi-dimensional regulatory approach that simultaneously exploits a matrix of normative, market-based and cooperative instruments.*

ADRIANA ADDANTE, *L’acquisto graduale della proprietà immobiliare nell’esperienza giuridica statunitense. Gli accordi Lease to own in rapporto al modello nazionale di Rent to buy* » 109

ABSTRACT: *The article analyzes the main models of gradual purchase of real estate in the US system, comparing them with renting to buy contracts in the national panorama. Substantial differences emerge in particular from the comparison between domestic rent to buy contracts and*

renting to own agreements, both in the negotiation pathology and in the land registration system. The American models reveal numerous critical issues especially with regard to the protection of the most vulnerable subjects; on the other hand, Italian legal experience proves to be more guaranteeing and transparent, but nevertheless these negotiating schemes are struggling to take off due to their management complexity.

SARA FORASASSI, *Il nuovo Regolamento europeo sui mercati digitali (Digital Markets Act). Inquadramento generale e criticità*

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ABSTRACT: This contribution analyses the scope of application of the Regulation, recently adopted by the European Union, the so-called Digital Markets Act (EU Regulation 2022/1925) and its main critical issues.