

PROF. AVV. GIUSEPPINA CAPALDO

Born in Rome on 22 May 1969

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EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

- Graduated in Economics and Commerce, June 15, 1991, at the University of Rome "La Sapienza", with marks 110 laude / 110.
- Graduated in Law, July 8, 1993, at the University of Rome "La Sapienza", with marks 110 laude / 110.
- **Lawyer:** qualified to practice law, she has been registered with the Bar Association of Rome since March 2003. **Cassation Lawyer**
- **Auditor:** registered in the "Register of Auditors" (no. 103390), with Ministerial Decree 25/11/1999 published in the O. G., supplement no. 100 _ IV special series of 17th December 1999.
- **Chartered Accountant:** Qualified to practice the profession, for having passed at the University of Rome "La Sapienza", the State exam in the year 1991 - November 1992 (II session).

ACADEMIC QUALIFICATIONS

- **Full Professor of Private Law** at Sapienza University of Rome – Faculty of Economics. Holder over the years, among others, of the courses of Institutions of Private Law; Financial Market Law; Derivatives and Financial Transactions Law; Corporate Finance Law; Private Law of Sustainability.
- **(2011–present)** Coordinator of the curriculum of Private Market Law in the **PhD** in "Roman Law, Ordering Theory and Private Law of the Market"
- **(2014-2020) Vice Rector for Planning of Resources and Asset** at Sapienza University of Rome
- (2008-2014) *Vice Rector for Strategic Planning and Financial Control* at Sapienza University of Rome
- (2009-2013) *Director of the Master in "New Rules for Intermediaries, Issuers and Financial Markets"* of the Sapienza University of Rome. *Coordinator of the module "Corporate Finance"* in the Master in "International Business Law";

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- (2007-2013) *Director of the Department of Law and Business at Sapienza University of Rome*
- (2007-2011) *Coordinator of the PhD School in "Contract Law and Business" at the Department of Law and Business of the Faculty of Economics.*
- (2009-2012) *Member of the Technical Commission for Patents - Sapienza and (2010-2012) Member of the OIR – Steering committee - Sapienza for the development of indicators for evaluating efficiency and effectiveness within the university system.*

PROFESSIONAL ACTIVITIES

Administration and control roles

Member of the administrative and control board of listed and unlisted companies, including:

- (2021-present) *Prelios Sgr, Auditor*
- (2018-2021) *TIM S.p.a., Member of the Board of Directors; member of the Related Parties Committee; Member of the nomination and remuneration committee.*
- (2015-2020) *FERRARI N.V. Member of the Board of Directors of Ferrari N.V., Member of the Audit Committee; Member of the Governance and Sustainability Committee; -Chairman and member of the Compensation Committee,*
- (2012-2015) *EXOR S.p.A. Member of the Board of Directors and Chairman of the Control and Risk Committee;*
- (2012-2021) *WEBUILD S.p.A. Member of the Board of Directors, Member of the Control and Risk Committee; Member of the Related Parties Committee;*
- (2017-2018) *MPS - Banca monte dei Paschi di Siena from December 2017 to April 2018;*
- (2014-2017) *CREDITO FONDLARIO S.p.A. Member of the Board of Directors.*

- (2012-2015) *Ariscom - Compagnia di Assicurazioni S.p.a, Member of the Board of Directors*
- (2006-2010) *A. di R. - Assicurazioni di Roma, member of the Board of Directors*
- (2017-2019) *Statutory auditor in Casa di Cura privata Santa Camilla S.p.A. and (2017-2020) alternate auditor Casa di cura privata medaglia d'oro de Cesaris s.r.l.*

- *Member of management and scientific bodies of non-profit organizations and study and research. including*
 - (2012-2016) *Member of the board of directors of Vi.se.s – Volontari Iniziative Sviluppo Economico Sociale - Ong Onlus*
 - (2010-2013) *Member of the Board of Directors of the Pasteur Institute – Fondazione Cenci Bolognetti.*

She gives advice- and drafts opinions.

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She has extensive professional experience in the field of commercial contracts and in the banking, financial and insurance sectors.

She has experience in large corporate restructuring operations, financial transactions, real estate.

(2004-2007) She collaborated with the law firm Macchi di Cellere and Gangemi, in the Banking and Finance, Corporate, Insurance, Contracts, M&A sectors.

RESEARCH ACTIVITIES

She has directed and participated in European and national interest research projects and has scientifically collaborated with institutions and universities.

She has organized a lot of conferences and participated as a speaker in many initiatives. Author of monographic publications and numerous essays on civil law, as well as commercial and banking law, derivative financial instruments and structured finance transactions, legal theory of the market and private law of sustainability.

Editorial Board

- Member of the Board of Directors of *Jus Civile* (Isnn 2281-3918).
- Member of the Board of Directors of *Persona e Mercato*.
- Member of the Board of Directors of *Nuovo Diritto Civile*
- Member of the Referee Committee of *European Journal of Privacy Law & Technologies* (EJPLT)

Research Centers

Since 2007 she has participated in many research centers - for different period of duration - because of the different interests and projects in progress. Please note:

- EuroSapienza
- CeTM - Research Centre for the Protection of the Person of the Child
- Impresapiens Research Centre
- CEMAS - Centre for Research and Cooperation with Eurasia, the Mediterranean and Sub-Saharan Africa
- Saperi &Co

ESSENCELab

In the academic year 2020/2021 she founded **Essence-Lab** (acronym for Environment, Society, Sustainability, Engagement, Circular Economy), with 36 researchers from many Italian universities, which took the form of a cycle of seminars on Private Law of the Sustainable Market.

- 28 January 2021: The Europe of rights and the sustainable single market (Giuseppina Capaldo);
- 11 February 2021: The subjects of sustainable private law (Giuseppina Capaldo);
- 25 February 2021: The remedies of sustainable private law (Daniele Imbruglia);
- 11 March 2021: Greenwashing in b2c and b2b relationships (Francesca Bertelli);
- 25 March 2021: Financial contract and sustainability indices (Federico Pistelli);
- 15 April 2021: Contract and sustainable finance (Maristella Giannini);
- 22 April 2021: Sustainable development and ecological contract (Ettore William Di Mauro);
- 6 May 2021: Circular economy, common goods, sustainability (Lucio Casalini);
- 20 maggio 2021 Digital finance and sustainability (Martina Scopsi);
- May 27, 2021: Sustainability certifications (Shaira Thobani);
- 12 October 2021 conference "The regulation of the European single market between the new paradigms of innovation and sustainability" (within the ASVIS events)

Recent Conferences and Seminars

- 1) **Sapienza, 31st January 2023** *Walks with risk. For a framework of the "new" risks.*
- 2) **LUISS Guido Carli, December 3rd, 2022,** *Payment instruments in the metaverse*
- 3) **Ca' Foscari University, 29th November 2022,** *Private economic initiative and sustainable single market*
- 4) **Sapienza University of Rome, 19th and 20th October 2022,** *New paradigms of filiation*
- 5) **Sapienza 25th May 2022,** *Tokens and NFTs in the private legal system*
- 6) **UP Annual Conference - University of Roma TRE – 6th November 2021**
Aggregate of hedging and investor protection. The segregation of the cover pool.
- 7) **Protech Workshop UniSob Naples – 28th October 2021,** *Legal design for transparency in consumer contracts operating in online and offline environments. A new chance for interaction between academic and Stakeholders*
- 8) **ADP association PHDs in Private law – 9th September 2021 – Florence** *Ninth Dialogue with young scholars*
- 9) **Sapienza University of Rome – 14th July 2021** *The stock market between economic and legal paradigms. Reflections on the Contract at the presentation of the book of Carlo Angelici: On the "Contract" of the Stock Exchange*
- 10) **Digital Innovation and Sustainability – Summer School 7 th-8th June** *Artificial Intelligence and Infrastructure for Sustainable Development*
- 11) **EssenceLab - PhD in Roman Law, Theory of legal systems, Private market law – Sapienza University of Rome, 28th January 2021** *The Europe of rights and the sustainable single market*

12) Sapienza University of Rome, 11th February 2021 *The subjects of sustainable private law*

RESEARCH PROJECTS

European Projects:

2018-2022 Participant in *Transnational Protocols: A cooperative tool for Managing Cross-Border Insolvency* – ToP project - Justice Program dell'UE.

PRIN

- For the *2009 call PRIN, Head of a research unit* on "Treaty of Lisbon and banking, financial and insurance markets", within the national research *Treaty of Lisbon and European Private Law*
- For the *2007 call PRIN, Head of a research unit*, on the topic "Destination constraints on goods, separate assets and the principle of circulation", within the national research "Free movement of goods: effectiveness of the principle and remedies in Italy and Europe";
- For the *2004 call PRIN, Head of a research unit*, on the theme *Freedom of enterprise and fundamental rights between Community and internal legal system and international trade rules*
- For the PRIN 2002 call *member of a research unit on the* theme *The so-called separate assets*

OTHER PROJECTS

- Head of the *University Research Project 2021*, "*Analysis and discipline of the risks created and managed by smart contracts between blockchain technology and cyber-risk in the business risk system*".
- Participant *University Research 2015*: "*The insolvency of the 'non-fallible' debtor: between creditor protection, fresh start and reform of insolvency proceedings*"
- Participant *University Research 2014*: "*Multiple voting shares*"
- Head of the *university research project 2010*, *Lisbon Treaty and banking, financial and insurance markets*
- Responsible *for the 2009 university research* project "*Law, geo-law and meanings in linguistic-legal mediation*"
- Head of the research project of the *federated university* of juridical, humanistic and economic sciences *2009* "*Banking contracts and credit remuneration: competitiveness of the system and customer protection*"
- Head of *the 2008 university research* project "*Destination constraints on goods, separate assets and circulation principle*"
- Head of the research project of the *federated university* of juridical, humanistic and economic sciences *2008* "*Civil law profiles of financial risk. Management tools and techniques*"

- Scientific project "*The financing of the cooperatives*" for the Institute of Studies for the cooperative enterprise (2008)
- Research project "*Mutuality and lucrative purpose: the new discipline of prevailing mutuality* (2007)" for the Institute of Studies for the Cooperative Enterprise.
- Head of the **2006 university research** project *Market and solidarity: negative integration and positive integration into the European constitutional model*
- Head of the **research project of the federated university** of juridical, humanistic and economic sciences **2005** "*The power of private autonomy to determine the rules of patrimonial responsibility: the funding intended for a specific business*3.

MAIN RECENT PUBLICATIONS

Monographs and monographic works

1. (2023) and AA.VV., *Private Economic Initiative and Sustainable Single Market* (to be printed)
2. (2020) *Contract Randomness and Remedies*, p. 1-284, Wolters and Kluwer, 2020.
3. (2009) *Le Pubblicità*, p. 1-448, Naples, Esi with G. Mariconda, N. Atlante, C. Verde
4. (2004) *Contratto aleatorio e alea*, p. 1-342, Milan, Giuffrè
5. (1999) *Profili civistici del rischio finanziario e contratto di swap*, p. 1-230 Milano, Giuffrè

Editor

6. (2022) *Liber Amicorum per Giuseppe Vettori*, edited by G. Passagnoli, F. Addis, G. Capaldo, A. Rizzi, S. Orlando - ISBN 979-12-210-1540-9
7. (2022) *Yearbook of the Digital Legal Observatory*, Yearbook 2022 Legal Observatory on Digital Innovation. Yearbook 2022 Juridical Observatory on Digital Innovation by G. CAPALDO, S. ORLANDO,
8. (2021) *Yearbook of the Digital Legal Observatory*, Yearbook 2021 Legal Observatory on Digital Innovation. Yearbook 2021 Juridical Observatory on Digital Innovation by G. CAPALDO, S. ORLANDO. - (2021), pp. 13-399. [10.13133/9788893771863]
9. (2010) G. CAPALDO (a cura di), *L'anatocismo nei contratti e nelle operazioni bancarie*, Cedam, Padova, pp. 1- 342, ISBN 9788813305192.
10. (2010) G. Capaldo and Mirzia Bianca (eds.), *Gli strumenti di articolazione del patrimonio*, Giuffrè, Milano, pp. 1–380, ISBN 978881414683.

Recent essays, articles and book chapters

9. (2023) G. CAPALDO, *I Token nell'ordinamento privatistico*, in print
- 10 (2023), G. CAPALDO, *Strumenti di pagamento nel metaverso*, in *Atti digitali del convegno gli stati generali del diritto di internet*, in *Diritto di Internet* 1/2023, p. 13;
3311. (2022) G. CAPALDO, *Dalla governance degli enti privati alla regolazione del mercato unico sostenibile*, in *Persona e Mercato*, Studi in onore di G. Vettori, p. 551;
12. (2021), *Swap e gioco: Venticinque anni di capitalismo finanziario e regolazione del mercato* 3, in *Nuovo diritto civile*, 1, p. 207 ss.
13. (2021), *The digital strategy as defined by the European Parliament resolution of 25 November 2020 "Towards a more sustainable single market for businesses and consumers"*, in *Persona e Mercato*, 2021, p. 212
14. (2021) *The European Union's Digital Strategy towards a Sustainable Single Market*, in *Yearbook of the Digital Legal Observatory*, SUE, 10.13133/9788893771863] p. 35,
- 15 (2021) G. CAPALDO, S. ORLANDO,, *The legal Nature of the insolvency protocols between insolvency practitioners under the Eir recast and the "comply or explain" regime*, in *Transnational Protocols: A cooperative tool for Managing Cross-Border Insolvency – ToP project UE*, Wolters Kluwer, 2021;
16. (2021) G. CAPALDO, S. ORLANDO, *The legal nature of insolvency protocols between insolvency practitioners according to the European Insolvency Regulation (EU Reg. 2015/848) and the "comply or explain" regime*, e-book *Transnational insolvency protocols*, Wolters Kluwer;
17. (2020) *Linee evolutive su temi per una società sostenibile*, in *Persona e Mercato*, n. 4, p. 334-349;
18. (2019), *In memoria di Giuseppe Benedetti*, in *Giustizia Civile*, 2019, p. 5 ss.
19. (2019) *La novella alla legge 130/1999: nuove figure di separazione patrimoniale*, in *La Nuova Giurisprudenza Civile Commentata*, pp. 376-383;
20. (2018) *Cartolarizzazione di crediti di leasing e articolazione del patrimonio*, in *Riv. della banca e del mercato finanziario*, p. 37-51;
21. (2015) *Consorzi e associazioni. Intorno al riconoscimento della personalità giuridica e della responsabilità patrimoniale*, in *Riv. banca e merc. fin.*, pp.709-721.
22. (2012), *Tutela del cliente e gestione d'impresa nei contratti bancari*, in *Governo dell'impresa e responsabilità dei gestitori*, pp. 359–387, Cedam, Padova, 9788813333041
23. (2012), *L'informazione*, in M. Prosperetti and A. Colavolpe (eds.), *Il mercato del risparmio. Struttura, autorità, tecniche illecite e di protezione*, Ipsoa, Milan, p.74- 116, ISBN 9788821740404
24. (2012) *Regole di mercato e tutela dei consumatori nei contratti turistici*, in *Contratto e responsabilità. Oltre il consumatore. Il contratto dei consumatori, turisti, clienti, investitori e imprese deboli* (edited by G. Vettori), p. 1479-1502, Cedam, Padova
25. (2011), *Geo-diritto e mercati globali: considerazioni minime*, (edited by) P. Sandulli and M. Faioli, *Attività transnazionali. Sapere giuridico e scienza della traduzione*, Quaderni Seminario Permanente "Levi Sandri", Edizioni Nuova cultura, pp. 167- 181, ISBN 9788861344556

26. (2011), *Il contratto di abbonamento alla pay tv*, in (edited by) R. Bocchini and A. Gambino, *I contratti di somministrazione e di distribuzione*, p. 429-464, Utet, Torino, ISBN 9788859806073
27. (2010), *Autonomia privata e statuti di responsabilità patrimoniale. Prestiti destinati a un'attività specifica*, in M. BIANCA - G. CAPALDO (a cura di), *Gli strumenti di articolazione del patrimonio*. Giuffrè, Milan pp. 65-76, ISBN 9788814146831
28. (2010), *Articolo 76. Contratto di borsa a termine*, in A. Nigro; M. Sandulli, *La legge fallimentare dopo la riforma*, p.1066-1079, Giappichelli, Torino I, Isbn 9788834800164
29. (2010), *Article 72-quarter. Leasing finanziario*, in A. Nigro; M. Sandulli, *La legge fallimentare dopo la riforma*, p. 1038 -1046 Giappichelli, Torino, ISBN 9788834800164
30. (2010), *I contratti e le operazioni bancarie nel sistema bancario e finanziario*, in G. Capaldo (a cura di) *L'anatocismo nei contratti e nelle operazioni bancarie*, p. 1- 42, Padova, Cedam, ISBN 9788813305192
31. (2009) *L'art. 1472 c.c. fra emptio rei speratae ed emptio spei: risolvibilità per inadempimento di un contratto aleatorio?* in a cura di P. Perlingieri e S. Polidori. Studi in onore di Domenico Rubino, vol. II, Singole fattispecie negoziali, p. 211-244, Napoli, Esi, ISBN: 9788849518511,
32. (2009) - *L'informazione*, in AA.VV., *Banche, assicurazioni, Mercati finanziari*. p. 169-202, Milano, Kluwer-Ipsosa;
32. (2009), *Contratto di comodato, Commento all' art. 1803 in Codice civile Iper testo*, III edizione, a cura di M. Confortini, G. Bonilini. Torino, Utet
33. (2009) *Contratto di mutuo. Commento all'art. 1813*, in *Codice civile Iper testo*, III edition, edited by M. Confortini, G. Bonilini. Torino, Utet
34. (2009) *Contratto di Deposito. Commento all'art. 1834*, in *Codice civile Iper testo*, III edition, edited by M. Confortini, G. Bonilini. Torino, Utet
35. (2008) *I patrimoni separati nella struttura delle operazioni finanziarie*, in Studi in onore di Giuseppe Benedetti, p. 211-233, Napoli, Esi
36. (2007) - *Patrimoni separati*, in N.Irti, (a cura di) *Dizionario del diritto privato*. P. 1201-1209, Milan, Giuffrè
37. (2007), *Contratti relativi all'acquisizione di un diritto condiviso di godimento dei beni*, G. Vettori (ed.), *Il codice del consumo*, p. 615-635, Padova, Cedam
38. (2007), *Contratti relativi all'acquisizione di servizi turistici*, In G. Vettori (a cura di), *Il codice del consumo*, p. 615-635, Padova, Cedam
39. (2006) *Autonomia privata e responsabilità patrimoniale nelle nuove figure di patrimoni destinati ad un specifico affare*, in *Il diritto civile oggi*, Napoli, Esi, p. 901-908
40. (2006) - *Dai contratti aleatori all'alea: attualità di una categoria*, in *Obbligazioni e Contratti*, vol. 2006; p. 296-301, Isnn: 1826-2570;
41. (2006), *Autonomia privata e responsabilità patrimoniale nelle nuove figure di patrimoni destinati* in M. TAMPONI (a cura di) *Patrimoni separati e securitalizzazioni*, Roma, Luiss University Press, p. 53-70;
42. (2005). *Protezione del risparmio e dei diritti dei mutuatari di titoli nelle operazioni di cartolarizzazione*. in G. Vettori (a cura di), *Consumatori e mercato*, p. 675-695, Padova: Cedam

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43. (2005), *Attività separate nella struttura delle operazioni finanziarie*, in *Riv. trim. dir. proc. civ.* , vol. 2005; p. 201-220, Isnn: 0391-1896

Rome 24 January 2023

Giuseppina Capaldo


