

List of publications

Journal articles

English

1. [EN] Inge Graef, Martin Husovec, and Jasper den Boom, 'Spill-Overs in Data Governance: The Relationship Between the GDPR's Right to Data Portability and EU Sector-Specific Data Access Regimes' (2019) *Journal of European Consumer and Market Law* (forthcoming)
2. [EN] Martin Husovec, Essence of Intellectual Property Rights under Art 17(2) of the EU Charter (2019) 20(6) *German Law Journal* (special edition on 'Essence of Fundamental Rights'), pp. 840-863
3. [EN] Inge Graef, Raphael Gellert, and Martin Husovec, 'Towards a Holistic Regulatory Approach for the European Data Economy: Why the Illusive Notion of Non-Personal Data is Counterproductive to Data Innovation' (2019) *European Law Review*, forthcoming
4. [EN] Martin Husovec, The Promises of Algorithmic Copyright Enforcement: Takedown or Staydown? Which is Superior? And Why? (2018) 42(1) *Columbia Journal of Law & the Arts*, pp. 53-84
5. [EN] Inge Graef, Martin Husovec, Nadya Purtova, Data Portability and Data Control: Lessons for an Emerging Concept in EU Law (2018) 19(6) *German Law Journal*, pp. 1359-1398
6. [EN] Martin Husovec and Lisa Van Dongen, Website Blocking, Injunctions and Beyond: View on the Harmonization from the Netherlands (2017) *GRUR International (Gewerblicher Rechtsschutz und Urheberrecht, Internationaler Teil* 7/2017, pp. 580-589
7. [EN] Martin Husovec, Holey cap! CJEU drills (yet) another hole in the e-Commerce Directive's safe harbours (2017) 12 (2) *Journal of Intellectual Property Law & Practice*, pp. 115-125
8. [EN] Sophie Stalla-Bourdillona, Eleonora Rosati, Karmen Turk, Christina Angelopoulos, Aleksandra Kuczerawy, Miquel Peguera and Martin Husovec, An academic perspective on the copyright reform (2016) 33(1) *Computer Law & Security Review*, pp. 3-13
9. [EN] Martin Husovec, Intellectual Property Rights and Integration by Conflict: The Past, Present and Future (2016) 18 *Cambridge Yearbook of European Legal Studies*, pp. 239-269
10. [EN] Martin Husovec, Doctrine of Trademark Use in European Union and Japan (2017) 21 *Marquete Intellectual Property Law Review*, pp. 1-30
11. [EN] Martin Husovec, 'General monitoring of third-party content: compatible with freedom of expression?' (2016) 11(1) *Journal of Intellectual Property Law and Practice*, pp. 17-20
12. [EN] Martin Husovec, 'Slovakia · Slovak Constitutional Court Annuls National Data Retention Provisions' (2015) 3 *European Data Protection Review*, pp. 227-229
13. [EN] Martin Husovec and Miquel Peguera, 'Much Ado about Little – Privately Litigated Internet Disconnection Injunctions' (2015) 2 *International Review of Intellectual Property and Competition Law (IIC)*, pp. 10-37
14. [EN] Martin Husovec, The End of Meta Search Engines in Europe? (2014) 14(1) *Chicago-Kent Journal of Intellectual Property*, pp. 145-172
15. [EN] Martin Husovec, CJEU Allowed Website Blocking Injunctions With Some Reservations (2014) 9(7) *Journal of Intellectual Property Law and Practice*, pp. 631-634
16. [EN] Martin Husovec, Case Comment on Pinckney (2014) 46(2) *The International Review of Intellectual Property and Competition Law (IIC)*, pp. 370-374

17. [EN] Martin Husovec, ECHR Rules on Liability of ISPs as a Restriction of Freedom of Speech (2014) 9(2) *Journal of Intellectual Property Law and Practice*, pp. 109-110
18. [EN] Martin Husovec, Injunctions against innocent third parties: case of website blocking (2013) 4(2) *Journal of Intellectual Property, Information Technology and E-Commerce Law (JIPITEC)*, pp. 116-129
19. [EN] Martin Husovec, Domain name transfer before Slovak and Czech courts (2012) 3(2) *Journal of Intellectual Property, Information Technology and E-Commerce Law (JIPITEC)*, pp. 148-152

German

1. [DE] Matej Gera, Martin Husovec and Martin Šrámek, Das neue Urheberrecht in der Slowakei (2016) 13(1) *Medien und Recht International*, pp. 3-5

Slovak

2. [SK] Martin Husovec, Constitutional proportion of a domain name [Ústavnoprávna ochrana domény ako majetkovej hodnoty] (2014) 9(5) *Revue pro právo a technologie*, pp. 213-217
3. [SK] Martin Husovec, Is a bank or a client liable for phishing? [Zodpovedá za phishing banka alebo klient?] (2014) 9(5) *Revue pro právo a technologie*, pp. 241-254
4. [SK] Martin Husovec, The domain name transfer before the court [Prevod domény .eu všeobecným súdom] (2013) 8(4) *Revue pro právo a technologie*, pp. 53-55
5. [SK] Martin Husovec, Consent or a license agreement? Response to Prof. Telec. [Súhlas alebo licenčná zmluva? Reakcia na článok prof. Telca] (2013) 8(4) *Revue pro právo a technologie*, pp. 3-8
6. [SK] Martin Husovec, Liability of a file-sharing website [Zodpovednosť file-sharingovej stránky] (2013) 8(4) *Revue pro právo a technologie*, pp. 55-59
7. [SK] Martin Husovec, Public Interest in Copyright law. Exceptions and Limitations, restrictively? [Verejný záujem v autorskom práve. Výnimky a obmedzenia, reštriktívne?] (2013) 5 *Právny obzor*, pp. 472-498
8. [SK] Martin Husovec, Liability of a discussion forum provider for allegedly defamatory comments of third parties. [Zodpovednosť poskytovateľa diskusného fóra za údajne difamačné príspevky tretích osôb] (2012) 6 *Revue pro právo a technologie*, pp. 45-48
9. [SK] Martin Husovec, Is it still possible to claim the domain name transfer? [Je ešte stále možné žalovať o prevod domény?] (2011) 6 *Revue pro právo a technologie*, pp. 3-10
10. [SK] Martin Husovec, Judicial harmonization of the copyright term 'work' in the Union law [Judikatórna harmonizácia pojmu autorského diela v únijskom práve.] (2012) 12 *Bulletin slovenskej advokácie*, pp. 16-20
11. [SK] Martin Husovec, How to interpret § 81 ods. 6 of the Copyright Act. SOZA v. Pohorelá [Ako vykladať § 81 ods. 6 autorského zákona. SOZA v. Pohorelá] (2012) 3 *Duševné vlastníctvo*, pp. 11-13
12. [SK] Martin Husovec, A commentary on hiddenly charging websites. [Komentár k prípadu skyto spoplatňovaných webstránok] (2012) 5 *Revue pro právo a technologie*, pp. 23-24
13. [SK] Martin Husovec, Assessing jurisdiction of Slovak court in case of distance e-torts. [Posudzovanie právomoci slovenského súdu v prípade dištančných e-deliktov] (2012) 5 *Revue pro právo a technologie*, pp. 24-26

14. [SK] Martin Husovec, Introductory study: Internet and European Law [Úvodná štúdia: Internet a Európske právo] (2012) 2 *Výber rozhodnutí Súdneho dvora Európskej únie*
15. [SK] Martin Husovec, On the European "revision" of the copyright subject matter [K európskemu "prepisovaniu" pojmových znakov autorského diela] (2011) 4 *Duševné vlastníctvo*, pp. 24-27
16. [SK] Martin Husovec, Is it possible to claim the domain name transfer? [Je možné žalovať o prevod domény?] (2011) 1 *Revue pro právo a technologie*, pp. 29-35
17. [SK] Martin Husovec, Liability of a provider for comments of others [Zodpovednosť poskytovateľa za obsah diskusných príspevkov] (2011) 1 *Revue pro právo a technologie*, pp. 40-42
18. [SK] Martin Husovec, A commentary on keyword advertising [Komentár k inzercii na kľúčové slová] (2011) 1 *Duševné vlastníctvo*, pp. 51-55
19. [SK] Martin Husovec, Interpretation of the article 5(1) and (2) of trademark directive in the jurisprudence of the Court of Justice of European Union [Výklad článku 5(1) a (2) známkovej smernice v judikatúre Súdneho dvora EÚ] (2011) 1 *Časopis Průmyslové vlastnictví*
20. [SK] Martin Husovec, Recognizing claim and the action of recognition in the field of intellectual property law [Uznávací nárok a uznávacía žaloba v práve duševného vlastníctva] (2011) 4 *Justičná Revue*, pp. 642-649

Books

1. [EN] Martin Husovec, *Injunctions Against Intermediaries in the European Union: Accountable, but not Liable?* (Cambridge University Press 2017) – 296 pages
2. [SK] Martin Husovec, *Liability on the Internet under Czech and Slovak law* [Zodpovednosť na internete podľa českého a slovenského práva] (CZ.NIC, 2014) – 236 pages

Case Books

1. [CZ] Martin Husovec, *Czech Domain Reader* (Wolters Kluwer 2019)
2. [SK] Martin Husovec, *Domain reader: Selected Slovak domain name decisions*. [HUSOVEC, M. Doménová čítanka. Výber zo slovenských doménových rozhodnutí] (EISI, 2013)

Book Chapters

1. [EN] Martin Husovec, How Europe Wants to Redefine Global Online Copyright Enforcement In: Tatiana Eleni Synodinou (ed.), *Pluralism or Universalism in International Copyright Law* (Kluwer law, 2019) *forthcoming*
2. [EN] Martin Husovec, Closing the Gap: How EU Law Constrains National Rules Against Imitation? in Brunn, Dinwoodie, Ohly, Levin (eds.) *Transition and Coherence in Intellectual Property Law* (Oxford University Press 2019) *forthcoming*
3. [EN] Martin Husovec, The Fundamental Right to Property and the Protection of Investment: How Difficult Is It to Repeal New Intellectual Property Rights in Christophe Geiger (eds), *Research Handbook on Intellectual Property and Investment Law* (Edward Elgar 2019) *in press*
4. [EN] Martin Husovec, Remedies First, Liability Second: Or Why We Fail to Agree on Optimal Design of Intermediary Liability? In Giancarlo Frosio (eds.), *The Oxford Handbook of Intermediary Liability Online* (Oxford University Press 2019) *in press*
5. [EN] Giancarlo Frosio and Martin Husovec, Intermediary Accountability and Responsibility In Giancarlo Frosio (eds.), *The Oxford Handbook of Intermediary Liability Online* (Oxford University Press 2019) *in press*

6. [EN] Martin Husovec, Asking Innocent Third Parties for a Remedy: Origins and Trends In Franz Hofmann and Franziska Kurz (eds.) *Law of Remedies* (Intersencia 2019)
7. [EN] Martin Husovec and Matej Gera, A Story of the Data Retention in Slovakia: Constitutional Review and its Consequences in Marek Zubik (eds) *European Constitutional Courts Towards Data Retention Law* (Springer 2019) *in press*
8. [EN] Martin Husovec, Standardization, Open Source, and Innovation: Sketching the Effect of IPR Policies In Jorge Contreras (eds.) *Cambridge Handbook of Technical Standardization Law* (Cambridge University Press 2019) *in press*
9. [EN] Martin Husovec, Courts, privacy and data protection in Slovakia: A hesitant guardian? In Maja Brkan (ed.) *Courts, privacy and data protection* (Edward Elgar Publishing, 2017)
10. [SK] Martin Husovec, The concept of parasitizing unfair competition [Koncept parazitujúcej nekalej súťaže] in Marian Kropaj (ed.) *Sub Specie Aeternitatis: Život a dielo profesora Jána Švidroňa* (Faber, 2015), pp. 159-193
11. [SK] Matej Gera and Martin Husovec, Štefan Szilva and Petra Zabudňková, *Digital public administration and human rights* [Digitálna verejná správa a ľudské práva] (European Information Society Institute (EISI), 2015)
12. [EN] Zuzana Adamova and Martin Husovec, Slovak Chapter. Vanhees, H. (ed.) *International Encyclopaedia of Laws: Intellectual Property* (Kluwer Law International 2014)

Working papers

[EN] Lenka Fiala and Martin Husovec, 'Using Experimental Evidence to Design Optimal Notice and Takedown Process' (2018) TILEC Discussion Paper No. 2018-028 – work-in-progress

[EN] Martin Husovec, Accountable, Not Liable: Injunctions Against Intermediaries (2016). TILEC Discussion Paper No. 2016-012. Available at SSRN: <https://ssrn.com/abstract=2773768>

Book Reviews

[EN] Book Review: Christina Angelopoulos, European Intermediary Liability in Copyright (2018) *European Intellectual Property Law Review*

[EN] Book Review: Jaani Riordan, The Liability of Internet Intermediaries (2017) 12(6) *Journal of Intellectual Property Law & Practice*

[SK] Book Review: Klinka and others, Commentary on Slovak Trademark Act (2012) 4 *Duševné vlastníctvo*

Editorials

- Editor of a dedicated paper symposium 'Intermediary Liability as a Human Rights Issue' with *Journal of Intellectual Property, Information Technology and Electronic Commerce Law (JIPITEC)* – 8(3)(2017) (over 30 submissions).
- Co-editor of an upcoming research book with Jorge Contreras on 'Injunctions in Patent Law: Trans-Atlantic Dialogues on Flexibility and Tailoring' with Cambridge University Press

Amicus briefs

As part of the Internet legal clinic, Dr. Husovec has co-authored amicus before the European Court of Human Rights with students from Tilburg and other universities in cases such as: *Flavus OOO v Russia*

(website over-blocking); *Kharitonov v Russia* (website over-blocking); *Magyar Jeti Zrt v Hungary* (liability for hyperlinking); *Satamedia v Finland* (on data journalism and freedom of expression); *Delfi AS v Estonia* (freedom of expression & liability of an intermediary for third-party comments). He has also previously authored amicus briefs before the Supreme Court of Slovak Republic, the Slovak and Czech Constitutional Courts.

Expert reports

[EN] Justus Baron, Jorge Contreras, Martin Husovec, and Pierre Larouche. *Making the rules - the governance of standard development organizations and their policies on intellectual property rights* (Study for JRC)

[EN] National expert report for Council of Europe/the Swiss Institute of Comparative Law for the report 'Filtering, blocking and take-down of illegal content on the Internet' <<http://www.coe.int/en/web/freedom-expression/study-filtering-blocking-and-take-down-of-illegalcontent-on-the-internet>>

[EN] National expert report for Public Domain Calculator conducted by Institute for Information Law (IViR) of Amsterdam University (Netherlands)

[EN] National expert report for INVODAS project - (Interessenausgleich im Rahmen der Vorratsdatenspeicherung) focusing on the constitutionality of data retention regulation conducted by Institute for European Media Law (EMR) in Saarbrücken (Germany);

[EN] National expert report for ALAI National Report on German liability of intermediaries (coordinated by Max Planck Institute for Intellectual Property and Competition Law)

[EN/SK] Opinion on the applicability of the EU Charter after the decision of the Court of Justice of the EU in Digital Rights Ireland, (EISi 2015)

Upcoming work

[EN] Martin Husovec and Lisa Van Dongen, *The European Harmonization of Injunctions in Intellectual Property Law: 'Landing' in a Standstill?* (expected 2019)

[EN] Martin Husovec and İrem Çikrikçioglu, *Digital Speech Infrastructure: Protecting Speakers, Listeners and Disseminators under the European Convention of Human Rights* (expected 2019)