



## URPP Financial Market Regulation



### 59th Forum Financial Market Regulation of 11 May 2021 co-hosted with the Asian Institute of International Financial Law (HKU)

#### **The Fragmentation of Commercial Law: Challenges and Normative Approaches**

Commercial law is not a single, monolithic entity. It has grown into a dense thicket of subject-specific branches that govern a broad range of transactions and corporate actions. When one of these events falls concurrently within the purview of two or more of these commercial law branches - such as corporate law, intellectual property law, secured transactions law, conduct and prudential regulation - an overlap materializes. In their research, Castellano and Tosato refer to this legal phenomenon as a commercial law intersection (CLI). Some notable examples of transactions that feature CLIs include bank loans secured by shares, supply chain financing arrangements, patent cross-licensing, and blockchain-based initial coin offerings. This presentation provides a comprehensive analysis of CLIs and their coordination failures. Drawing from systems theory and jurisprudence, the presenter then identifies the deficiencies of the most common interpretative approaches used to reconcile tensions between commercial law branches, and it formulates a two-step interpretive method as a possible solution.

#### **Agenda**

- 12:15 p.m.     [Welcome](#)  
Prof. Dr. Marco Dell'Erba
- 12:20 p.m.     [Presentation](#)  
Prof. Dr. Giuliano Castellano (The University of Hong Kong, Faculty of Law)
- 01:30 p.m.     [End of the event](#)

Date:            Tuesday, 11 May 2021  
                    12:15 - 01:30 pm (CEST)

Venue:           Webinar (Zoom)  
                    Link will be shared the day before the seminar.

Fee:              Attendance is free of charge.

Language:      The talk will be held in English.

Registration:   Please visit our website: [www.finreg.uzh.ch/events](http://www.finreg.uzh.ch/events), or send an e-mail to [forumfinreg@rwi.uzh.ch](mailto:forumfinreg@rwi.uzh.ch).

Closing date:   Monday, 10 May 2021