



COURSE UNIT (MODULE) DESCRIPTION

| Course unit (module) title | Course unit code |
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| DATA PROTECTION AND PRIVACY LAW | |

| Lecturer(s) | Department(s) |
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| Coordinator: senior lect. dr. Paulius Jurčys Other(s): lect. Goda Strikaitė-Latušinskaja | Department of Public Law, Faculty of Law, Vilnius University; Room 411, Building 1, Saulėtekio al. 9, LT-10222, Vilnius, tel. (85)2366175, e-mail: vtktedra@tf.vu.lt |

| Study cycle | Type of the course unit (module) |
|-------------|----------------------------------|
| Second | Compulsory (Track – Tech Law) |

| Mode of delivery | Course unit delivery period | Language (s) of instruction |
|------------------|-----------------------------|-----------------------------|
| Blended | 2 (spring) semester | English |

| Requirements for students | |
|-----------------------------|-------------------------------------|
| Pre-requisites: none | Co-requisites (if any): none |

| Number of credits allocated | Total student's workload | Contact hours | Self-study hours |
|-----------------------------|--------------------------|---------------|------------------|
| 5 | 133 | 32 | 101 |

| Purpose of the course unit (module): programme competences to be developed | | |
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| <p>The aim of the course is to provide students with comprehensive knowledge on data privacy and data protection law in general, and the emerging shift towards a human-centric data model; to develop abilities to interpret current data privacy regulations (the main focus will be on the General Data Protection Regulation (GDPR) and California Consumer Privacy Act (CCPA)) and to assess how they affect the daily activities of online service providers and how individuals' data privacy rights are exercised; to develop competencies to critically analyze practical problems related to data privacy law and to form legal opinions about the trends in the data ecosystem based on the court jurisprudence both in the EU and the US.</p> | | |
| Learning outcomes of the course unit (module) | Teaching and learning methods | Assessment methods |
| Students will gain systematic and practical understanding of the legal protection of personal data, the opportunities provided by emerging digital technologies in terms of managing personal data as well as to provide solutions for complex legal problems related to these new user-centric technologies; | Lectures and practical sessions (group discussions, critical analysis, application sources of the legal protection of personal data, case law, doctrine analysis) requiring prior individual analysis of literary and legal sources (referred in advance). The method of delivery involves problem-based, research-based (<i>inter alia</i> , search and analysis of information) systematic, teleological, critical, and practical learning. | Written examination (practical assignments), presentation during practical sessions, discussions during lectures |
| Students will be able to search and manage a variety of sources related to the legal protection of personal data, including variety of soft law materials related to specific digital technologies, to critically analyse and ethically evaluate them; | Lectures and practical sessions (group discussion, critical analysis, application sources of the legal protection of personal data, case law, doctrine analysis) requiring prior individual analysis of literary and legal sources (referred in advance). The method of delivery involves issue spotting, analytic (<i>inter alia</i> , search and analysis of information) systematic, teleological, critical, and practical learning. | Written examination (practical assignments), presentation during practical sessions, discussions during lectures |
| Students will be able to systematically analyse the similarities and differences of international (more specifically, the US and California), European and national legal regulations with regard to the exploitation and enforcement of data and privacy protection law and assess the compliance of national legislation | Lectures and practical sessions (group discussion, critical analysis, application sources of the legal protection of personal data, case law, doctrine analysis) requiring prior individual analysis of literary and legal sources (referred in advance). The method of delivery involves issue spotting, analytic (<i>inter alia</i> , search and analysis of information) systematic, teleological, critical, and practical learning. | Written examination (practical assignments), presentation during practical sessions, discussions during lectures |

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| with the EU and international legal acts; | | |
| Students will be able to identify and assess adequacy of data and privacy protection legislation in force with regard to development of new technologies, to provide proposals on the necessary changes of legislation as well as on adoption of new legislation that is geared to give more control over personal data to individuals, and to equip with foresight on how to improve business and socio-economic environment of human-centric data; | Lectures and practical sessions (group discussion, critical analysis, application sources of the legal protection of personal data, case law, doctrine analysis) requiring prior individual analysis of literary and legal sources (referred in advance). The method of delivery involves issue spotting, analytic (<i>inter alia</i> , search and analysis of information) systematic, teleological, critical, and practical learning. | Written examination (practical assignments), presentation during practical sessions, discussions during lectures |
| Students will be able to reasonably apply the regulations in data privacy space in so far as they relate to specific issues of digital technologies, such as internet of things, big data, AI, differential privacy, edge computing or blockchain; | Lectures and practical sessions (group discussion, critical analysis, application sources of the legal protection of personal data, case law, doctrine analysis) requiring prior individual analysis of literary and legal sources (referred in advance). The method of delivery involves issue spotting, analytic (<i>inter alia</i> , search and analysis of information) systematic, teleological, critical, and practical learning. | Written examination (practical assignments), presentation during practical sessions, discussions during lectures |
| Students will be able to clearly communicate using specific terminology emerging among data privacy experts as well as digital technologies and frame their opinions within respective legal and technical terms; | Practical sessions (group discussions, critical analysis, application sources of the legal protection of personal data, case law, doctrine analysis) requiring prior individual analysis of literary and legal sources (referred in advance). The method of delivery involves problem-based, research-based (<i>inter alia</i> , search and analysis of information) systematic, teleological, critical, and practical learning. | Written examination (practical assignments), presentation during practical sessions, discussions during lectures |
| Students will be able to accomplish practical work tasks related to legal protection of personal data by analysing and drawing conclusions on specific case-law examples; | Lectures and practical sessions (group discussions, critical analysis, application sources of the legal protection of personal data, case law, doctrine analysis) requiring prior individual analysis of literary and legal sources (referred in advance). The method of delivery involves problem-based, research-based (<i>inter alia</i> , search and analysis of information) systematic, teleological, critical, and practical learning. | Written examination (practical assignments), presentation during practical sessions, discussions during lectures |
| Students will be able to critically evaluate their own accomplishments and to enhance acquired knowledge and skills independently, <i>inter alia</i> , by selecting relevant theoretical and practical material, and substantiating their own conclusions on the achievements of jurisprudence. | Lectures and practical sessions (group discussions, critical analysis, application sources of the legal protection of personal data, case law, doctrine analysis) requiring prior individual analysis of literary and legal sources (referred in advance). The method of delivery involves problem-based, research-based (<i>inter alia</i> , search and analysis of information) systematic, teleological, critical, and practical learning. | Written examination (practical assignments), presentation during practical sessions, discussions during lectures |

| Content: breakdown of the topics | Contact hours | | | | | | | Self-study: hours and assignments | |
|---|---------------|---------------|----------|--------------------|-----------------|---------------------------|---------------|-----------------------------------|--|
| | Lectures | Consultations | Seminars | Practical sessions | Laboratory work | Internship/work placement | Contact hours | Self-study hours | Assignments |
| 1. Regulating data privacy in the age of AI: historical and legal foundations in the EU and the US. Technological developments that shaped the evolution of the data protection law. AI revolution. | 2 | | | 0 | | | 2 | 10 | Reading materials, court cases. |
| 2. A Human-centric data model: technological foundations and key principles. Agentic AI. | 2 | | | 1 | | | 3 | 10 | Reading materials, court cases. |
| 3. Data privacy theories and data ownership. Scope of applicability of the data protection laws (GDPR and CCPA): territorial, material, personal aspects, exceptions. Data ownership justifications: personality theory, labor theory, welfare theory, social theory. Technological neutrality and digital data as an object of the regulation. | 2 | | | 1 | | | 3 | 10 | Reading materials, court cases. |
| 4. New data rights and corresponding obligations of data controllers and AI companies. Balancing interests of different stakeholders in the age of AI. The significance of human-centric approach. Consent and transparency. Private-By-Default Principle. Legal issues related to AI agents. | 4 | | | 2 | | | 6 | 12 | Reading materials, court cases. |
| 5. Student Assignments: Part I (specific data and AI-related topics will be selected and presented by students, e.g., IoT data, health- and wellness, data, surveillance, data scraping, brain data, social media & personalization, AI agents). | 4 | | | 2 | | | 6 | 12 | Reading materials, court cases. Preparation for presentation |
| 6. Student Assignments: Part II (presentations) | 4 | | | 2 | | | 6 | 12 | Reading materials, court cases. Preparation for presentation |
| 7. Legal remedies available to individual consumers; collective redress (class actions); DPA actions against data giants (Google, Facebook); remedies in cases of major data leaks (e.g., Equifax) | 2 | | | 1 | | | 3 | 12 | Reading materials, court cases. |
| 8. The future trends of data privacy: international cooperation and potential of new technologies | 2 | | | 1 | | | 3 | 23 | Reading materials, court cases. |
| Total: | 22 | | | 10 | | | 32 | 101 | |

| Assessment strategy | Weight % | Assessment period | Assessment criteria |
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| Examination | 60 | At the end of the course | Maximum: 6 points. The exam in written assignments will reflect topics discussed in the lectures and practical sessions. The assessment will consist of three practical assignments, each carrying equal weight in the |

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| | | | final exam grade (maximum 2 points each, with a threshold of 0.25). The evaluation will be based on the student's ability to analyze problems, identify key issues, and follow instructions. Consideration will be given to the clarity of answers, the structure of responses, and the logical analysis of the problem. Students are expected to clearly explain arguments related to relevant legal rules and court practice, analyze differing academic opinions and their practical implications, provide personal insights, and support their reasoning with well-founded and convincing argumentation. |
| Presentations during practical sessions | 30 | During semester | Maximum: 3 points. Up to 3 points will be awarded for in-class presentations based on the group assignment on a selected topic or problem (students will be divided into groups of 2-4, and will have to prepare one presentation). The assessment will take into account the ability to identify key issues, formulate problems, offer creative perspectives, propose solutions, provide thoughtful critical remarks, and collaborate effectively with group members (threshold: 0.25). Students are allowed to take the examination after having participated in at least 80% of the practical sessions. Students must make up for a higher proportion of missed practical sessions in accordance with the procedures laid down by the lecturer. The form of making up depends on the topic of the practical session missed and the activities carried out during the practical session. |
| Preparation & discussions during lectures | 10 | During semester | Maximum: 1 point. Students are expected to actively participate in class discussions and being prepared for lectures (reading assigned materials, and performing other assignments). In cases when lectures take place online, in principle, students must have their video cameras on during the lecture. |

| Author | Year of publication | Title | Issue of a periodical or volume of a publication | Publishing place and house or web link |
|---|---------------------|---|--|--|
| Compulsory reading | | | | |
| CH. KUNER, L. A. BYGRAVE, AND CH. DOCKSEY | 2019 | Commentary on the EU General Data Protection Regulation | | Oxford University Press |
| LEENES, R., BRAKEL R., GUTWIRTH S., HERT P. D. | 2017 | Data Protection and Privacy: The Age Of Intelligent Machines | | Hart Publishing |
| ARTICLE 29 WORKING PARTY (EUROPEAN DATA PROTECTION BOARD) | 1997-2019 | Opinions and recommendations | | Data base of Article 29 Working Party http://ec.europa.eu/justice/data-protection/article-29/documentation/opinion-recommendation/index_en.htm Database of EDPB: https://edpb.europa.eu/our-work-tools/general-guidance/gdpr-guidelines-recommendations-best-practices_en |
| BYGRAVE, L. A. | 2014 | Data Privacy Law: an International Perspective | | Oxford University Press |
| FINCK, M. | 2018 | Blockchains and Data Protection in the European Union. <i>European Data Protection Law Review</i> [electronic resource] | | edpl.lexxion.eu/article/edpl/2018/1/6 |
| JURCYS, P., et al. | 2025 | Data Portability Revisited: Toward | Vanderbilt Journal | https://papers.ssrn.com/sol3/ |

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| | | the Human-Centric, AI-Driven Data Ecosystems of Tomorrow | of Entertainment & Technology Law (2025) | papers.cfm?abstract_id=4475106 |
| JURCYS, P., et al. | 2025 | Who Owns My AI Twin? Lights and Shadows of Data Ownership in a New World of Simulated Identities | SSRN | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4940663 |
| JURCYS, P., et al. | 2025 | “Private-By-Default”: A Principle & Framework for Designing a New World of Personal AI | SSRN | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4839183 |
| JURCYS, P., et al. | 2025 | Voice Cloning in an Age of Generative AI: Mapping the Limits of the Law & Principles for a New Social Contract with Technology | SSRN | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4850866 |
| JURCYS, P., et al. | 2023 | Building a 'Green Data' Future: How a Human-Centric Approach to Data and Nudges Can Help Fight Climate Change | 2023 | https://academic.oup.com/jiplp/article/18/5/386/7113717 |
| JURCYS, P., et al. | 2022 | The future of international data transfers: managing legal risk with a ‘user-held’ data model | The Computer Law and Security Review, Vol. 46 (2022) | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4010356 |
| JURCYS, P., et al. | 2020 | My Data, My Terms: A Proposal for Personal Data Use Licenses [electronic resource] | Harvard Journal of Law and Technology Digest | jolt.law.harvard.edu/digest/my-data-my-terms |
| JURCYS, P., et al. | 2020 | Personal Data Ownership | | https://drive.google.com/file/d/15wWfKdpO10HFMoMPVNPY3eK3lc1HeZl8/edit |
| LEMLEY, M. | 2025 | The Mirage of Artificial Intelligence Terms of Use Restrictions | SSRN | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=5049562 |
| LEMLEY, M. | 2024 | How Generative AI Turns Copyright Upside Down | SSRN | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4517702 |
| LEMLEY, M. | 2022 | The Benefit of the Bargain | Stanford Law and Economics Olin Working Paper No. 575 | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4184946 |
| MAI, J-E. | 2020 | Situating Personal Information: Privacy in the Algorithmic Age, in Jorgensen, Human Rights in the Age of Platforms | | The MIT Press, shorturl.at/mwT23 |
| PISTOR, K. | 2020 | Rule By Data: End of Markets? | Law and Contemporary Problems, Vol. 83, pp. 101-124 | https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=4953&context=lcp |
| POSNER, | 1978 | An Economic Theory of Privacy | Regulation, May/June 1978, pp. 19-26 | https://www.cato.org/sites/cato.org/files/serials/files/regulation/1978/5/v2n3-4.pdf |
| SOLOVE, D. | 2025 | The Great Scrape: The Clash Between Scraping and Privacy | 113 California Law Review (forthcoming 2025) | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4884485 |
| SOLOVE, D. | 2025 | Artificial Intelligence and Privacy | 77 Florida Law Review 1 (2025) | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4713111 |
| SOLOVE, D. | 2024 | Murky Consent: An Approach to the Fictions of Consent in Privacy Law | 104 Boston University Law Review 593 (2024) | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4333743 |
| SOLOVE, D. | 2024 | Kafka in the Age of AI and the | 104 Boston | https://papers.ssrn.com/sol3/ |

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| | | Futility of Privacy as Control | University Law Review 1021 (2024) | papers.cfm?abstract_id=4685553 |
| SOLOVE, D. | 2006 | A Taxonomy of Privacy | University of Pennsylvania Law Review, Vol. 154, No. 3, p. 477 | |
| SUNSTEIN, C. | 2020 | How Much Is Data Privacy Worth? | Journal of Consumer Policy, Vol. 42, pp. 425-224 | https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3413277 |
| TENE, O. | 2011 | Privacy: The New Generations. <i>International Data Privacy Law</i> [electronic resource] | | http://idpl.oxfordjournals.org/content/1/1/15.full.pdf+html |
| WARREN, S. D.; BRANDEIS, L. D. | 1890 | Right to Privacy. <i>Harvard Law Review</i> [electronic resource] | | groups.csail.mit.edu/mac/classes/6.805/articles/privacy/Privacy_brand_warr2.html |
| Recommended reading | | | | |
| AARANSON, S., LEBLOND, P. | 2018 | Another Digital Divide: The Rise of Data Realms and its Implications for the WTO [electronic resource] | Journal of International Economic Law, 21, pp. 245–272 | |
| BEAUVISAGE, T., MELLET, K. | 2020 | “Datasets: Assetizing and Marketizing Personal Data” in BIRCH/MUNIESA, Assetization: Turning Things into Assets in Technoscientific Capitalism | | The MIT Press, https://bit.ly/31wlz33 |
| KUNER, C. | 2007 | European Data Protection Law: Corporate Compliance and Regulation | | Oxford University Press |
| KUNER, C., et al. | 2011 | Privacy: an Elusive Concept. <i>International Data Privacy Law</i> [electronic resource] | | http://idpl.oxfordjournals.org/content/1/3/141.full.pdf+html |
| KIRBY, M. | 2011 | The History, Achievement and Future of the 1980 OECD Guidelines on Privacy. <i>International Data Privacy Law</i> [electronic resource] | | http://idpl.oxfordjournals.org/content/1/1/6.full.pdf+html |
| LEV-ARETZ, A., STRANDBURG, K.J. | 2020 | Privacy Regulation and Innovation Policy [electronic resource] | 22 Yale J.L. & Tech. 256 | https://yjolt.org/sites/default/files/22_yale_j.l._tech._256_2020_privacy-regulation-and-innovation-policy.pdf |
| MESKYS, et al. | 2020 | Regulating deep fakes: legal and ethical considerations | Journal of Intellectual Property Law & Practice, Volume 15, Issue 1, pp. 24–31 | |
| MITCHELL, A. and MISHRA, N. | 2019 | Regulating Cross-Border Data Flows in a Data-Driven World: How WTO Law Can Contribute [electronic resource] | Journal of International Economic Law, 22, pp. 389–416 | https://academic.oup.com/jiel/article/22/3/389/5521020 |
| MATTTOO, A.; MELTZER, J. P. | 2018 | International Data Flows and Privacy: The Conflict and Its Resolution | Journal of International Economic Law, 21, pp. 769–789 | https://academic.oup.com/jiel/article/21/4/769/5227421 |
| SOLOVE, D. | 2008 | Understanding Privacy | | Harvard University Press |
| VELIZ, C. | 2024 | The Ethics of Privacy and Surveillance | | OUP |
| WILL.I.AM. | 2019 | We need to own our data as a human right—and be compensated for it | | https://www.economist.com/open-future/2019/01/21/we-need-to-own-our-data-as-a- |

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