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| Course Component: Exclusive to the program (X) Common Axis () Universal Axis () | | |
| Course: Law | | Course: Law |
| Name of the Course Component: LAW AND INNOVATION | | Name of the Course Component: LAW AND INNOVATION |
| Credit Hours: 2 per week | Credit Hours: 2 per week | Credit Hours: 2 per week |
| <p>Course Description: Innovation in general, in government, the Judiciary, and legal practice. Impacts of innovation on society and the law. Society 5.0. Innovation methodologies. Agile methodologies, open innovation, and incentives. Innovation Labs. Legal Design. Visual Law. User Experience (UX). How to develop and maintain a culture of innovation in organizations. Law as a tool to foster innovation. Innovation in the 1988 Federal Constitution. Laws encouraging innovation (Law No. 10,973/2004; Law No. 11,196/2005; and Law No. 14,129/2021). Public procurement and innovation. The State’s purchasing power to promote innovation. Judiciary 5.0 and Law Practice 5.0. The role of lawyers in innovation. Legal analytics. Document automation. Contract design. Smart contracts. Blockchain. Lawtechs and legaltechs.</p> | | |
| <p>Objectives</p> <p>Conceptual Objectives Understand and explore conceptual elements of innovation. Differentiate types of innovation. Understand the impact of innovations on Law, especially the Judiciary. Reflect on Law's role in regulating or directing innovations. Map out the legal incentives for innovation in Brazilian law. Understand the roles of the State and businesses in developing technological innovation. Discuss the relationship between Law and Economics in the context of innovation.</p> <p>Procedural Objectives and Skills Introduce innovation from a broad perspective, beyond the legal sphere. Test the ability to relate positive law to technological disruption. Use interdisciplinary knowledge and address challenges in applying legal frameworks to technological innovations. Enable discussion of current topics like Big Tech.</p> <p>Attitudinal Objectives and Values Adopt a critical stance on innovation. Act according to the values and concepts presented in class to promote innovation-related debates based on economic science.</p> | | |
| <p>Syllabus</p> <ul style="list-style-type: none"> Contextualization of the course within the Law curriculum Course presentation <ul style="list-style-type: none"> Topic distribution for seminars (Midterm 1) and RPG (Midterm 2) Grade composition Introduction: What is innovation? Types of innovation Importance of innovation for a country’s development <ul style="list-style-type: none"> Innovation classics – the significance of economist Schumpeter Innovation in general, in government, Judiciary, and legal practice | | |



Examples of innovation in the Judiciary
Impacts of innovation on society and Law
Classic innovation debates
State and private actors in promoting innovation
Case study: the iPhone
Interdisciplinarity and innovation discussions
Legal incentives for innovation culture
Economic growth through innovation
Disruptive companies and legal uncertainty
Big Tech case studies (e.g., Uber, Apple, Google)
Types of innovation and legal impacts
Debate on disruption and legality: technology regulation
Law as a tool to foster innovation
The lawyer's role in innovation
Case study: Uber
Legal frameworks for innovation
Incentive laws (Law No. 10,973/2004; No. 11,196/2005; and No. 14,129/2021)
Innovation in Brazil and its challenges
Innovation in the 1988 Constitution
In-depth study of incentive laws
Public procurement and innovation
The State's purchasing power
Banking Law
- Introductory topics
- Competition in the financial system
- Innovation in the financial system
- Payments market



Methodology

To achieve conceptual goals, lectures will introduce and discuss key concepts related to innovation culture. This ensures students engage with cutting-edge topics and apply them in various contexts.

Regarding procedural goals, seminar activities allow students to test lecture concepts in real-life scenarios, reflecting on how innovation challenges legal structures.

For attitudinal goals and values, student immersion in discussions and activities will foster critical and attentive perspectives on innovation.

Evaluation Criteria

To pass, students must meet the satisfactory performance requirement per Article 51 of the Academic Regulations (Resolution CONSU – 001/2021). A final average score of at least 6 (six) is required.

Evaluation includes Midterm Assessments (N1 and N2), Substitute Exam, Integrated Test, and Final Exam.

Midterm 1 (N1):

- Written test (weight 6)
- Group seminar (weight 4)

Midterm 2 (N2):

- Written test (weight 7)
- Group activity via Moodle (weight 3)

The semester average = $[(N1 + N2)/2]$. Students with an average ≥ 6 and minimum attendance are approved.

Substitute Exam is only for students who missed a scheduled assessment in N1 or N2.

Final Exam is for those who did not achieve the required average. The final grade is the average of the semester grade and the Final Exam.

Substitute and Final Exams are written and in-person, covering the entire syllabus.

Instructor: Daniel Fideles Steinberg

Email: daniel.steinberg@mackenzie.br

Basic Bibliography

BURGELMAN, Robert A.; CHRISTENSEN, Clayton M.; WHEELWRIGHT, Steven C. **Gestão estratégica da tecnologia e da inovação: conceitos e soluções**. 5. ed. Porto Alegre: AMGH, 2012. (Versão digital disponível em Minha Biblioteca Virtual).



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MAIA, Ana Carolina; NYBO, Erik Fontenele; CUNHA, Mayara. **Legal Design: Visual Law, Design Thinking, Metodologias Ágeis, Experiências Práticas, entre outros**. São Paulo: Saraiva, 2020.

Supplementary Bibliography

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FALEIROS JUNIOR, José Luiz de Moura; CALAZA, Tales. **Legal design: virtual law, design thinking, metodologias ágeis, experiências práticas, entre outros**. São Paulo: Foco, 2021. (Versão digital disponível em Biblioteca Virtual Universitária).

LAURENCE, Tiana. **Blockchain para leigos**. Rio de Janeiro: Alta Books, 2019. (Versão digital disponível em Minha Biblioteca Virtual).

MEDEIROS, Luciano Frontino de. **Inteligência artificial aplicada: uma abordagem introdutória**. Curitiba: InterSaberes, 2018. (Versão digital disponível em Biblioteca Virtual Universtirária).

NEVES JUNIOR, Paulo Cezar. **Judiciário 5.0: inovação, governança, usucentrismo, sustentabilidade e segurança jurídica**. São Paulo: Blucher, 2020. (Versão digital disponível em Minha Biblioteca Virtual).

Additional Bibliography

AKWU, Patrick. *Sandbox or Quick Sand? Evaluating the Double-Edged Sword of Fintech Regulation* (May 01, 2024).

AWREY, Dan. *Beyond banks: technology, regulation and the future of Money*. Princeton: Princeton University Press, 2024.

CAENEGEM, William van. *Intellectual property law and innovation*. Cambridge: Cambridge University Press, 2007.

CORRALES COMPAGNUCCI, Marcelo; FENWICK, Mark; HAAPIO, Helena (eds.). *Legal Tech, Smart Contracts and Blockchain*. Singapore: Springer, 2019.

CORTEZ, Nathan. *Regulating disruptive innovation*. Berkeley Technology Law Journal, Berkeley, n. 29, p. 175-228, 2014.

DEAKIN, Simon et al. *Legal institutionalism: Capitalism and the constitutive role of law*. *Journal of Comparative Economics*, v. 45, n. 1, p. 188–200, 2017.

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MAZZUCATO, Mariana. *The State Behind the iPhone* (Chapter 5). In: ***The Entrepreneurial State: Debunking Public vs. Private Sector Myths***. London: Anthem Press, 2013.

SCHUMPETER, Joseph A. *Capitalism, socialism and democracy*. 3. ed. New York: Harper Perennial Modern Thought, 2008. Introduction.

Weekly Lesson Plan



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| Class 1 | Course overview. Course presentation. Division of topics for seminars. Grading criteria. Classroom dynamics. |
| Class 2 | Who innovates? The classic debate on innovation. Schumpeter's theory of innovation. Mandatory reading: SCHUMPETER, Joseph A. <i>Capitalism, socialism and democracy</i> . 3. ed. New York: Harper Perennial Modern Thought, 2008. Introduction. SCHUMPETER, Joseph A. <i>Capitalism, socialism and democracy</i> . 3. ed. New York: Harper Perennial Modern Thought, 2008. <i>Part II, Item 7</i> . |
| Class 3 | Role of the State and the role of private actors. Discussion of the literature. The importance of interdisciplinarity. Mandatory reading: MAZZUCATO, Mariana. <i>The State Behind the iPhone</i> (Chapter 5). In: <i>The Entrepreneurial State: Debunking Public vs. Private Sector Myths</i> . London: Anthem Press, 2013. Chapter 5. |
| Class 4 | Innovative methods and approaches to economic growth. Disruptive companies and legal uncertainty. The example of Big Techs (e.g., Uber, Apple, Google). The difference between types of innovation. Debate on disruption and legality. The regulation of technology. <u>Case discussion:</u> Uber case Mandatory reading: CORTEZ, Nathan. <i>Regulating disruptive innovation</i> . Berkeley Technology Law Journal, Berkeley, n. 29, p. 175-228, 2014. |
| Class 5 | Comparative legal frameworks. Constitutional innovation in the US and in Brazil. Mandatory reading: FARNSWORTH, E. Allan. <i>An introduction to the legal system of the United States</i> . 4th ed. New York: Oxford University Press, 2010. |
| Class 6 | Seminars |
| Class 7 | The constitutive role of law in the formation and development of the economic institutions of capitalism. Mandatory reading: DEAKIN, Simon et al. Legal institutionalism: Capitalism and the constitutive role of law. <i>Journal of Comparative Economics</i> , v. 45, n. 1, p. 188–200, 2017. |
| Class 8 | Banks, Crises, and Technology: The Future of Financial Innovation Mandatory reading: AWREY, Dan. <i>Beyond banks: technology, regulation and the future of Money</i> . Princeton: Princeton University Press, 2024. |



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| Class 9 | Sandbox and Agenda BC+: Innovation in the financial system. Concept of innovation. Regulatory barriers. Mandatory reading: AKWU, Patrick. Sandbox or Quick Sand? Evaluating the Double-Edged Sword of Fintech Regulation (May 01, 2024). |
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