



“Recent developments in GDPR and DMA: Pay-or-Consent-Models, Consent and Choice”

Speaker: Prof. Martin Nettesheim (University of Tuebingen)

Discussant: Prof. Diana-Urania Galetta (University of Milan)

Chair: Prof. Aldo Sandulli (Luiss Guido Carli)

Date and Time: November 19th, 2025, 17:30 – 19:30hrs.

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Abstract

In recent years, media companies and digital platforms have begun to offer subscriptions alongside their older free services. These “pay-or-consent” models have been heavily criticized by data protection NGOs, who believe that they amount to a requirement of purchasing privacy. Data protection authorities and the EU Commission have now taken a position on this issue. The presentation analyzes the normative classification of these business models under the GDPR and DMA

About the Speaker

Prof. Dr. Martin Nettesheim is an legal expert in EU law and German Constitutional Law. He has held the Chair of Constitutional and Administrative Law, European Law, and International Law at the University of Tübingen since 2000. He also serves as director of the Tuebingen University Center for International Economic Law (TURCIEL). Since 2015, he has been a Permanent Visiting Fellow at the Institute for European Studies at the University of California at Berkeley. Prof. Nettesheim has taught European law and international economic law as a visiting professor at universities in Berkeley, Miami, Nanjing, and Kyoto, among others. From 2003 to 2005, he was Dean of the Faculty of Law at the University of Tübingen. He is the editor of the comprehensive commentary on EU law (Grabitz/Hilf/Nettesheim, Das Recht der Europäischen Union, vol. 3, 2025, approx. 6000 pages), co-author of a textbook on European law (Europarecht, 10th edition 2025) and author of numerous essays and articles on European law, international law, and constitutional law. He serves as president of the German Association of Public Law (Vereinigung der deutschen Staatsrechtslehrer).

Prof. Dr. Martin Nettesheim studied law and economics at the University of Freiburg im Breisgau, Paris II and the Free University of Berlin from 1983 to 1988. After a one-year research stay at the University of Michigan in Ann Arbor, he completed his legal education and received his doctorate in 1993. From 1994 to 1999, Nettesheim worked as a research assistant at the Institute for International and European Law at the Free University of Berlin and as a lecturer in European law at the University of Potsdam.

Please refer to the attached link: <https://verfassungsblog.de/gdpr-overreach/>

M. NETTESHEIM, *GDPR Overreach? The Challenges of Regulating Pay-or-Consent Models through Data Protection Law*, in Vergassungsblog on matters constitutional, 2024.

At the conclusion of the Research Seminar, a Memorandum of Understanding between the Italian Association of Professors of Administrative Law (AIPDA – Associazione Italiana dei Professori di Diritto Amministrativo) and the Association of German Constitutional Law Professors (VDSTRL – Vereinigung der Deutschen Staatsrechtslehrer) will be signed at the Law Faculty Chamber.

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