

# Geneviève HELLERINGER

Professor

Department: Public & Private Policy

ESSEC Business School

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Country of origin: France

## RESEARCH INTERESTS

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Mediation in Law

## EDUCATION

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2014	MSc Experimental Psychology, University of Oxford, United Kingdom
2010	Doctorat in Private Law, Université Paris 1 Panthéon-Sorbonne, France
2009	M2 Legal Sociology, Université Paris 2 Panthéon-Assas, France
2003	M2 Proprietary and Contract Laws, Université Paris 1 Panthéon-Sorbonne, France
1999	Juris Doctor, Columbia University, United States of America
1996	Msc Science in Management, ESSEC Business School, France

## EMPLOYMENT

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### Full-time academic positions

2018 - Present	Professor, ESSEC Business School, France
2011 - 2018	Associate Professor, ESSEC Business School, France
2010 - Present	Fellow, Institute of European and Comparative Law, University of Oxford, United Kingdom
2008 - 2011	Assistant Professor, ESSEC Business School, France

### Other affiliations and appointments

2020 - 2024	CO Track Head DROIT, ESSEC Business School, France
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### Other professional experiences

1999 - Present	Member of the NY and Paris bar. 5-year experience in top-tier international law firms in New York and Paris ( M&A; private equity, dispute resolution), Barreau de Paris, France
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## GRANTS AND HONORS

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### Awards and Honors

2012	Isoré Prize from the Chancellerie des universités de Paris for her book Les clauses du contrat. Essai de typologie LGDJ 2012
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- 2012 Grand Prix Durieux de l'Académie des Sciences Morales et Politiques for the book *Les clauses du contrat. Essai de typologie* LGDJ 2012
- 2012 Award from the *Revue des Contrats* for the book *Les clauses du contrat. Essai de typologie* LGDJ 2012

### Grants

- 2006 Improving Human Potential Network Grant, European Commission, Belgium

## PUBLICATIONS

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### Journal Articles

- GELTER, M. and HELLERINGER, G. (2018). Opportunity Makes a Thief: Corporate Opportunities as Legal Transplant and Convergence in Corporate Law. *Berkeley Business Law Journal*, 15(1), pp. 92-153.
- HELLERINGER, G. (2017). Anatomy of the New French Law of Contract. *European Review of Contract Law*, 13(4), pp. 355-375.
- HELLERINGER, G. (2017). Au-delà du code de la consommation, l'acquis européen. *Revue Trimestrielle de Droit Europeen*, 2017(2), pp. 336-2 / 336-20.
- HELLERINGER, G. and SIBONY, A.L. (2017). European Consumer Protection Through the Behavioral Pense. *Columbia Journal of European Law*, 23(3), pp. 607-646.
- HELLERINGER, G. (2017). Extension du relevé d'office des clauses abusives aux clauses illicites. *Revue Trimestrielle de Droit Europeen*, 2017(3), pp. 336-343.
- CASTELLANO, G.G. and HELLERINGER, G. (2017). Shedding Light on EU Financial Regulators: A Sociological and Psychological Perspective. *Hastings International and Comparative Law Review*, 40(1), pp. 69-121.
- ALEMANNIO, A., HELLERINGER, G. and SIBONY, A.L. (2016). Brève introduction à l'analyse comportementale du droit. *Recueil Dalloz*, 192(16), pp. 911-914.
- BONNEAU, T. and HELLERINGER, G. (2016). Chronique comptes, crédits et moyens de paiement : Comptes - Pouvoirs des représentants légaux - vérification par le banquier. *Banque et Droit*, (169), pp. 12-16.
- BONNEAU, T. and HELLERINGER, G. (2016). Chronique comptes, crédits et moyens de paiement : Prêt - Cautionnement - Clause de conciliation préalable - Opposabilité des exceptions - exception purement personnelle au débiteur. *Banque et Droit*, (167), pp. 20-24.
- SIBONY, A.L., HELLERINGER, G. and ALEMANNIO, A. (2016). L'analyse comportementale du droit manifeste pour un nouveau champ de recherche en Europe. *Revue Internationale de Droit Economique*, 2016(3), pp. 315-338.
- BONNEAU, T. and HELLERINGER, G. (2015). Chronique comptes, crédits et moyens de paiement : Chèques - Opposition - Utilisation frauduleuse - Demande d'avis de sort concernant les chèques frappés d'opposition - Convention de fourniture d'information. *Banque et Droit*, (164), pp. 20-27.
- BONNEAU, T. and HELLERINGER, G. (2015). Chronique comptes, crédits et moyens de paiement : Compte bancaire - virement effectué par un mandataire - preuve du contrat de mandat. *Banque et Droit*, (163), pp. 24-29.
- GELTER, M. and HELLERINGER, G. (2015). Lift not the Painted Veil! To Whom Are Directors' Duties Really Owed? *University of Illinois Law Review*, 2015(3), pp. 1069-1118.

- BERGE, J.S. and HELLERINGER, G. (2015). Operating International Law in a Global Context: Presentation of a Three Steps Method. *Australian International Law Journal*, 21, pp. 1-18.
- HELLERINGER, G. and BONNEAU, T. (2014). Chronique Droit Bancaire : Billets à ordre - Aval - Art. L. 341-4 du Code de la consommation. *Banque et Droit*, (154), pp. 16-20.
- HELLERINGER, G. and BONNEAU, T. (2014). Chronique droit bancaire : Chèque Falsification – Responsabilité du titulaire du compte – Lien de causalité – Faute de la victime. *Banque et Droit*, (155), pp. 30-35.
- HELLERINGER, G. and BONNEAU, T. (2014). Chronique Droit Bancaire : Faux chèque - Responsabilité du titulaire du compte - Faute de vigilance. *Banque et Droit*, (149), pp. 16-21.
- HELLERINGER, G. and BONNEAU, T. (2014). Chronique Droit Bancaire : Lettre de change – Signature. *Banque et Droit*, (156), pp. 16-21.
- BONNEAU, T. and HELLERINGER, G. (2014). Comptes, crédits et moyens de paiement : Découvert – Taux effectif global – Commission d'intervention. *Banque et Droit*, (158), pp. 18-24.
- HELLERINGER, G. and GARCIA, K. (2014). Le Rayonnement des droits de l'Homme et des droits fondamentaux en droit privé. *Revue Internationale de Droit Comparé*, 66(2), pp. 283-336.
- HELLERINGER, G. (2014). Union Bancaire. Mécanisme de résolution unique (MRU) : accord du conseil. *International Review of Financial Services*, pp. 73-74.
- HELLERINGER, G. and BONNEAU, T. (2013). Chronique Droit Bancaire. *Banque et Droit*, (152), pp. 16-22.
- BONNEAU, T. and HELLERINGER, G. (2013). Chronique Droit Bancaire. *Banque et Droit*, (151), pp. 19-24.
- HELLERINGER, G. and BONNEAU, T. (2013). Chronique Droit Bancaire. *Banque et Droit*, (153), pp. 16-22.
- HELLERINGER, G. and BONNEAU, T. (2013). Chronique Droit Bancaire : Lettre de change - Endossement - Escompte - Restriction conventionnelle. *Banque et Droit*, (150), pp. 24-29.
- HELLERINGER, G. (2013). Chronique Jurisprudence française intéressant le droit de l'Union - Avec quelle force le collier de la directive « vente » enserme-t-il la liberté contractuelle ? *Revue Trimestrielle de Droit Europeen*, pp. 292-39.
- HELLERINGER, G. (2013). Judicial Melodies and Scholarly Harmonies – The Music of French Legal Interpretation. *Rechts Zeitschrift fur ausländisches und internationales Privatrecht*, 77(2), pp. 345-367.
- HELLERINGER, G. (2012). La culture juridique française en matière de loyauté commerciale. *Revue Trimestrielle de Droit Europeen*, (2), pp. 510-514.
- HELLERINGER, G. (2012). Le dirigeant à l'épreuve des opportunités d'affaires. *Recueil Dalloz*, (24), pp. 1560-1566.
- HELLERINGER, G. (2011). Medical Malpractice and Compensation in France. *Chicago-Kent Law Review*, 86(3), pp. 1125-1138.
- HELLERINGER, G. (2011). Pacte extra-statutaire, office du juge et sanction de l'inexécution. *Recueil Dalloz*, (33), pp. 2315-2320.
- HELLERINGER, G. (2010). Ne pas renouveler une adhésion : une prérogative contractuelle. *Recueil Dalloz*, (36).

HELLERINGER, G. (2010). Protection du consommateur : Un compromis d'arbitrage ne constitue pas une clause abusive. *Semaine Juridique*, (38).

HELLERINGER, G. (1999). Comment on European telecommunications licensing. *Columbia Journal of European Law*, (3), pp. 493.

### Books and book editor

BERGÉ, J.S. and HELLERINGER, G. (2017). *Operating Law in a Global Context: Comparing, Combining and Prioritising*. Edward Elgar Publishing Ltd, 235 pages.

HELLERINGER, G. (2012). *Les clauses du contrat*. LGDJ Lextenso éditions, 449 pages.

EIDENMÜLLER, H., HELLERINGER, G., ENRIQUES, L. and VAN ZWIETEN, K. [Eds] (2020). *COVID-19 and Business Law*. Oxford: Beck/Hart/Nomos, 112 pages.

BERGÉ, J.S. [Eds] (2017). *Operating Law in a Global Context. Comparing, Combining and Prioritising*. Cheltenham: Edward Elgar Publishing Ltd, 256 pages.

HELLERINGER, G. and PURNHAGEN, K. [Eds] (2013). *Towards a European Legal Culture*. C.H. Beck, Hart & Nomos, 395 pages.

### Book chapters

HELLERINGER, G. (2022). EU vs Greenwashing: The Birth Pangs of Transparency, Comparability, Cooperation and Leadership. In: A Engert, L Enriques, G Ringe, U Varottil, T Wetzer eds. *Business Law and the Transition to a Net Zero Economy*. 1st ed. C.H. Beck, Hart & Nomos, pp. 19-24.

HELLERINGER, G. (2021). Conflict of Interest and Decision-Making. In: Stefan Grundmann, Philipp Hacker eds. *Theories of Choice: The Social Science and the Law of Decision Making*. 1st ed. Oxford: Oxford University Press, pp. 265-282.

CORRADI, M. and HELLERINGER, G. (2021). Board duties: the duty of loyalty and self-dealing. In: Afra Afsharipour, Martin Gelter eds. *Comparative Corporate Governance*. 1 ed. Edward Elgar Publishing Ltd, pp. 200-219.

BUSCH, D., HELLERINGER, G. and COLAERT, V. (2020). An 'Assist-Your-Customer Obligation' for the Financial Sector? In: Veerle Colaert, Danny Busch, Thomas Incalza eds. *European Financial Regulation. Levelling the Cross-Sectoral Playing Field*. 1st ed. Oxford: Hart Publishing, pp. 343-376.

CASTELLANO, G.G. and HELLERINGER, G. (2019). The Social Psychology of Financial Regulatory Governance! In: Emiliós Avgouleas, David C. Donald eds. *The Political Economy of Financial Regulation*. 1st ed. Cambridge: Cambridge University Press, pp. 160-188.

HELLERINGER, G. (2019). La protection des consommateurs de produits financiers. Exemple d'analyse comportementale du droit. In: *Mélanges en l'honneur du professeur Laurent Aynès. Liberté, justesse, autorité*. 1st ed. LGDJ Lextenso éditions, pp. 287-295.

HELLERINGER, G. (2019). Related Party Transactions in France: A Critical Assessment. In: Luca Enriques, Tobias H. Tröger eds. *The Law and Finance of Related Party Transactions*. 1st ed. Cambridge: Cambridge University Press, pp. 400-425.

HELLERINGER, G. (2019). Consumer Finance 3.0 - Behavioural Insights, Big Data and Digital Technologies. In: Nikita Aggarwal, Horst Eidenmüller, Luca Enriques, Jennifer Payne, Kristin Zwieten eds. *Autonomous Systems and the Law*. 1st ed. C.H. Beck, Hart & Nomos, pp. 51-54.

HELLERINGER, G. and SKINNER, C. (2019). Conflicts of interest: Comparing Compliance and Culture in the US and the UK. In: Danny Busch, Guido Ferrarini, Gerard van Solinge eds. *Governance of Financial Institutions*. 1st ed. Oxford: Oxford University Press, pp. 489-514.

- GELTER, M. and HELLERINGER, G. (2019). Fiduciary Principles in European Civil Law Systems. In: Evan J. Criddle, Paul B. Miller, Robert H. Sitkoff eds. *The Oxford Handbook of Fiduciary Law*. 1st ed. Oxford: Oxford University Press, pp. 583-602.
- GELTER, M. and HELLERINGER, G. (2018). Corporate Opportunities in the UA and in the UK: How Differences in Enforcement Explain Differences in Substantive Fiduciary Duties. In: *Research Handbook on Fiduciary Law*. 1st ed. Edward Elgar Publishing Ltd, pp. 331-352.
- HELLERINGER, G. (2018). Les effets réels du contrat. Le charme discret de la continuité. In: *La réécriture du Code civil. Le droit français des contrats après la réforme de 2016*. 1st ed. Société de Législation Comparée, pp. 207-225.
- HELLERINGER, G. (2018). A Behavioural Perspective on Consumer Finance. In: Hans-W. Micklitz, Anne-Lise Sibony, Fabrizio Esposito eds. *Research Methods in Consumer Law*. 1st ed. Cheltenham: Edward Elgar Publishing Ltd, pp. 334-355.
- AYTON, P. and HELLERINGER, G. (2017). Arbitration and Psychology. Bias, Self-insight in Judgement and the Arbitrator's Impartiality. In: *The Roles of Psychology in International Arbitration*. 1st ed. Wolters Kluwer, pp. 21-44.
- HELLERINGER, G. (2017). The Proprietary Effects of Contracts. In: *The Code Napoleon Rewritten*. 1st ed. Bloomsbury Publishing Plc, pp. 207-225.
- HELLERINGER, G. (2016). Possibilities, Limitations and Applications in European Law and Economics - Designing Disclosures: Testing the Efficacy of Disclosure in Retail Investment Advice. In: *Nudging - Possibilities, Limitations and Applications in European Law and Economics*. 1st ed. Springer, pp. 153-167.
- HELLERINGER, G. and GARCIA, K. (2016). Quelle influence pour les droit des l'homme et les droits fondamentaux en droit privé français ? In: *The Influence of Human Rights and Basic Rights in Private Law*. 1st ed. Springer, pp. 247-294.
- SIBONY, A.L. and HELLERINGER, G. (2015). EU Consumer Protection and Behavioural Sciences: Revolution or Reform? In: *Nudge and the Law: A European Perspective*. 1st ed. Bloomsbury Publishing Plc, pp. 209-233.
- HELLERINGER, G. (2015). Retail Investors and Disclosure Requirements. In: *European Perspectives on Behavioural Law and Economics*. 1st ed. Springer, pp. 193-209.
- GELTER, M. and HELLERINGER, G. (2014). Constituency Directors and Corporate Fiduciary Duties. In: *Philosophical Foundations of Fiduciary Law*. 1st ed. Oxford University Press, pp. 302-320.
- HELLERINGER, G. (2013). Deciphering European Legal Culture. In: *Towards a European Legal Culture*. 1st ed. C.H. Beck, Hart & Nomos, pp. 243-269.
- HELLERINGER, G. (2013). Les conflits d'intérêts au sein de l'entreprise multinationale. In: *L'entreprise multinationale dans tous ses États*. 1st ed. Dalloz, pp. 131-151.
- HELLERINGER, G. (2011). Le contentieux à forte charge symbolique : le cas de la responsabilité sociale des entreprises. In: *Lobbying et procès orchestrés*. 1st ed. Larcier, pp. 47-66.
- HELLERINGER, G. (2009). Quand les parties font leur loi. In: *Repenser le contrat*. 1st ed. Dalloz, pp. 275-305.

## Conferences

- HELLERINGER, G., RINGE, W.G. and PUCHNIAK, D. (2024). Property Requires Diversity. In: 2024 Global Corporate Governance Colloquium. New York.

HELLERINGER, G. (2024). Harsdhip: A French Law and English Law Swap. In: 2024 Dispute Resolution in a Changing World. Stockholm.

HELLERINGER, G. and MOESLEIN, F. (2024). How AI Will Change the Business Judgement Rule. In: 2024 How AI Will Change the Law Symposium. Chicago.

HELLERINGER, G. (2023). Controlling Non-Controlling Shareholders. In: 2023 A Theoretical Inquiry in the Law - Controlling Shareholders and Control-Enhancing Mechanisms. Tel Aviv.

HELLERINGER, G. and GOLD, A. (2023). A Comparison of Contractual Good Faith and Loyalty. In: 2023 International Fiduciary Law Conference. Düsseldorf.

HELLERINGER, G. and SKINNER, C. (2023). The Hardening of ESG: Challenges and Opportunities. In: 2023 Global Corporate Governance Colloquium. Seoul.

HELLERINGER, G. (2022). The Challenges of Financial Supervision. In: 2022 Financial Regulation: Between Policy and Politics. New York.

HELLERINGER, G. and CORRADI, M. (2019). Board Duties: The Duty of Loyalty and Self-Dealing. In: 2019 Comparative Corporate Governance Workshop.

HELLERINGER, G. (2019). Codification in Civil Law Jurisdictions. In: 2019 Codes in Economic Contract Theory and Law.

HELLERINGER, G. (2018). Conflicts of Interest and Standards of Behaviour. In: 2nd International Fiduciary Law Conference.

HELLERINGER, G. (2018). Conflicts of Interest: Compliance and Culture. In: 2018 Corporate Governance in Financial Institutions.

HELLERINGER, G. and SINACEUR, M. (2018). Entering and Exiting Relationships. In: 2018 Empirical Methods for Legal Studies.

HELLERINGER, G. (2018). The Cutting Edge of Consumer Finance and Energy Law : Behavioural Insights - Big Data – Digital Technologies. In: 2018 University of Chicago Law Review symposium on “Personalized Law.”.

HELLERINGER, G. (2017). Conflicts of Interest Rules: A Cross Sectorial Analysis. In: Regulating Finance in a Post-sectoral World.

HELLERINGER, G. (2017). Decision Making in Organised Public Governance and Networks. In: Theories of Choice. The Social Science and the Law of Individual, Collective and Organisational Decision Making.

GELTER, M. and HELLERINGER, G. (2017). Opportunity Makes a Thief. Corporate Opportunities as Legal Transplant and Convergence in Corporate Law. In: 34th Annual Conference of the European Association of Law & Economics (EALE).

HELLERINGER, G. (2017). The French Model and its Limits. In: The Law and Finance of Related Party Transactions.

HELLERINGER, G. (2017). Trust Me, I Have a Conflict of Interest! Efficacy of Disclosure in Retail Investment Advice. In: WINK: The Nudge Conference.

HELLERINGER, G. (2016). Analyse comportementale de la responsabilité civile. In: Flexibles Notions – La responsabilité civile, conférence Laboratoire de Sociologie juridique.

HELLERINGER, G. and AYTON, P. (2016). Arbitration and Psychology. In: International Contracts, Arbitration and ADR Conference.

HELLERINGER, G. (2016). Crisis and Innovation in the European Union: Beyond Populism and Managerialism. In: Workshop: Crisis and Innovation in the European Union: Beyond Populism and Managerialism.

HELLERINGER, G. (2016). Financial Literacy: A Call on Paternalism. In: Oxford-LSE Law & Finance Conference.

HELLERINGER, G. (2016). Psychological Insights on Mandatory Disclosures. In: Oxford Law Faculty Conference.

HELLERINGER, G. (2016). Trust Me, I Have a Conflict of Interest! Efficacy of Disclosure in Retail Investment Advice. In: 7th International Conference of the French Association of Experimental Economics.

HELLERINGER, G. and CASTELLANO, G. (2015). Sharing, Ranking, Matching, and Pricing: A Socio-Psychological Perspective on EU Financial Regulators. In: Social Legal Studies Association (SLSA) Annual Conference 2015.

HELLERINGER, G. (2015). The Trust Dilemma. A law and Psychology Approach. In: 2015 Behavioural Science and Policy Conference.

HELLERINGER, G. (2014). 5 Keys to Successfully Negotiate the Settlement You Need. In: 5th ICC International Commercial Mediation Conference.

HELLERINGER, G. (2014). Behavioural Law and Economics in the Context of Financial Markets Regulation. In: 3rd Law and Economics Conference.

HELLERINGER, G. (2014). Deterministic Brains and Responsibility. In: Moral Values and Private Law III Conference.

HELLERINGER, G. and GELTER, M. (2014). Fiduciary Duties of Directors: Unveiling the Diversity. In: 2014 Association of American Law Schools Annual Meeting.

GELTER, M. and HELLERINGER, G. (2014). Follow the Crowd or Your Conscience - An Experimental Study of Identity and Other-Regarding Preferences. In: European Summer Symposium in Economic Theory.

HELLERINGER, G. (2013). EU Financial Law and Behavioural Studies. In: Nudging in Europe Conference.

HELLERINGER, G. and GELTER, M. (2013). Unveiling the Hidden Diversity in Corporate Fiduciary Duties. In: Philosophical Foundations of Fiduciary Law.

### Invited speaker

HELLERINGER, G. (2020). Commercial Law and Financial Services. In: British-European Relations Post Brexit: A Legal Kaleidoscope, The Institute of European and Comparative Law. Oxford (Virtual).

CORRADI, M. and HELLERINGER, G. (2019). Directors' Self-Dealing: Comparative Approach. In: Fordham Law School Corporate Law Conference. New York.

## OTHER RESEARCH ACTIVITIES

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### Chief Editor

Since 2018     Journal of Financial Regulation

### **Associate Editor**

2017 Journal of Financial Regulation

### **Editorial Board Membership**

2015 - 2019 Journal of Financial Regulation

### **Organisation of a conference**

Since 2016 Member of the Organizing Committee The Global Pound Conference Series 2016-17: Shaping the Future of Dispute Resolution and Improving Access to Justice

Since 2015 Member of the Organizing Committee for the 2nd ICC International Mediation Round Table

### **Affiliations**

Since 2023 Vice-President of the European Corporation Governance Institute (ECGI)

Since 2023 Academic member of the American Law Institute (ALI)

Since 2014 Academic member of the Comité National de l'Arbitrage

Since 2014 Academic member of the Société de Législation Comparée

Since 2013 Academic member of the De Ly group on international contracts

Since 2012 Academic member of the European Law Institute

Since 2012 Academic Member of the Society for Empirical Legal Studies

Since 2011 Member of TransEurope Experts

### **Other research activities**

2012 - 2014 Invited Academic Fellow, Max Planck Institute Hamburg

Since 2015 Member of the Advisory Committee for 2015 ICC International Mediation Conference (Nov 10, 2015): "Effective Dispute Management for Better Business"

## **PROFESSIONAL ACTIVITIES**

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### **Other professional activities**

2021 - Present Member of the Board of Appeal of the European Supervisory Authorities by the European Banking Authority's Management Board, European Banking Authority

1975 - Present Member of the French Arbitration National Committee

1975 - Present Founder and president for 10 years of Essec-Law Alumni Club