

# Curriculum Vitae

## Dr. IŞIK ÖNAY

**Address:** Koç Üniversitesi Hukuk Fakültesi, Rumelifeneri Yolu, 34450, Sarıyer/ İstanbul.

**Date and Place of Birth:** 22.11.1984, Ankara.

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### ACADEMIC QUALIFICATIONS

#### Education

##### **Istanbul University, Institute of Social Sciences (September 2009 - January 2014)**

Ph.D. in Private Law

Thesis title: Türk Borçlar Hukukunda Yenileme (*Novation under Turkish Law of Obligations*)

Supervisor: Prof. Dr. Baki İlkay Engin

##### **Queen Mary University of London (2007-2008)**

LL.M. in Intellectual Property Law (*Merit*)

Thesis title: "Regulating Webcasting" (*Distinction*)

Supervisor: Prof. Ian Walden

##### **Koç University Law School (2003-2007)**

LL.B.

##### **Österreichisches Sankt Georgs-Kolleg Istanbul (1995-2003)**

Secondary school and high school diploma

#### Research Visits

Visiting researcher at **Max Planck Institute for Comparative and International Private Law**

(July 2011 - July 2012; March and August 2018)

### PROFESSIONAL EXPERIENCE

#### **Koç University Law School**

Assistant Professor of Civil Law

(May 2014 – present)

*Courses taught:* LAW 105 (Introduction to Civil Law / Law of Persons); LAW 106 (Family Law); LAW 205 (Law of Obligations I); LAW 206 (Law of Obligations II); LAW 301 (Property Law I); LAW 504 (International and European Contract Law); LAW 604 (Banking Law); BLAW 202 (Business Law)

*Selected administrative duties:*

- Coordinator of the LLM and PhD programs in Private Law
- Committee for Academic Disciplinary Matters
- Committee for Administrative Disciplinary Matters
- Committee for Legal Matters

## Koç University Law School

Lecturer

(February 2014 – April 2014)

*Courses taught: LAW 105 (Introduction to Civil Law / Law of Persons); LAW 206 (Law of Obligations II); LAW 338 (Law of Obligations III).*

## Koç University Law School

Research Assistant

(September 2008 – February 2014)

*Assistant under the supervision of Prof. Dr. Teoman Akünel, Prof. Dr. Cumhur Özakman and Prof. Dr. Baki İlkay Engin for the following courses: Civil Law/Law of Persons, Family Law, Law of Obligations I – II - III, Property Law I-II, Law of Inheritance, Consumer Protection Law, Non-Profit Organizations and Law of Securities.*

*Prepared and graded mid-term and final exams, conducted problem and discussion sessions.*

Acted as an **advisor** to a law firm for matters pertaining to law of obligations

Instructed by a law firm in the UK to prepare a report as a **legal expert on Turkish law** for a case in the High Court of Justice, Chancery Division

Acted as the **secretary of an arbitral tribunal** in a case subject to Law on International Arbitration (no 4686)

## PUBLICATIONS

### Articles

“Borcun Kapsamına ve Riskin Paylaşılmasına Dair Anlaşmaların Sorumsuzluk Anlaşmalarından Ayırt Edilmesi Sorunu” [The Problem of Distinguishing Clauses About the Extent of the Obligation and the Allocation of Risks from Exemption Clauses], *Banka ve Ticaret Hukuku Dergisi*, vol. XXXV, no. 4, 2019, pp. 31-86 (in collaboration with Y. Alperen Karaşahin)

“Hukuk Düzeninin Birliği İlkesi Çerçevesinde Zorunluluk Hâlinin Hukuki Niteliği” [The Legal Nature of State of Necessity in Light of the Principle of Unity of the Legal Order] *İstanbul Hukuk Mecmuası*, vol. 77, no. 2, 2019, pp. 847-895 (in collaboration with R. Murat Önok)

“Sorumluluk Hukukunda Seçimlik Nedensellik Sorunu” [The Problem of Alternative Causation in Tort Law], *Prof. Dr. Özel Seliçi'nin Anısına Armağan, Bahçeşehir Üniversitesi Hukuk Fakültesi Dergisi*, vol. 11 (145-146), 2016, pp. 679-726

“The Law of Maintenance: A Turkish Perspective”, *Revue hellénique de droit international*, 67, 2014/2, (in collaboration with Z. Derya Tarman), pp. 989-1006

“Milletlerarası Evlât Edinme Hukukunda Kamu Düzeni Engeli” [Public Order Exception in Law of International Adoptions], *Ankara Üniversitesi Hukuk Fakültesi Dergisi*, 60(2) 2011: 331-365. (in collaboration with Z. Derya Tarman)

“TRIPS: Patent Korumasının İlaçlara Erişime Etkisi” [TRIPS: Effects of Patent Protection on Access to Medicine], *Rona Serozan'a Armağan (Festschrift für Rona Serozan)*, On İki Levha Yayıncılık, İstanbul, 2010, s. 1353-1414

“Regulating Webcasting: An Analysis of the Audiovisual Media Services Directive and the Current Broadcasting Law in the UK”, *Computer Law and Security Review*, 25(4) July 2009, pp. 335-351

## **Books**

*Borçlar Hukuku Pratik Çalışmaları*, [Case Studies on Law of Obligations], 4<sup>th</sup> edn, Oniki Levha Yayıncılık, İstanbul, 2017 (in collaboration with B. İlkey Engin and Tülay Aydın Ünver)

*Yenileme*, [Novation], On İki Levha Yayıncılık, İstanbul, 2016

## **Edited books**

*Global Challenges Posed by the Ridesharing Company: A Case Study of Uber*, Springer, 2020 (in collaboration with Zeynep Ayata) – forthcoming

*Introduction to Turkish Law*, 7<sup>th</sup> edn, Wolters Kluwer, 2020 (in collaboration with Tuğrul Ansay, Don Wallace Jr.)

## **Book Chapters**

“Policy Implications of the Comparative Findings” in *Global Challenges Posed by the Ridesharing Company: A Case Study of Uber* (eds. Zeynep Ayata/ Işık Öney), Springer, 2020, forthcoming (in collaboration with Zeynep Ayata)

“A Legal Perspective on Uber’s Activities in Turkey” in *Global Challenges Posed by the Ridesharing Company: A Case Study of Uber* (eds. Zeynep Ayata/ Işık Öney), Springer, 2020, forthcoming (in collaboration with Emek Toraman Çolgar)

“Law of Persons” in *Introduction to Turkish Law*, 7<sup>th</sup> edn (eds. Tuğrul Ansay/ Don Wallace Jr/ Işık Öney), Wolters Kluwer 2020, pp. 91-104 (in collaboration with Tuğrul Ansay)

“Legal Persons, Societies, and Business Associations” in *Introduction to Turkish Law*, 7<sup>th</sup> edn (eds. Tuğrul Ansay/ Don Wallace Jr/ Işık Öney), Wolters Kluwer, 2020, pp. 105-121 (in collaboration with Tuğrul Ansay)

“Law of Obligations” in *Introduction to Turkish Law*, 7<sup>th</sup> edn (eds. Tuğrul Ansay/ Don Wallace Jr/ Işık Öney), Wolters Kluwer, 2020, pp. 177-203 (in collaboration with Tuğrul Ansay)

“Effects of European Harmonization on Turkish Contract Law” in *Uniform Rules for European Contract Law? A Critical Assessment* (ed. Francisco de Elizalde), Hart Publishing, 2018, pp. 223-239

“Directors’ and Officers’ Liability in Turkey” in *Directors’ and Officers’ (D&O) Liability* (ed. Simon Deakin/ Helmut Koziol/ Olaf Riss), De Gruyter, 2018, s. 621-668

“Agency”, *Introduction to Turkish Business Law* (ed. Tuğrul Ansay/ Eric Schneider), Wolters Kluwer, 2014 (in collaboration with Tuğrul Ansay), pp. 15-27

“Sale of Personal Property”, *Introduction to Turkish Business Law* (ed. Tuğrul Ansay/ Eric Schneider), Wolters Kluwer, 2014, (in collaboration with Tuğrul Ansay), pp. 47-58

## **Translations**

“İsviçre Hukukunda Yardımlı İntihar” [Assisted Suicide under Swiss Law], *Hukuk ve Etik Boyutuyla*

Ötanazi, ed. Prof. Dr. Nur Centel, On İki Levha Yayıncılık, İstanbul, 2012, s. 161-180. (Translation of Julian Mausbach's article to Turkish – in collaboration with Sendi Yakuppur).

## **Other**

British Council, Turkey, 2019. 'The State of Social Enterprise in Turkey'. Available at: <https://www.britishcouncil.org.tr/en/programmes/education/social-enterprise-research>

"Anayasa Mahkemesinin Bireysel Başvuru Kararlarında Maddi Tazminata Hükmetme Yetkisi ve Mahkemenin Bu Konudaki Uygulamaları Üzerine Düşünceler" [Thoughts on the Constitutional Court's Authority to Award Compensation for Material Damages in Constitutional Complaint Proceedings], <https://anayasatakip.ku.edu.tr/proje-akademisi/akademinin-sesi/>, 2017

## **SELECTED PRESENTATIONS & CONFERENCE ORGANIZATIONS**

### **Selected Presentations**

"Sorumluluk Hukukunda Zorunluluk (İztırar) Hali" [State of Necessity in the Law of Civil Liability], *İstanbul Bilgi Üniversitesi Haksız Fiil Hukuku Konferansı*, İstanbul, 2019

"Turkish Report on Sharing Economy: The Uber Case", *Law Schools Global League Annual Academic Conference*, Mexico City, 2017

"Legal Consequences of the Birth of an Unplanned Child due to a Wrongful Act: A Comparative Overview of Wrongful Conception, Wrongful Birth and Wrongful Life Cases", *Young Comparativists Committee, American Society of Comparative Law Annual Conference*, İstanbul, 2017

Effects of European Harmonization on Turkish Contract Law, *Uniform Rules for European Contract Law? A Critical Assessment*, Madrid, 2016

Birleşmiş Milletler Rehber İlkeleri Işığında İş Yaşamında Gerçekleşen İnsan Hakları İhlalleri ve Sözleşme Dışı Sorumluluk Hukuku [An Analysis of Turkish Law of Extra-Contractual Liability from the Perspective of the UN Guiding Principles on Business and Human Rights], *Workshop on Business and Human Rights: Turkish Law in Light of International Standards*, İstanbul, 2016

İfa Yerine Edim Anlaşmasının Hukuki Niteliği [Legal Nature of Datio in Solutum], *Medeni Hukuk Genç Akademisyenler Sempozyumu [Symposium for Young Scholars of Civil Law]*, İstanbul, 2014

### **Conference Organizations**

Member of the Organization Committee for the 7th Young Comparativists Committee, American Society of Comparative Law Annual Conference at Case Western Reserve University School of Law, Cleveland, Ohio, 2018

Chair of the Organization Committee for the 6th Young Comparativists Committee, American Society of Comparative Law Annual Conference at Koç University Law School, İstanbul, 2017

Member of the Organization Committee for the 5th Young Comparativists Committee, American Society of Comparative Law Annual Conference at Tulane Law School, New Orleans, 2016

Member of the Organization Committee for the Symposium for Young Scholars of Civil Law at Koç University Law School, İstanbul, 2014

## FUNDED RESEARCH PROJECTS

### **Koç University Seed Research Fund Program (01/09/2019 – 28/01/2021)**

Principle Investigator – Legal Aspects of Hematopoietic Stem Cell Transplantation from Minors

### **British Council (1/11/2018 – 1/06/2019)**

Researcher (Legal Expert) - Research on Social Enterprise Sector in Turkey

### **European Union and Republic of Turkey (01/10/2018 – 01/10/2020)**

Researcher (Legal Expert) - Building a Social Entrepreneurship Network in Turkey - Civil Society Organisation Partnership and Networks on Strengthening Cooperation Between Public Sector and Civil Society Organisations

## RESEARCH INTERESTS

Contract Law; Tort Law; European and Comparative Private Law; Law of Persons; Law of Inheritance; Property Law; Family Law

## SCHOLARSHIPS & AWARDS

Koç University Outstanding Service Award, 2018

KOLT Teaching Innovation Grant, Fall 2017

Koç University Law School Outstanding Teaching Award, Spring 2016

Dr. Nüsret-Semahat Arsel Research Center of International Business July 2011 – July 2012

*One-year scholarship covering living expenses during the year spent at Max Planck Institute (Hamburg) for research.*

European Union Jean Monnet Scholarship, 2007 – 2008

*One-year scholarship covering tuition fee and living expenses during the time spent in London for the LL.M. degree.*

## LANGUAGES

Turkish (native speaker)

English (fluent)

German (fluent)

## MEMBERSHIPS

American Society of Comparative Law

Freunde des Hamburger Max-Planck-Instituts für ausländisches und internationales Privatrecht e.V.

Jean Monnet Scholars Association

Koç University Law Club (founding member)

Koç University Alumni Association