

# Career Sheet: Legal and policy professional in EU competition law and tech regulatory



## Kletia Noti (Legal and policy professional)

I am a legal and policy professional and my field of speciality is EU competition law and tech regulatory, meaning privacy, cybersecurity, artificial intelligence (AI), and big data and content regulation. Regarding this field, I provide my legal advice as a senior advisor in collaboration with consultancies delivering policy advice to the EU institutions.

During my career, I have successfully managed a dozen of studies on behalf of the EU's institutions. In particular, I have advised the European Commission (DG Move, DG Connect, DG Home and DG Comp), EU's agencies such as the Research Executive Agency (REA) and the Executive Agency for Small and Medium-sized Enterprises (EASME), as well as the European Parliament's JURI and ECON Committees. Before I have practised EU competition law in the Brussels offices of Clifford Chance LLP and I was an associate in the Brussels offices of Cleary, Gottlieb, Steen and Hamilton LLP. I was also part of the academic body at the Departments of Law and Economics of the College in Europe, Bruges, where I was the senior academic assistant in charge of the European Law and Economic Analysis (ELEA) program, teaching tutorials in EU Competition Law and researching on the intersection of intellectual property and antitrust law.

I was educated in Italy and the United States. I hold an LL.M. from Columbia University School of Law in New York and a Master's and Bachelor's Law degree *summa cum laude* from Bocconi University in Milan. During my studies at Bocconi University, I was an exchange student at the University of California, Los Angeles, on a scholarship granted from Bocconi University. I have also been a visiting student at Harvard University, researching corporate governance.



## OVERVIEW OF THE JOB

Currently, I serve pro-bono as an EU policy monitor and a Vice-Chair at the IP Transactions & Licencing Committee of the Intellectual Property Section of the American Bar Association. Before this, I have been a member of the editorial board of World Competition: Law and Economics Review. I have also worked at the European Commission's DG Competition and Clifford Chance LLP and Studio Legale Monti in Milan, Italy.



## WHAT INSPIRED YOU

I am the daughter of a telecommunications engineer and a journalist/TV presenter who met at the Albanian Radio Television, the only one which would broadcast during my childhood. Growing up, I was often participating in TV and radio shows. Walking in the halls of that unique world, I was fascinated by telecommunications: from antennas to cameras. I realised something then: technology

connects people. As an adult, choosing to pursue a career in law, I would naturally be inclined to specialise in tech, knowing that it will allow me to understand the intricacies of how the law is connected to the new technologies, and how it can help shape technology.



## TYPICAL WORKING DAY

My days are diverse and fun. One day you can engage with drafting a document, another day in reading and research, or in a workshop with stakeholders, yet another travelling to the client. In essence, this profession means continually engaging in intellectual stimulation. Typically, since our work products are the result of collaboration, many days involve intense teamwork and brainstorming with colleagues, which I thrive on. Often, novel topics are involved. Sometimes you encounter open questions that requiring creativity, keeping in mind the client’s best interest. Other days are filled with client presentations, workshops, interviewing stakeholders (from public administration officials to private clients), to obtain their input on given policy issues. There may be often lengthy conference calls, where the various solutions to client issues are shaped and discussed with the client. While client presentations and workshops are fun, lengthy conference calls can be sometimes challenging.



## STUDY & CAREER PATH

My alma mater in Italy is renowned for business studies. It was common to specialise in a field of law impacting business. I remember a class, where the professor spoke for hours about Fastweb, a nascent telecommunications company, during an EU competition law class. That stuck with me. He spoke about innovation, and the need not stifle it. Some years later, during my graduate studies in competition law at Columbia University in New York, I remember the professor pointed out that price discrimination was not necessarily illegal, referring to the new iPhone at the time. While at Cleary, Gottlieb in Brussels, I became fascinated with the tech field. Some of our clients were Qualcomm, Apple, Impala. It made me aware of some real issues that companies were facing on a day-to-day basis.

But I think my true passion for the field of technology became clear thanks to the mentorship of a College of Europe professor. He advised the European Union on the new telecommunication rules in the early 2000s. Under his guidance, I researched cloud computing, standardisation and FRAND commitments. They seem like exotic terms, but in essence allow for our phones, laptops and PCs to properly function. Technology as we know it is not some abstract concept: like TV then, now the ICT world connects people. I would later have a chance to see how the ICT policy of the European Union was shaped, actively contributing to these developments.

If I were to do it again, I would not change my career path: I would choose the same area of intersection between law and technology as a field of my speciality. It’s constantly evolving, it poses more questions than answers from a legal and policy standpoint. While technology advances at full speed, laws struggle to keep up with the technology pace. Policy advice is needed to balance various interests at play. On one hand, upholding the public interest, on the other, furthering innovation in the adoption of new laws that regulate these technologies. This is “law in the making” which impacts the devices we use,

especially during the pandemic. And not just for fun, but as essential tools to run business and our daily lives.

Many of my colleagues did not follow a similar path. They either specialised in corporate law or academia. I've gathered a sound experience across the three: academia, law, and policy. I think it does not matter where one wants to contribute. Quoting the Vice-Rector of the College of Europe, "In shaping the law, it may not matter *where* one wants to work, but *what* the passion to work on consists of".



## KEY SKILLS

Since this field is continually evolving, and technology being part of this change and here to stay, **analytical thinking, out-of-the-box problem solving, business acumen and curiosity** are necessary. In particular, critical thinking and commercial acumen are paramount in ensuring that clients are satisfied, but also that regulation doesn't stifle business and incentivises innovation. With private clients, I find innovative thinking and creativity to be key skills as they face novel questions. By contrast, with public clients, such as the EU institutions, the public interest dimension is inherent to the client's goals. Within those set parameters, you can play what the law can do or cannot do, and how it can be shaped and reformed to accommodate those policy objectives.

Additional key skills are **intellectual curiosity and desire for continuous learning**, both necessary to navigate an ever-evolving legal system and ever-changing policies in the field of technology. **Pro-activeness** is also a crucial skill: it is important to be willing to tackle challenges in a preventive, forward-looking, rather than a reactive fashion.

Other skills are also desirable. An understanding of, and experience with, various forms of **technology** is also helpful. Furthermore, since in pursuing clients' interests, we routinely collaborate with professionals from other fields, such as engineers, data scientists, the ability to communicate in a succinct, clear and precise fashion, and not "legalese", is crucial to connect across disciplines. Lawyers are "magicians" of words because concepts can differ depending on how you frame words. Since what lawyers say is not necessarily what other non-legal professionals understand those concepts mean, it is important to convey complex legal concepts simply.

In addition to this, strong **emotional intelligence and soft skills** are crucial since the job often entails speaking to stakeholders of various cultures or nationalities across the EU.

To sum up, this career path may not be suited for those who lean towards isolation, because often deadlines are very strict and dictated by clients' own public policy agendas or market needs. It rather appeals to those who seek novelty and stimulation. We work with specialists (academics), who are highly specialised in given areas. The policy professional is, to use a metaphor, the "cook" of elaborated dishes where the ingredients are all crucial: the technical input of the engineer, the extremely specialised eye of the professor, and the beautifully put charts and tables of the consultants. The legal policy professional assembles such a mixture of different approaches and makes it "digestible" for the client, translating abstract thinking into concrete solutions. This allows the client to operate within the boundaries of the existing law, or to anticipate the impact of expected legal reforms that policy professionals help carve to reach the desired business objectives.



## CAREER PROSPECT

As the world becomes more interconnected thanks to technology, this is a very up-and-coming specialisation in the area of the legal profession, opening up a plethora of career options. With technology shaping the practice of law, and ever-evolving advice on the legal dimensions of new technologies the possibilities to thrive are plenty. They span from the private sector (advising companies, from start-ups to more established ones, in their business decisions, or joining clients' public affairs departments, given the prior experience in dealing with and advising the regulators), to the services sector (various consultancies, operating in close contact with the regulator), to academia and universities' research centres in ICT law, and to the regulator and public sector (public administrations at national or supra-national level).



## CHALLENGES

While the job is very intellectually rewarding, some days can be very challenging. The hours may often be long and unpredictable: they are driven by clients' needs and/or policy agendas. As such, this job entails a very fine balancing act between high product quality and meeting very strict deadlines. In addition, clients' agendas may sometimes change. The legal policy professional is then thrown in the middle of unforeseen action dictated by emergencies due to various clients' requests. Indeed, clients' needs are complex, fast-paced, and specific to their characteristics. Often, rigid daily planning is unhelpful to successfully deliver. Instead, being flexible and versatile becomes crucial, since adapting to such changed agendas may be necessary.

At the highest levels, it is also still a male-dominated profession, and it is thus important to have female role models and mentors. Learning about their challenges, and how these women have overcome them, helps a great deal in the profession. The sooner one starts, the better.

Furthermore, clients are different, and so are their needs. The legal issues that arise are complex: they often stem from the diverging, and sometimes conflicting, incentives of business operators competing in a fast-paced environment. Lawyers are taught the law in schools. They are not necessarily trained to have a business-oriented eye, which is however key to meeting clients' needs. It may become necessary for the lawyer to change "hats", putting him or herself in the shoes of the decision-making client (who is a businessperson), or in the shoes of the public client in charge of policy. As such, commercial acumen is important to deliver constructive, practical solutions, which are tailored to the client's desired results and business needs.



## YOUR ADVICE TO STUDENTS

Today, more than ever, as technology overhauls our society: "What you 'know' does not matter nearly as much as your ability to learn new things and apply those learnings to new scenarios and environments". My advice is never to stop learning and being intellectually curious, being flexible to

unlearn what you learnt and learn again. While you do this, it is important never to abandon critical thinking.

Do not be afraid to engage with the bigger picture and questions. Technology developments are advancing at full speed. Then the question becomes how we ensure, as humans, the preservation of our values as societies, as technology advances. And how can the law and ethics of technology shape this process so that our societies continue to thrive while preserving the liberal order.

This profession is all about the bigger picture thinking, namely, what the puzzle ultimately becomes, once the contributions of the various inter-disciplinary professionals are put together.



## YOUR ADVICE TO TEACHERS AND PARENTS

Very often, parents steer their children to enter the elite and noble professions, such as law and medicine. The portrayal of legal careers in the media as exciting, glamorous, fast-paced, and desired also adds to this allure of lawyers' prestige, which families covet. Very often this portrayal focuses on skills needed before a judge as litigators: this is the typical image of a lawyer. Yet very often the reality is different: you are no different than the in-house counsel of a company. The policy professional has several clients. As such, most often one does not even encounter judges at all or enter a courtroom.

I do firmly believe that true motivation comes from within, not the glamorous image that media, TV, and social media convey of such professions. A staggering motivation, discipline and passion are needed: this is what parents and teachers can orient students towards, stimulating skills like creativity, and out-of-the-box thinking.

There are various ways family and teachers can support their children or students. For example, some students have a passion for coding: this can be a valuable skill in this career. Early on, students can be fostered in excelling in coding classes. Other students may enjoy reading sci-fi. Yet, other students are less tech-savvy and more interested in humanistic subject matters. The differences in students' approaches and natural inclinations can be accommodated by parents and teachers in steering them towards developing their talents. For instance, eloquence can be fostered with theatre or creative writing classes. Acing math classes helps with analytical thinking and problem-solving skills.

For young adults, curiosity in the understanding of technology helps as well: for example, how does one shop on Amazon? What data does Facebook collect? How are the most relevant searches on Google obtained? How do technology disruptions, e.g. blockchain or big data, challenge the established legal paradigms, such as contract law, or the law of property? How can law evolve to accommodate them? What are the legal questions that arise with the uptake of AI?

The rewards abound in terms of how intellectually stimulating and satisfying this professional path is. This job being the contrary of a repetitive one, appeals to those who seek novelty, continuous challenges to solve and who do not thrive in established routines.



## LEARN MORE

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[Kletia Noti's LinkedIn profile.](#)

A publication on soft law measures put forward by the European Commission to ensure that intellectual property rights are well protected, including the publication of guidance on the Implementing Directive: [“Transatlantic Antitrust and IPR Developments.”](#)

[Kletia Noti's Twitter account.](#)

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