



## Curriculum Vitae Europass

### Personal information

**Name** **Mihai DAVID**  
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**Nationality:** Romanian  
**Date of Birth:** July 10, 1981  
**Sex:** Male

**Place of Employment /  
Occupational Field** Academic / Legal

### Professional Experience

Position Held	<b>Lecturer</b> (since 2014) <b>University Teaching Assistant</b> (2008–2014) <b>Junior Teaching Assistant</b> (2006–2008)
Main activities and responsibilities	<b>Courses Taught:</b> <ul style="list-style-type: none"><li>• Civil Law: Special Contracts (since 2018)</li><li>• Civil Law: Property Rights (2011 – 2018)</li><li>• Real Estate Publicity (since 2014)</li></ul> <b>Seminars:</b> <ul style="list-style-type: none"><li>• Civil Law: Special Contracts (since 2018)</li><li>• Civil Law: Property Rights (2008 – 2018)</li><li>• Civil Law: Obligations (since 2008)</li><li>• Real Estate Publicity (since 2014)</li></ul>
Name and Address of Employer	Babeş-Bolyai University str. Universităţii, no. 7-9, 400084 Cluj-Napoca (Romania)
Type of Activity or Sector	Higher Education

### Education and Training

Period	1.10.2005 – 17.04.2014
Qualification / Degree Obtained	<b>PhD</b>
Main Subjects Studied / Professional Skills Acquired	- civil law - civil procedure
Name and type of educational institution/training provider	Babeş-Bolyai University, Faculty of Law Cluj-Napoca (Romania)

Level in the national or international classification	category A
Period	2004 - 2005
Qualification / Degree Obtained	<b>Master's Degree</b>
Main Subjects Studied / Professional Skills Acquired	- private law
Name and type of educational institution/training provider	Babeş-Bolyai University, Faculty of Law Cluj-Napoca (Romania)
Level in the national or international classification	category A
Period	2000 - 2004
Qualification / Degree Obtained	<b>Bachelor's Degree</b>
Main Subjects Studied / Professional Skills Acquired	- law
Name and type of educational institution/training provider	Babeş-Bolyai University, Faculty of Law Cluj-Napoca (Romania)
Level in the national or international classification	category A

## Personal skills and competences

Mother tongue **Romanian**

Foreign languages known

<b>English</b>	Experienced user
<b>French</b>	Independent user
<b>German</b>	Independent user

## Additional Information I) PUBLICATIONS

### 2025

- *The Unacknowledged Toleration of Overbooking by Airlines as an Ad-Hoc Application of the Economic Analysis of Contract*, Romanian Journal of Private Law, no. 1/2025.

### 2024

- *On the False Problem of the Non-Retroactivity of Contract Termination*, in *In memoriam Ion Deleanu. Master of Metaphor and Legal Fictions in Romanian Legal*

Science, Universul Juridic Publishing House, Bucharest.

- *Priority Order in the Enforcement of Personal Rights versus the Chronology of Effects among Competing Contracts: The Specific Case of Sale with Retention of Title*, Romanian Journal of Private Law, no. 2/2024.
- *Multiple-Choice Tests and Case Studies for Admission Exams in Legal Professions: Civil Law*, 11th edition, revised and expanded, Universul Juridic Publishing House, Bucharest (collective volume).

## 2023

- *Fraud Against Creditors and Willful Non-Performance as Grounds for Contract Ineffectiveness* (with Izabella David), Romanian Jurisprudence Journal, no. 3/2023.
- *The Problem of Restitution in Civil Contracts – or How Termination Retroactively Operates*, Romanian Journal of Private Law, no. 2/2023.
- *Multiple-Choice Tests and Case Studies for Admission Exams in Legal Professions: Civil Law*, 10th edition, revised and expanded, Universul Juridic Publishing House, Bucharest (collective volume).

## 2022

- *Promise of Sale of Real Estate and Subsequent Disposition Act Executed in Disregard of It, in A Family for Europe, a Europe of Families? Studia Emese Florian Dedicata*, Hamangiu Publishing House, Bucharest.
- *The Woman Without a Face*, in *Imago iuris. The Imaginary of Law* (collective volume), edited by Lucian Bercea, West University Press, Timișoara.
- *Multiple-Choice Tests and Case Studies for Admission Exams in Legal Professions: Civil Law*, 9th edition, revised and expanded, Universul Juridic Publishing House, Bucharest (collective volume).

## 2021

- *On the Illusion of Opposability by Knowledge – or the Theory of Appearance as an Innocent Witness of Full Legal Opposability*, in *In honorem Flavius Antoniu Baias. Appearance in Private Law*, vol. II, Hamangiu Publishing House, Bucharest.
- *Duration of Effectiveness and Its Relevance in Contract Qualification – Particularities of the Supply Contract*, Romanian Journal of Private Law, no. 1/2021.

## 2020

- *The Legal System of Romania*, Carolina Academic Press, Durham, North Carolina (collective volume).

## 2019

- *The Perspective of Non-Performance as a Relevant Factor in the Decision to Enter into a Contract or on Managing Risks Related to Non-Performance*, Romanian Journal of Private Law, no. 3/2019 – *Business Decision: Rules vs. Standards, Legality vs. Opportunity*.
- *Remedies against Non-Existent Non-Performance. Or the Risk of Ignoring, in the Name of Opposability, the Limitations Imposed by the Relative Effect of the Contract – A Comparative Law Study*, in *Inexécution et justifications. Le pouvoir d'expression du droit continental*, coord. A. R. Trandafir, M. D. Bob, Universul Juridic Publishing House, Bucharest.

## 2018

- *On the Obligation to Give and the Obligation to Contract in Current Romanian Civil Law – Pre-Contracts, Subcontracting and Fragmentation of Transfer of Ownership Contracts*, in *In honorem Dan Chirică*, Hamangiu Publishing House, Bucharest.
- *Land Registry Actions in Interference with Common Law Actions*, Romanian Journal of Private Law, no. 2/2018.
- *Law of Romania*, LGDJ, Paris (collective volume).

## 2017

- *Essay on Knowledge in Civil Law – Appearance. Opposability. Formalism. Publicity*, Universul Juridic Publishing House, Bucharest.

## 2016

- *Some Reflections on Institutions Related to Contractual Liability in the New Romanian Civil Code*, in *Journées Turco–Roumaines. Travaux de l'Association Henri Capitant*, Institut of Comparative Law, Istanbul, coord. Saibe Oktay Özdemir.
- *Knowledge and Legal Effectiveness in the New Romanian Civil Code*, in *Journées Turco–Roumaines. Travaux de l'Association Henri Capitant*, Institut of Comparative Law, Istanbul, coord. Saibe Oktay Özdemir.

## 2014

- *The Cause of Obligation and Legal Formalism – Comparative Law Study (II)*, Romanian Journal of Private Law, no. 3/2014.
- *The Cause of Obligation and Legal Formalism – Comparative Law Study (I)*, Romanian Journal of Private Law, no. 2/2014.

## 2013

- *The European Experiment of Fiducia. Realities and Perspectives*, in *In honorem Ion Deleanu. Law and Rights – Tradition and Modernity*, Universul Juridic Publishing House, Bucharest.

## 2012

- *Civil Law. Real Rights – Text Commentaries. Practical Issues. Multiple-Choice Tests* (with A. Buciuman), Hamangiu Publishing House, Bucharest.
- *Prescription and Forfeiture in Relation to Real Rights – Some Hypotheses from the New Civil Code*, Cluj Bar Journal.

## 2008 – 2009

- *Civil Law Dictionary* (with M. Mureșan, P. Vasilescu, J. Kocsis, S. Fildan), Cordial Lex Publishing House, Cluj-Napoca (contributed definitions/explanations in Obligations, Real Rights and Real Estate Publicity).

## 2008

- *Seminar Workbook. Principal Real Rights* (with A. Buciuman), Hamangiu Publishing House, Bucharest.

## 2007 – 2008

- *Appearance in Civil Law. Proposals for a New Analysis of a Settled Hypothesis – study*, Romanian Journal of Private and Comparative International Law.

## 2007

- *Legal Assignment of Contract – A Means to Protect the Tenant – study*, in *Conventional Assignment of Contract: Landmarks for a General Theory of the Progressive Formation of Contracts*, Sfera Juridică Publishing House, Cluj-Napoca, coord. P. Vasilescu.

## 2006

- *Good Faith and Land Registry Actions – study*, *Studia Universitatis Babeș-Bolyai - Jurisprudentia*, no. 2/2006.

## 2005

- *Article 1909 of the Civil Code and Appearance – study*, *Studia Universitatis Babeș-Bolyai - Jurisprudentia*, no. 1/2005.

## II) CONFERENCES AND OTHER RESEARCH ACTIVITIES

## SELECTED CONFERENCE PRESENTATIONS & PAPERS

- **On the allure of the economic analysis of contracts and the omnipresence of damages**  
National Commercial Law Conference, West University of Timișoara — *June 2024*
- **On the retroactive effect of contract termination**  
National Conference In honorem Valeriu Stoica, Romanian Journal of Jurisprudence, Bucharest — *November 2023*
- **Registration of personal rights in the land register**  
International Conference “Real Rights: European Traditions and Modernization Challenges,” Chișinău — *October 2023*
- **The shadow of property rights among contractual claims**  
National Commercial Law Conference “Property in Business Law,” Timișoara — *June 2022*
- **Good faith and contract**  
Bilateral Conference Québec – Romania, University of Bucharest — *November 2019*
- **Publication of rights: knowledge and its relevance to third-party effectiveness**  
International Conference on Land Registry, Babeș-Bolyai University Cluj — *May 2019*
- **Putting in delay from the perspective of the contractual creditor**  
International Conference “Between Legal Dogmatics and Practical Reason,” Babeș-Bolyai University Cluj — *November 2018*
- **Good faith: a concept whose elasticity risks depriving it of identity**  
Biennial International Conference, West University of Timișoara — *November 2018*
- **The land register – a foreign body in the mechanism of the Civil Code?**  
Conference at University of Craiova — *March 2016*
- **Some reflections on contractual liability in the Romanian Civil Code**  
Romanian-Turkish Bilateral Day, University of Bucharest — *October 2015*
- **Knowledge and legal effectiveness in the Romanian Civil Code**  
Turkish-Romanian Bilateral Conference, University of Istanbul — *March 2015*

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## INTERNATIONAL REPRESENTATION

- Representative of Romania, UNCITRAL Working Group VI: Security Interests — *2016–2018*
- Participated in sessions in New York (2017, 2018) and Vienna (2018)

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## ADDITIONAL PROFESSIONAL EXPERIENCE

### National Reporter

Association Henri Capitant – International Malagasy Days – Land and Subsoil Property — *2024*

### Expert in Civil Law

Various Courts of Appeal across Romania within the “Justice 2020: professionalism and integrity” project, funded by the Administrative Capacity Operational Program (PO CA) and European Social Fund (ESF) — *2019 to 2023*

- Delivered multiple seminars and conferences on civil law topics at Timiș, Iași, Brașov, Alba, Mureș Courts of Appeal.

## EXPERT OPINIONS

- **High Court of Cassation and Justice (ICCJ), Decision No. 19/2015**  
Interpretation and uniform application of acquisitive prescription and special registration procedures
- **High Court of Cassation and Justice (ICCJ), Decision No. 23/2015**  
Interpretation and uniform application of insurance law provisions regarding compensation for relatives in accident liability insurance (RCA)

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## RESEARCH AND ACADEMIC PROJECTS

- Member of research team: *Incoherence of public authorities' activities in managing state and territorial property* (CNCSIS grant, 2008)
- Member of research team: *Contractual Consumerism. Landmarks for a general theory of consumer contracts* (CNCSIS grant, 2006)
- Research internship on the Austrian real estate publicity system — University of Vienna, 2006
- Legal publicity research project — 2005

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## ADDITIONAL COURSES TAUGHT

- European Private Law Summer School, Salzburg University — 2011

## III) AWARDS, HONORS, AND RESEARCH GRANTS

**2022** – Fulbright Research Fellowship, within the Fulbright Visiting Scholar Program, awarded by the Fulbright Association and Romanian-U.S. Fulbright Commission (August–November 2022).

**Research project:** *Remedies for breach of contract in US Common Law and European Civil Law: the same phrase, but a different meaning? — True cultural boundary or mere miscommunication.*

**2019** – Octavian Căpățână Award, granted by the Romanian Journal of Private Law in collaboration with the National Union of Insolvency Practitioners in Romania, for the most original and valuable study published in the journal during 2018, for the article “*Land registry actions interfering with common law actions*”, published in RRDP, no. 2/2018.

**2018** – Research Fellowship for teaching staff and researchers, awarded by DAAD – German Academic Exchange Service (July–September 2018).

**Research project:** *Remedies for breach of contract. Analysis of relevant European private law systems and their possible influence on the new Romanian Civil Code.*

**2015** – Postdoctoral Research Fellowship awarded by Max Planck Institute for Comparative and International Private Law, Hamburg (May–June 2015).

**Research project:** *Formation and effects of contracts. Disparities and convergences between main European legal systems. Romanian legislation and the risk of implementing various legal solutions without thorough adaptation.*

**2014** – PhD in Law, awarded *Summa Cum Laude* distinction.

**2010** – Doctoral Research Fellowship awarded by Max Planck Institute for Comparative and International Private Law, Hamburg (May–July 2010).

**Research project:** *Knowledge and legal acts. What is relevant from the perspective of third parties: legal reality, presumed knowledge, or actual knowledge? The latest trends in major European legal systems and their possible influence on the Romanian Civil Code draft.*

## IV) OTHER PROFESSIONAL ACTIVITIES

- **2023** – Expert Evaluator, Polish-U.S. Fulbright Commission
- **2020** – Scientific Reviewer, *Cluj Bar Association Journal*
- **2020** – Lecturer, National Institute for Training and Improvement of Lawyers – Cluj Territorial Center
- **2018** – Member of the Appeals Committee for Grading Contest Papers, Romanian Notarial Institute – Competition for Notary Traineeship
- **2016** – Member of the Competition Committee, Bucharest Chamber of Notaries Public – Competition for Notary Traineeship
- **2014** – Scientific Reviewer, *Annals of the University of Bucharest – Law Series*
- **2012–2013** – Practice Supervisor, Professional Practice Program *Ab Academia ad Avocatum* – Project co-financed by the Sectoral Operational Programme for Human Resources Development 2007–2013, Priority Axis 2: "Linking Lifelong Learning with the Labour Market," Major Intervention Area 2.1: "Transition from School to Active Life"
- **2012** – Member, Cluj Bar Association
- **2011** – Member, Henri Capitant Association