



UNIVERSITÀ
DEL SALENTO



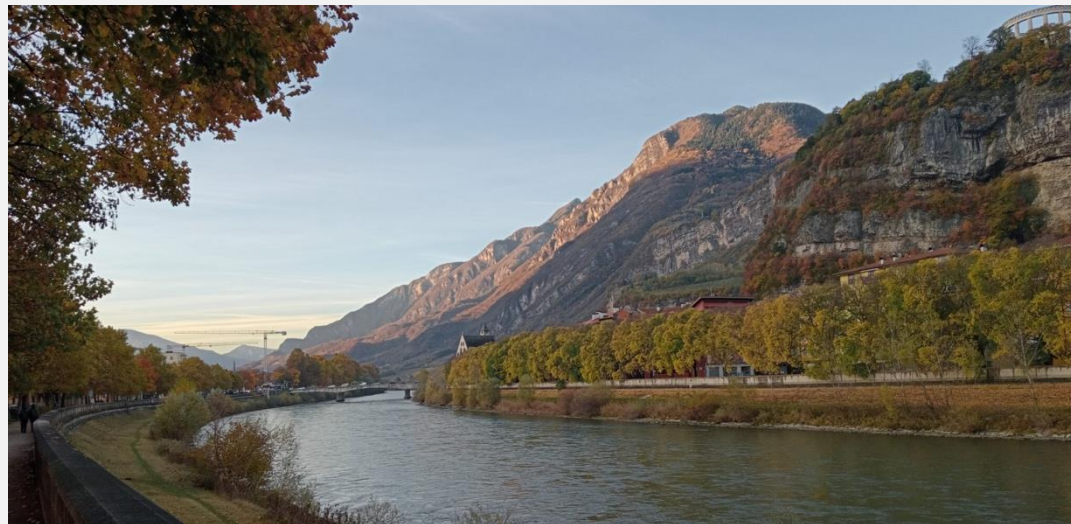
DIPARTIMENTO
DI SCIENZE GIURIDICHE

Teaching IP through the Problem-Based Approach in the Age of Generative AI

EIPTN - Athens Kapodistrian and National
University, Greece, 02-03 October 2026

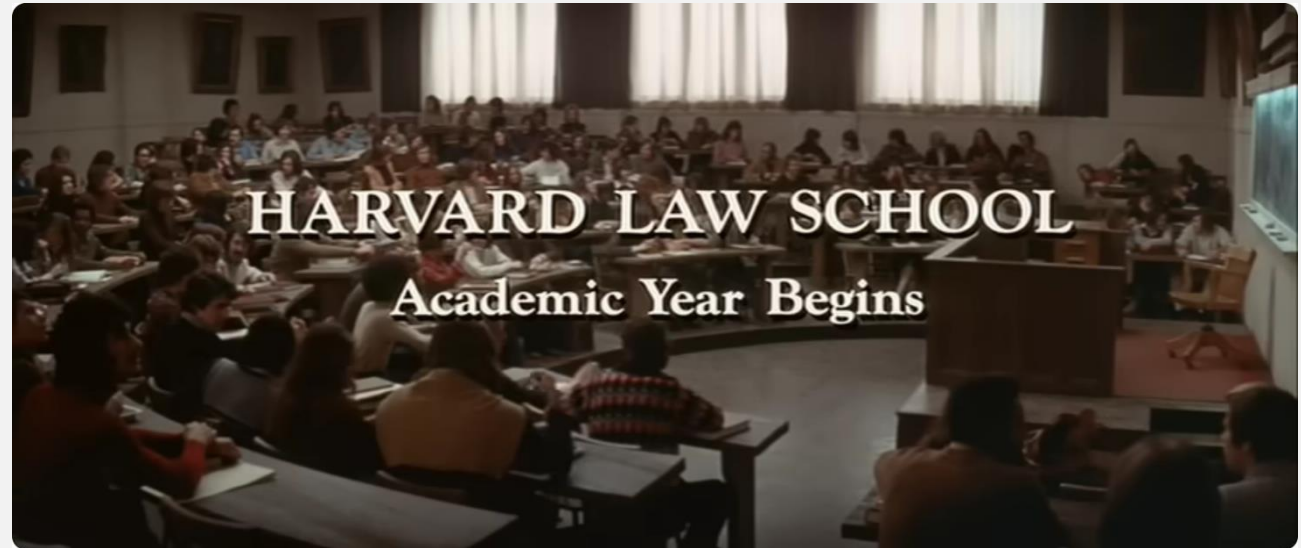
Roberto Caso – Elia Frinzi – University of Salento - Italy

From the mountains (University of Trento) to the sea (University of Salento)



Comparative law and case-method teaching for a critical approach to IP

- **Gino Gorla** and case-method teaching in Italy
- Case-method and **critical approach to IP**
- **Legal skills:** problem solving, legal writing, categories of argumentation in legal reasoning etc.



Gino Gorla (1950)

- «A touch of the case method and the atmosphere it creates would also help us to eradicate the fetishisation of codes, the authoritarian concept of legislative power and the belief that its powers are unlimited. The case method accustoms young people to feel – if not always to think – that the **law is not the State**. It accustoms them to **discussing** and **reasoning**»

GenAI and students

- It must be assumed that GenAI is used on a daily basis by students
- A complete ban on its use is neither practicable nor helpful in understanding what GenAI is and developing a critical thinking on GenAI

GenAI: two major challenges for a teacher

- a) distinguishing between outputs generated by GenAI and those resulting from human learning
- b) understanding benefits, risks and harms of GenAI

Before using GenAI

Students need to be taught:

- **What IGen is;**
- **Who develops and controls it;**
- What the ethical and legal implications of using this technology are;
- What the benefits, risks and harms of using the technology are;
- **How GenAI can be put to good use.**

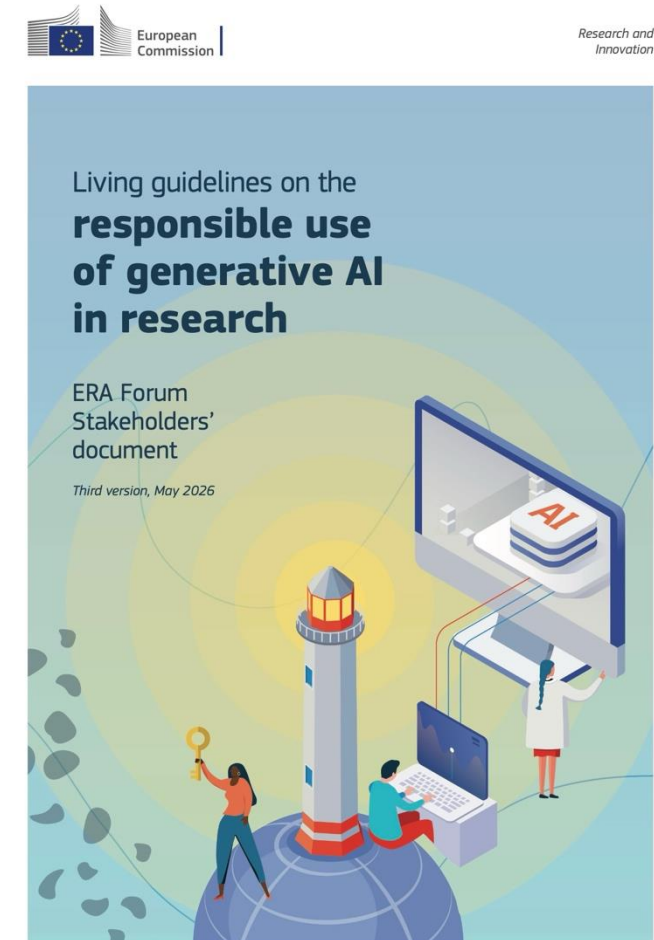
What IGen is

Experiments in class to understand:

- Context window
- Hallucination (bullshitting)
- Sycophancy
- Bias on algorithm
- Privacy and personal data protection
- Etc.

Who develops and controls GenAI

- «Other risks for research in Europe could stem from the **proprietary nature of some of the tools** (for example, lack of openness, fees to access the service, use of input data), the **concentration of ownership** or the undesirable transfer of critical technology and intellectual property »



How GenAI can be put to good use

E.g., how to build a legal prompt:

- Role
- Context
- Task
- Format

The written and oral assessment of learning

- The written and oral assessment of learning, both during the course and at the end (final examination), **is designed to ensure that students are able to carry out sound legal reasoning independently** – and without relying on a machine to do so for them – **as well as to develop critical thinking skills** in relation to the law.

The teacher's policy

- It is absolutely essential that teachers publish their policy on the use of GenAI
- Of course, the policy must be updated from time to time

Thanks!

References to a work in progress

- R. Caso, [Generative Artificial Intelligence and Legal Education: Guidelines](#), version 1.0 September 2026
- R. Caso, [Intelligenza Artificiale Generativa e Insegnamento del Diritto - Riferimenti](#) [Generative artificial intelligence and Legal Education - References], September 2026
- G. Pascuzzi, [Come si insegna agli studenti di Giurisprudenza l'uso proficuo dell'intelligenza artificiale generativa?](#) [How can law students be taught to make effective use of generative artificial intelligence?] 11.08.2026

References

- R. Caso, [La società della mercificazione e della sorveglianza: dalla persona ai dati. Casi e problemi di diritto privato comparato. Seconda Edizione](#), Milano, [Ledizioni](#), 2025



Roberto Caso (corresponding author)

E-mail:

roberto.caso@unisalento.it

Web:

<https://www.unisalento.it/scheda-utente/-/people/roberto.caso?inheritRedirect=true>

<https://www.robertocaso.it/>

Copyright

Copyright by Roberto Caso



Licenza Creative Commons

Quest'opera è distribuita con [Licenza Creative Commons
Attribuzione - Condividi allo stesso modo 4.0 Internazionale](https://creativecommons.org/licenses/by-sa/4.0/)

La citazione di testi e la riproduzione di immagini costituisce esercizio dei diritti garantiti dagli art. 2, 21 e 33 Cost. e dall'art. 70 l. 1941/633