Transatlantic Law Journal

In cooperation with DAJV Deutsch-Amerikanische Juristen-Vereinigung e.V.

TLJ 4/2025

July 2025 · Volume 3 · Issue 4 · Pages 145–192

Editorial Board

George A. Bermann, Professor at Columbia Law School; James H. Boykin, Partner at Hughes Hubbard & Reed; Charles N. Brower, Judge, Iran-United States Claims Tribunal, Judge ad hoc, International Court of Justice (retired); Franco Ferrari, Professor at NYU School of Law; Stephan Harbarth, President of the German Constitutional Court; Claudia Junker, General Counsel for Deutsche Telekom AG; Juliane Kokott, Advocate General, Court of Justice of the European Union; Alexander Lorz, Minister in the German Federal State of Hessen; Thomas Meiers, Legal and Integrity, Volkswagen AG; Thomas Pfeiffer, DAJV President and Professor at Heidelberg University; Catherine Rogers, Professor at Bocconi University; Norbert Röttgen, Member of German Parliament and Foreign Affairs Committee; Giesela Rühl, Professor at Humboldt University Berlin; Anahita Thoms, Partner at Baker McKenzie; Stephan Wilske, Partner at Gleiss Lutz; Diane P. Wood, Director of the American Law Institute and Senior Judge of the U.S. Court of Appeals for the 7th Circuit (retired)

Editorial Team

Stephan Wilske and James H. Boykin (editors-in-chief), Matthew Adams, Zelda Bank, Carsen Christy, Björn P. Ebert, Todd J. Fox, Martin Gusy, Magnus Habighorst, Blerina Jasari, Hannah Kim, Clemens Kochinke, Noelle V. Krahn, Tamara Kraljic, Ian Pate, Oscar Pearce, Konstantin Schönleber, Sophie Senghaus, Jan-Christian Spetzger, Allison Torline, Friedrich Weyland, Flavia Zaka

Content

Editorial

145 Frank Bilstein
When Decisions Get Hacked – A Transatlantic Take on Climate, Nudges, and that Extra Steak

Articles

- 149 Dennis E. Boyle
 The Legal Dangers of AI Nudification: Navigating the Legal and Ethical Boundaries
 of Digital Undressing
- 151 Martin Diller
 When Lawyers Manipulate Online Ratings
- Rowena Dungca/E. Anne Musella
 Navigating the Patchwork: The Fragmented Landscape of U.S. Data Privacy Law
- 156 Henner Schläfke/Lea Stegemann
 Private Enforcement of the GDPR in Germany
- 160 Rolf Knieper
 Integration of Turkic States into Global Arbitration
- 163 Hannah Kim
 Reinstating Work-Life Balance Through Disconnect Laws
- 169 Franziska Hipp Statements by Local Government Officials on Social Media – Similar Legal Guidelines in Germany and the U.S.?
- 172 Christian Johannes Wahnschaffe
 Transatlantic Perspectives on Institutional Neutrality in Arbitration Proceedings

180 Carsen Christy

Citizenship for Sale: The ECJ's Malta Ruling and Trump's Gold Card Gambit

Book Reviews

183 Simon Wagner

EU Sustainability Legislation and International Supply Chains

184

From Doctrine to Vibes: Leah Litman's Indictment of a Law-Untethered U.S. Supreme Court

184 Björn P. Ebert/Stephan Wilske

A Look at the Transatlantic Bookshelf

In a Nutshell

185 In a Nutshell

Last Words by Dr. Strangelaw

192 The Emperor Has No Clothes

ISSN 2941-3052

TLI Transatlantic Law Journal

Editor in Chief:

Prof. Dr. Stephan Wilske (Responsible according to German press law) Gleiss Lutz Hootz Hirsch PartmbB Rechtsanwälte, Steuerberater Lautenschlagerstr. 21 70173 Stuttgart, email: transatlantic-law-journal@gleisslutz.com

Contact person for the publisher:

Dr. Sebastian Pech c/o Verlag C.H.Beck GmbH & Co. KG Wilhelmstraße 9 80801 Munich, Germany postal address: Postfach 40 03 40 80703 Munich, Germany email: sebastian.pech@beck.de

Manuscripts and other submissions:

All submissions are to be sent to transatlantic-law-journal@gleisslutz.com. No liability arises for unsolicited submissions. The acceptance to publication must be made in text form. Through acceptance the author transfers to the Verlag C.H.Beck the exclusive geographical and unlimited temporal right to reproduce and distribute in physical form, the right to grant public access or any reproduction thereof, the right to include in databases, the right to store on electronic data carriers and the right to the distribution and reproduction thereof as well as the right to other use in electronic form. This also includes any usage rights that are presently unknown. This does not affect the author's mandatory secondary right (§ 38 (4) of the German Copyright Act (UrhG)) after the expiry of 12 months following publication.

Guidelines for submissions:

For formal requirements refer to transatlantic-law-journal@gleisslutz.com

Copyright and publisher's rights: All contributions published in this journal are protected by copyright. This also applies to the published court decisions and their summaries to the extent they have been edited or compiled by the contributor or managing editor. The copyright protection also applies to databases and other similar systems. With the exception of the narrow uses permitted by German copyright law, no part of this jour-nal may in any form be reproduced, distributed, made publicly accessible, included in databases, saved on data carriers or reproduced, distributed or utilised in any electronic form without written approval from Verlag C.H.Beck. The Publisher also reserves the right to use the work for automated analysis including, but not limited to, patterns, trends and correlations.

Advertisements:

Verlag C.H.Beck GmbH & Co. KG. Media Sales, Wilhelmstraße 9, 80801 Munich (Germany); postal address: Postfach 40 03 40, 80703 Munich, Germany

Media Consultants: phone: +49 (0)89 381 89-687, fax: +49(0)89 38189 589, email: mediasales@beck.de Order Management: phone: +49 (0)89 38189-609, fax: +49 (0)89 38189 -589, email: anzeigen@beck.de Contact person for advertisements: Dr. Jiri Pavelka

Publisher:

Verlag C.H.Beck GmbH & Co. KG, Wilhelmstraße 9, 80801 Munich, Germany; postal address: Postfach 40 03 40, 80703 Munich, Germany; www.beck.de; phone: +49(0)89 3 81 89-0, fax: +49 (0)89 3 81 89-398, info@beck.de

Bank account: Postbank München IBAN: DE82 7001 0080 0006 2298 02, BIC: PBNKDEFFXXX

Registration Court (Registergericht): Local Court of Munich (Amtsgericht München), HRA 48045

Managing partners: Dr.h.c. Wolfgang Beck (publisher in Munich) and C.H.Beck Verwaltungs GmbH, Local Court of Munich, HRB 254521

Publication:

Every two months

Subscription charges 2025:

Yearly € 250.00 (incl. VAT). Issue price € 45.00 (incl. VAT). Costs of delivery are not included. Invoicing is at the beginning of a payment pe riod. Complaints about copies that have not been received may only be made within six weeks following the date of publication. For members of Deutsch-Amerikanische Juristen-Vereinigung (DAJV) e.V. the price is included in the membership fee.

Orders may be made in every bookstore and through the publisher Verlag C.H.Beck.

Customer Service:

phone: +49(0)89 38189-750 fax: +49(0)89 38189-358 email: kundenservice@beck.de

Cancellation:

Details on the cancellation policy are available under: https://www.beck-shop.de

Change of address: Timely notification of a change of address is requested. When informing of a change of address, please provide the name of the journal as well as the new and previous address.

Notification according to Art. 21 (1) GDPR: The Deutsche Post AG may inform the Verlag C.H.Beck GmbH & Co. KG of a change of address if no forwarding instructions have been given. An objection may be made at any time to the Deutsche Post AG. The objection does not have retrospective effect.

Bilderrechtenachweis:

Alle Bilder: © DAJV/Caroline Oetken, André Philip Pantel

Printers: Druckerei Himmer, Steinerne Furt 95, 86167 Augsburg



chheck de/nachhaltig