

# **Il caso SharDNA: bio-banche e mutamento nella titolarità del trattamento**

SIMONA TROCINO

*The SharDNA Case: Biobanks and the Problem of the Change in the Ownership of Informed Consent*

*Abstract:* The conservation of biological material in biobanks is a fast-growing phenomenon. One of the toughest challenges is the informed consent's management, in the view of balance the rights of the donators and the scientific progress. After providing a short overview of the data protection law, this article analyses a controversial Italian legal case – SharDNA case – that raised many problems about the informed consent's management, especially in the event of a change of data controller. In particular, the essay analyzes the various answers given by the judges in the various levels of judgment up to the recent ending in the Supreme Court.

*Keywords:* Biobank, Informed consent, Genetic data, SharDNA.

*notizie di POLITEIA*, XXXVIII, 148, 2022. ISSN 1128-2401 pp. 30-47