

Nowadays, private law is facing challenges posed by the phenomenon of non-standard cooperation and new ways of sharing goods and services, already called in economic theory - the time of *sharing economy*. This phenomenon requires a universal answer that will open the legal order to solutions which will facilitate the protection of the rights of people who are involved in such asset sharing. Mixing, in various ways, contracts of sale with other contracts used to share goods or services is already known in private law. This is a known trend in German law, where renting apartments has become more attractive than purchasing them; it is now a common phenomenon to hire-purchase cars, mobile phones, and perhaps not-so-common, but still spread in the Western world, to time-share houses. Now everyone is facing the phenomenon of decentralized and bottom-up way of sharing apartments, cars, programs and cloud storage, or finally sharing socially created currency i.e. bitcoin. The legislator tries to regulate the phenomenon of informal sharing of services and goods, adapting them to a specific type of contract, but it usually takes time before a dogmatic nature of such contracts is established. Most often, the legislator decides only to assign a given phenomenon to a proper tax qualification. It does not resolve doubts in private law, but solves the problem from the point of view of the Treasury. In fact, the pragmatic decisions of revenue law show that non-gratuitous sharing of goods and services can be perceived as one phenomenon, regardless of the existing distinctions between contract types. One can look at dogmatically distinguished contracts as multiple sides of one phenomenon – asset sharing. Three traditional types of contracts governing asset sharing today were created as a result of the variety of rules formulated in specific situations by Roman jurists who always used the same legal remedy: *actio locati* and *actio conducti*. The Roman *locatio-conductio* inspired the legal science to distinguish a contract of lease, a contract of service, and a contract for work. *Locatio-conductio* had already prefigured hire-purchase or installment purchase contracts, and even the employment contracts, and has always been seen as a common reference point for the phenomenon of asset sharing. Many of today's uncertainties can be remedied if one looks at the phenomena in a holistic way, going beyond the contract types and legal dogmatics and sometimes even beyond Pandectistic distinctions. For this reason, my research will be aimed at determining why the Roman *locatio-conductio* fulfilled the function of a single conceptual framework for various ways of sharing goods and services. *Locare-conducere* formed a 'normative constant' of Roman contracts; this is the principle of contracts facilitating sharing of one's goods and services. For this purpose, it will be necessary to uncover the legal structure of *locatio-conductio*, and then, using the private law and comparative law methodology, determine whether it is possible today to abstract such a structure of contracts used in asset sharing: whether the *locatio-conductio* common structure manifests itself in contemporary contracts. An attempt to find such a structure will involve suggesting what shape and method of its regulation may be most useful for modern law as a catalyst for social and economic change.

The legal structure of the Roman *locatio-conductio* will be the first thing to be examined. Secondly, traditional forms of asset sharing used in Western legal tradition will be analysed; those in Polish law and in comparative law. In the third part of the project, the research will focus on new forms of asset sharing used in modern orders of the Western legal tradition. The conclusions gathered on the basis of analyses carried out in these three areas will allow me to identify the principles and correlations between different forms of asset sharing, and as a result it will also allow me to abstract and to uncover a legal structure that could help in the interpretation and application of existing types of contracts to the wider phenomenon of accessing goods and services.

The reference to Roman thought is justified when it is directed at an analysis of Roman sources, and thus the foundation on which Western legal tradition was created. Looking at the law as a set of available solutions, requires referring not only to current legal orders, but also to other universal solutions that are deposited (encapsulated) in Roman legal thought. New challenges that the modern world poses before the law and new social and economic phenomena, require a conceptual re-evaluation of existing solutions. The method of scientific work that combines dogmatic analysis with the historical and comparative perspective serves both to develop a fuller understanding of model legal solutions and to conduct research that may become useful for the present.

For the purposes of the project, a comparative law analysis will be carried out in the legal systems belonging to Western legal tradition. Thus, it will cover both continental (civil law) and Anglo-Saxon (common law) traditions as well as mixed orders combining elements of both traditions i.e. mixed jurisdictions. In addition, the research will also take into account the solutions of those countries that are influenced by Western legal tradition, such as China, Japan and India.

Due to the subject matter of asset sharing, the legal perspective will be extended to the elements of economic, sociological and philosophical research. The asset is understood broadly as tangible and intangible goods, a person's skills and abilities, or one's own work. In connection with this, it will be important to properly analyse the structure of contemporary economic and social phenomena which deals with asset sharing, in order to extract universal legal arguments.