Business Models and Sustainability for Data Spaces and Marketplaces with Stakeholders Interaction (Part III)

Legal Considerations on Digital Data Markets

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Legal Considerations on Digital Data Markets
The amount of data has increased

The reliance of companies on data has grown

New technologies allow the collection, storage, processing and dissemination of data

Data Trading is becoming a blooming business
**Data Ownership**

**Ownership:** a sum of rights, powers and privileges, including the right to exclusive possession, personal use and enjoyment, the right to manage, allow or restrict use by others, the right to the capital value of the owned object etc.

**Data ownership:** control over the data and its rights, including the right to grant rights over the data to others, along with responsibility and accountability for the data.
That simple?
Property vs Data
**Rights over data**

**Personal Data**
- GDPR → The data subject has control over her data

**Non-personal Data**
- Database Protection → Directive 96/9/EC
- Data Protected as a trade secret → Directive 2016/943
Should they be property rights?

Should the owner be the source of the information or the entity that made the investment in data collection tech?

Are property rights appropriate for personal data?

Does ownership mean exclusive control?

How many owners?
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How do we handle this in i3-Market?
From data owner to data provider

Non-personal Data

Emphasizing on data stewardship instead of ownership, yet requiring the provider to declare s/he has the right to legitimately share the data

Personal Data

Embracing the role of the data subject, and require her explicit consent regardless of whether she is party to the data sharing agreement or not
Legal Considerations on Digital Data Markets

- Robust
- Open
- Fair
- Trust
Legal Considerations on Digital Data Markets

- Interoperability
- Openness & Fairness
- Incentivize Sharing
- Decentralization
- GDPR
- Security & Privacy
Legal Considerations on Digital Data Markets

- Smart Contracts
- Open Pricing Model
- Conflict Resolution
- Secure Auditing
Smart Legal Contracts

- Clear and specific clauses
- Automated execution
- Disintermediation
- Auditable trace of steps
- Dispute Resolution mechanisms
- Transparency
- Certainty
- Less Pricy & Time consuming
- Trust
- Easier access to remedy
Thank you!

Find more:
https://www.i3-market.eu/

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