



# Legal Challenges Related To Data Ownership

**Rapidly Evolving Technology versus Legal & Compliance**

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# Can you Own Digital Data?





# Back to Basics



# Start with Common Understanding: Definitions

## Data is not a four letter word

Data

Data of any form, nature or structure, that can be created, uploaded, inserted in, collected or derived from or with cloud services and/or cloud computing, including without limitation proprietary and non-proprietary data, confidential and non-confidential data, non-personal and personal data, as well as other human readable or machine readable data.

EC Cloud Service Level Agreement Standardisation Guidelines

3D approach | Multi-story of connected data types:  
Classified data | Sensitive data | Personal data | Derived data  
| Proprietary data | IPR | Open data | Encrypted data |  
Every kind of data needs to be addressed differently.

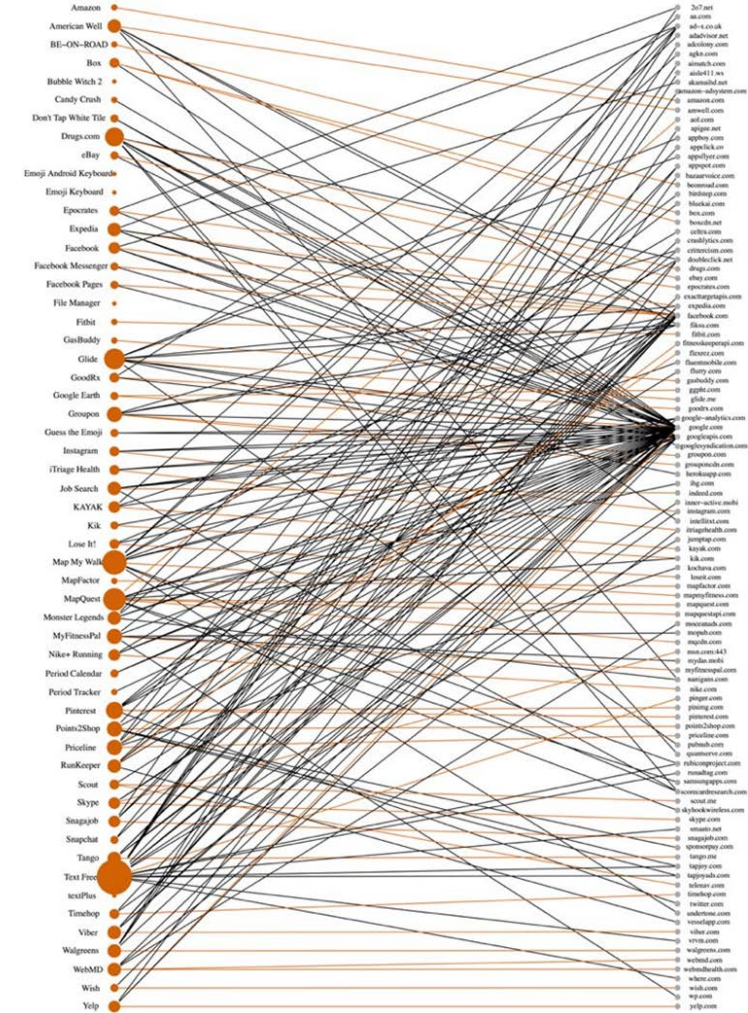


# Data Travels

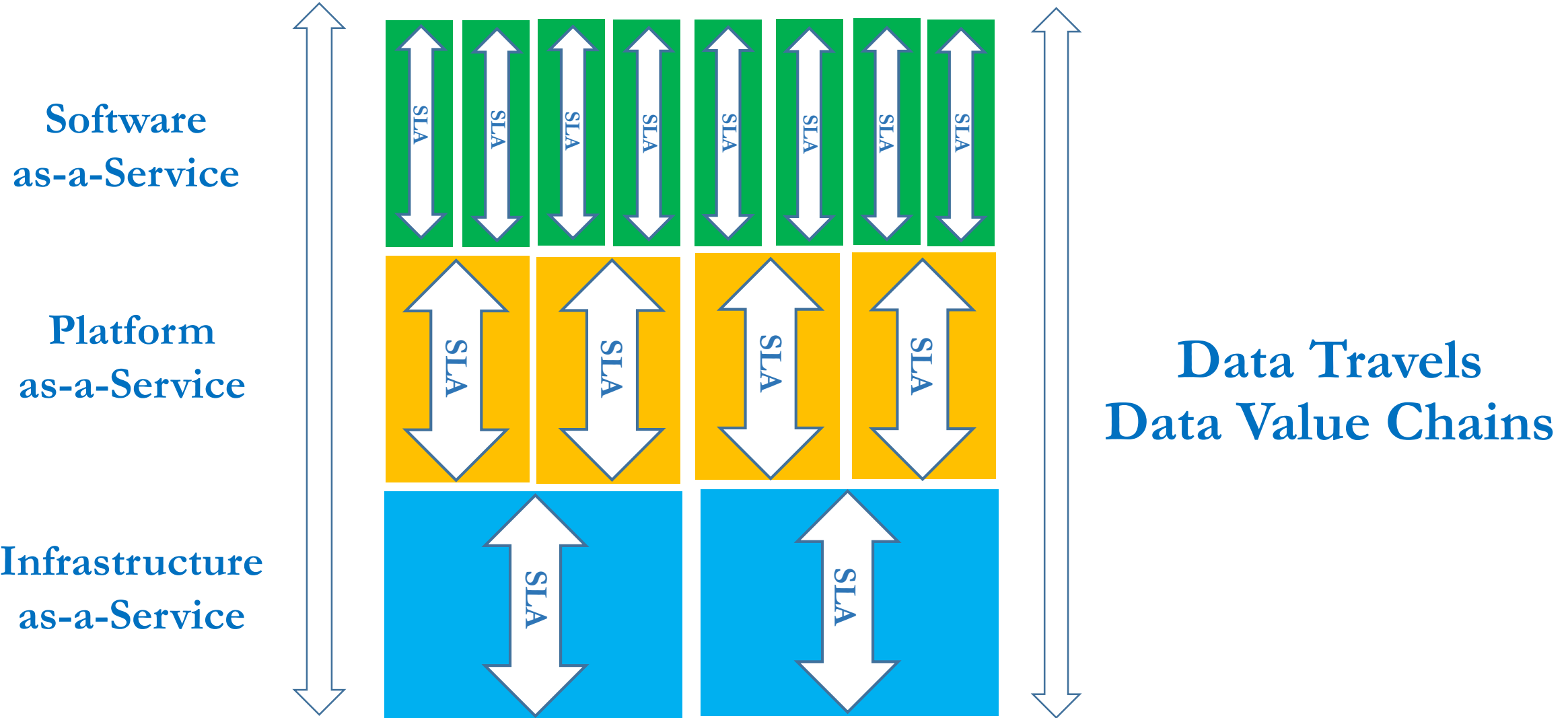
## Data Segmentation

## Data Distribution & Data Sharing

## Data Creating & Derived Data



# Hyperconnected, accountable Value Chain: to serve B2x, G2x, C2x, Peer2Peer



# Hyperconnected, accountable Value Chain towards the Customer: B2x, G2x, C2x

Data Travels | Data Value Chains

Verticals

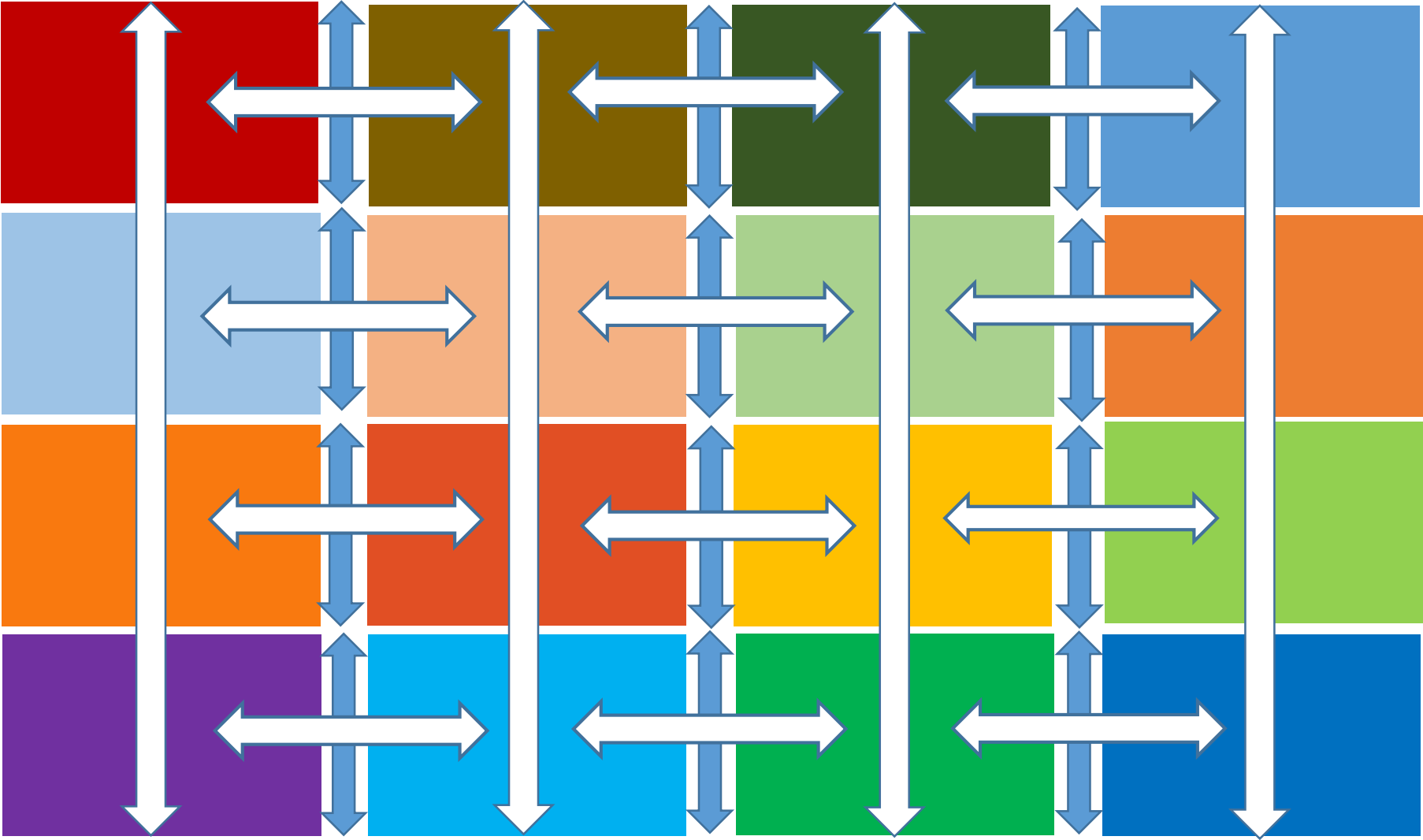
Horizontals

Digital Services

Software & Data

Devices & Products

Infra & Networks





# Can you Own Digital Data?



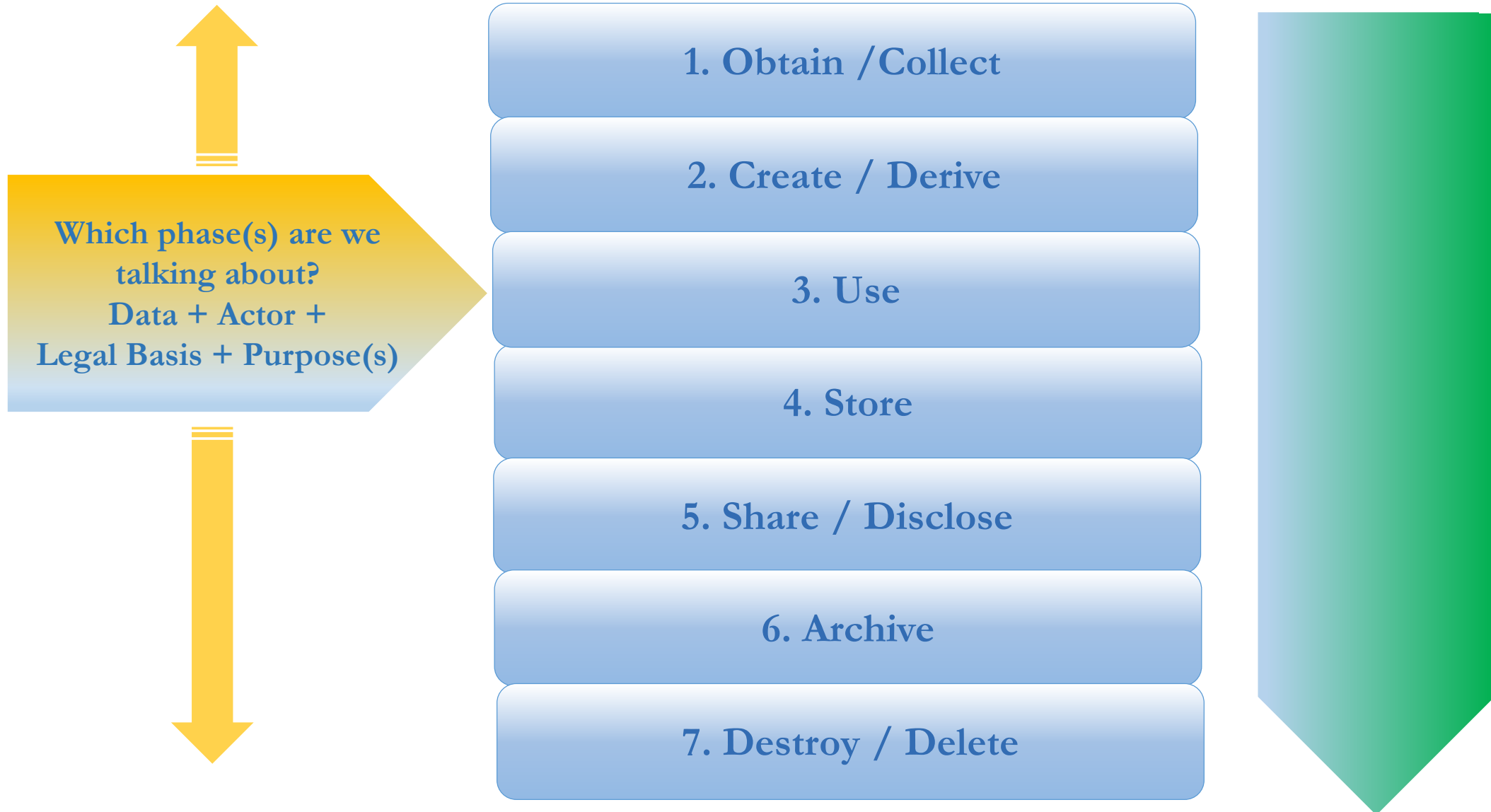


- ± **Software Directive (91/250/EEC)**
- × **Database Directive (96/9/EC)**
- ± **Trade Secret Directive (COM/2013/0813)**
- ± **Privacy Directive (95/46/EC)**
- ± **General Data Protection Regulation**
- ± **EU antitrust legislation (TFEU and TEU)**
- × **E-Commerce Directive (2000/31/EC)**
- ± **Contract law & legislation**

# Data Access & Use

Identity & Access Management (IAM)  
Digital Rights Management (DRM)

# 7 Phases of the Data Life Cycle



# Data Ownership



# Data Control





**Thank you  
for your  
attention!**

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# PUSHING THE CUTTING EDGE TO MAINSTREAM, WHILE CREATING NEW CUTTING EDGES

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**Global Digital Strategy:** The counsels of Arthur's Legal are legal experts, strategists, technologists, standardization specialists and frequent speakers worldwide, with in-depth experience and are well-connected in the world of technology, innovation, data, digital, cybersecurity, (personal) data protection, innovation, standardization & global business. On these topics, its managing director Arthur van der Wees LLM is expert advisor to the European Commission as well as local governments and institutes worldwide.

**Cloud Computing, CyberSecurity, Digital Data & Internet of Things:** Arthur's Legal is Co-Chair of EC's Alliance IoT Innovation (AIOTI) WG4 (Policy), Project Leader of AIOTI WG3 Privacy-by-Design working group, co-author of the EC Cloud SLA Standardisation Guidelines, Cloud Security Alliance's Privacy Level Agreement 2.0, co-contributor to ISO standards such as ISO/IEC 19086. Arthur's Legal is co-founder of CloudQuadrants on the maturity of cloud offerings, the Cyberchess Institute that landscapes the cybersecurity arena, and the Institute for Next Generation Compliance that promotes the restructuring and automation of compliance and related procurement.

**Hyperconnected:** Arthur's Legal has an unique 3D-angle & x-by-design approach, connecting vital topics such as usability, security, data management, (personal) data protection, compliance with technology, infrastructure, architecture and global standardization thereof, with the capability and ability to connect those components in hyperconnected ecosystems much earlier (read: pro-active, preventative) than the traditional policy-making, legal and compliance practice does. For upcoming events, key notes and other activities, please check out the website and stay up to date via its social media channels.