Perspectives for EU Horizontal Legislation on Business-to-Government (B2G) Data Sharing

GRUR Expert Round Table
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Introductory Remarks

- What are we talking about?
- Where does the regulatory debate stand?
- What’s the focus of today?

Content

1. The “empowering function” of horizontal legislation
2. Providing for “harmonized flexibility”
3. Harmonization of procedures
4. Harmonization of substantive issues
5. Coherency and effectiveness of legal interfaces
1. The “empowering function” of horizontal legislation

- Empowerment (“if”) and/or standardization (“how”)
- Cross-border access
- Reduce fragmentation within Member States
- Internal market competency under Art. 114 TFEU?

2. Providing for “harmonized flexibility”

- Default set of rules
- Requirements
- Defining the public interest purpose?
3. Harmonization of procedures

- Handling data access requests
- Increase findability of data
- New institutions?

4. Harmonization of substantive issues

- Technical modalities
- Data exclusivity
- Pricing / compensation
5. Coherency and effectiveness of legal interfaces

- Sector specific legislation

- General data regimes: DGA, PSI-Directive

- Interface with private interest
  - Personal data
  - Trade secrets
  - Intellectual property

- Regulation of non-personal data adjusting to regulation of personal data?

Thank you!

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