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**Intervention Abstract:**

Copyright in databases as provided for in the WIPO treaties, along with *sui generis* database rights, as are available under the EU Database directive, provide one aspect of the regulatory and analytical framework, for understanding the integration of data into markets for the creation of analytics products, services, and processes. There is also a role for this regulatory framework in understanding cross-border trade and transfer of the products, services, and processes, created from these different classes of data. While the current regulatory framework for ownership of data, provides a semblance of clarity when addressing the ownership of databases by legal persons or corporations, much less precision is available, as regards the personal data proprietary rights of natural persons. Within the current structure of the regulatory system, only privacy rights in relation to data are provided to natural persons, via the GDPR and various similar pieces of legislation around the world. This regulatory approach creates a widening gap between the legal concepts of property and privacy, two legal devices which have been related historically. It therefore may be useful to define a broad legal term for this kind of data, one which straddles property and privacy, in order to facilitate the process of creating new purpose-built regulatory systems.

A clear understanding and scope of the different classes of data such as health, financial, social interactions etc. [definitions], and the modes of their continuous collection and processing, is therefore necessary. A term which can encapsulate all pertinent issues related to the use of data relating to natural and legal persons is “lifedata”. “Lifedata” can be thought of as the aggregate data store or data footprint, [whether online/digital or off-line] created by a natural or legal person, in their continuous interactions, in the digital environment and the real world environment; it is constantly evolving and expanding, over time and different spaces. As an example, the use of digital contact tracing during the COVID-19 pandemic, has emphasised the complex legal and ethical issues surrounding data ownership, privacy, and transnational trade and data transfer. In addition to digital contact tracing, the increasing sophistication of data-gathering networked devices, raise ethical questions about copyright in the resulting databases, *sui generis* database rights of the resulting databases, and the functioning or dilution of concepts such as moral rights in copyright law. Providing a mid-way regulatory system between intellectual property, and privacy regulation, can facilitate the creation of a more nuanced tool, to identify and manage risks associated with the inevitable use and re-use of data, and its incorporation into products, services and processes which are being constantly augmented in real time and traded across borders and markets.

While most countries do not provide data subjects with a proprietary right to their “lifedata”, the copyright laws of the majority of states do provide copyright in databases or *sui generis* database rights to data aggregators. Where the collection of health data and other special data categories related to rights associated with human dignity are concerned, proprietary database rights and confidentiality may be undergoing subtle modifications, due to the manner in which frontier technologies have been deployed at intersection of corporate IP rights and “lifedata”. The question for many governments, is whether privacy regulations and intellectual property law in their current state, adequately address data privacy and property within in the context of digital social and governance realities? The legal results for both individuals, governments, business, and society are partially dependent on private and public entities’ cooperation and legal responsibility, for the development, management and implementation of the frontier technologies which are continuously processing “lifedata”.