“Wisdom is not a product of schooling but of the lifelong attempt to acquire it.”

- Albert Einstein
What is data?

• Information, such as facts, statistics
• Scientific, health, financial, consumer, personal, AI
• Raw or structured
Data is certainly worth protecting ... but how to do we protect data?

Let’s consider IP protection
What is IP?

Intellectual Property

• "creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce"
  https://www.wipo.int/about-ip/en/

• Patents, copyrights, trademarks

• IP laws foster innovation and creativity by rewarding innovators and creators for their efforts and investment.
Can IP protect data?

Is there any creativity or innovation in data?

Does data need IP protection?
IP Rights

**Patents** | protect products, methods, processes, compositions of matter

**Trademarks** | protect one’s brand, reputation, and goodwill

**Copyrights** | protect expression of idea – does not protect idea itself
Patents, Copyrights, and *Sui Generis* Rights

**Patents** | do not protect data itself; may protect use of data or manner of generating data (process)

**Copyrights** | rights in data limited to structured data in the form of a database if original selection and arrangement of contents

**Sui generis rights (EU)** | database protection if resulting from substantial investment
In sum, the availability of these IP rights for Data are limited.

Even so ... are there other means for protecting data?
Additional Protection for Data

as Confidential Information

as a Trade Secret

• TS is information maintained in secrecy:
  • not generally known to the public;
  • that confers economic benefit because information is not publicly known; and
  • for which the holder makes efforts to maintain its secrecy.

Contract Law | Terms of Non-Disclosure
So what’s next?

“Logic will get you from A to B. Imagination will take you everywhere.”
- Albert Einstein
Thank You

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