

Draft Program – last revised 22-mrt-23



Annual European Copyright Society Conference 26 MAY 2023 – Leuven

The Interface Between Copyright and Data Regulation

Venue :

University Leuven (KU Leuven) – Faculty of Law and Criminology – Tiensestraat Leuven

Auditorium Zeger Van Hee



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Introduction

The European Copyright Society (ECS) was founded in January 2012 by several European scholars and academics with the aim of creating a platform for critical and independent scholarly thinking on European Copyright law. Its members are scholars and academics from various countries of Europe, seeking to articulate and promote their views of the overall public interest on all topics in the field of authors rights, neighbouring rights and related matters. See more information on the ECS and its members [here](#).

For its 2023 conference in Leuven the ECS aims to explore different aspects of the relationship between copyright and data, whether personal or non-personal. Data has become central: one speaks of the data society or data economy, and data access is also seen as an ingredient for a vibrant democracy. Thus, no wonder that data regulation has been at the core of recent EU legislative initiatives, including the Digital Services Act, Data Governance Act, draft Data Act, and draft AI Act. While copyright and the related rights, including the database right, aim at protecting, among others, compilations of data, the new laws aim primarily at facilitating the sharing and reuse of data. This might create new frictions; at least, new questions are raised. The conference aims at discussing those issues.

Program

08:30 *Registration and Coffee*

09:00 Welcome by **Marie-Christine Janssens**, Chair ECS

09:15 Setting the scene: overview of data-related regulations - **Alain Strowel**

Session 1: Copyright & the Data Act

Chair: Olé Andreas Rognstad

09:30 Data as a subject matter of EU legal acts - **Alexander Peukert**

09:45 Review of the database right: from national case law to chapter X of the draft Data Act - **Estelle Derclaye**

10:00 Can the rights of data holders and users be conceptualized as IP rights/exceptions? - **Axel Metzger**

10:15 Q & A

10:30 *Coffee Break*

Session 2: Data access & challenges for research

Chair: Eleni-Tatiani Synodinou

11:00 The need to ensure access to machine-generated data for research - **Martin Senftleben**

11:15 Promoting Open Science and research: the need to reconceptualize copyright as an access right - **Christophe Geiger**

11:30 Access for research: what to gain from the Open Data directive and Data Governance Act? - **Mireille van Eechoud**

11:45 Q&A

Interlude: Views from the European Commission: how to balance the new data sharing obligations with copyright, other IP rights and trade secrets

12:00 The exceptions for copyright and trade secrets to data sharing obligations - **Caterina Sganga**

12:15 Panel discussion with **Andrea Katalin Tóth**, legal and policy officer at the Data Policy and Innovation Unit of DG CNECT and **Virginie Fossoul**, legal and policy and legal officer at the Copyright Unit (DG GROW - Unit C4 Intangible Economy)
Moderator: Alain Strowel

13.00 *Sandwich Lunch*

Session 3: Copyright & generative AI

Chair: Raquel Xalabarder

14:15 The use of training data by generative AI : a copyright perspective - **Péter Mezei**

14:30 The challenge to attribute the AI-output to inputers - **Thomas Dreier**

14:45 Q&A

Session 4: Copyright & the Digital Services Act

Chair: Jonathan Griffiths

15:00 Liability alignment between the CDSMD and the DSA? - **João Pedro Quintais**

15:15 How to locate copyright within data and platform regulation - **Martin Kretschmer**

15:30 Q & A

15:45 *Coffee Break*

Session 5: Reflecting on copyright and data

Chair: Reto Hilty

16:15 Works as data? The relation between copyright and data regulation - **Valérie-Laure Bénabou**

16:30 Data as commons - **Séverine Dusollier**

16.45 Q&A

17:00 End of the conference

Registration

Conference fee:

- 150 euro (Standard price)
- 55 euro (Student)

Registration via this [link](#).

More information is available on the [conference webpage](#).