

Nemko Digital Webinar Report - The EU Data Act: Learn What It Means for Connected Products & IoT Across All Industries Transcript

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00:00:07.020 --> 00:00:10.679

Pepijn van der Laan: So, good afternoon, good morning.

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00:00:11.250 --> 00:00:15.370

Pepijn van der Laan: See, quite some people already joining, it's nice.

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00:00:16.079 --> 00:00:20.890

Pepijn van der Laan: Still counting upwards, so giving it a minute before we really start.

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00:00:30.140 --> 00:00:33.230

Pepijn van der Laan: Checking on the audio, yes, awesome.

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00:00:39.290 --> 00:00:41.700

Pepijn van der Laan: Very good, so...

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00:00:45.650 --> 00:00:46.680

Pepijn van der Laan: Let's...

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00:00:47.500 --> 00:01:05.220



Pepijn van der Laan: slowly but surely start kicking it off. So, welcome very much today to Nemko Digital's webinar. This installment of our series, we're going to talk about the Data Act, the EU Data Act, which,

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Pepijn van der Laan: yeah, which reached a landmark earlier this month, so very timely time to talk about this. We're going to look at the impact on

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00:01:17.100 --> 00:01:28.249

Pepijn van der Laan: IoT product companies, when it comes to, the obligations. We're going to explain the concepts of the, of the Act, and,

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00:01:28.250 --> 00:01:37.380

Pepijn van der Laan: Also, some of the nuances, there's too much there to unpack in half an hour webinar, but we'll do our best to at least give you a little bit of a

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00:01:37.380 --> 00:01:56.390

Pepijn van der Laan: of a peek also at, crunchy, questions that, that come up there. But before we dive into the content, of course, yeah, let us introduce ourselves as your hosts of, of today. Monica, would you like to, to start off by your introduction?

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00:01:56.600 --> 00:02:10.209

Monica Fernandez: Yes, of course. Thanks, Pep. Thank you, everybody, for being here. Everybody who does not know me already, I am Monica, and I'm a digital and AI Trust expert working at Nemko Digital.

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Monica Fernandez: And, I have always been involved in research, education, and policy-related projects that promote trustworthy AI or deal with data or digital trust.

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00:02:25.340 --> 00:02:42.010

Monica Fernandez: I have worked in projects that involve, for example, dissecting the ethical, legal, and social challenges of AI fairness. How does data need to be managed in such cases to ensure that AI is fair?

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00:02:42.480 --> 00:02:48.489

Monica Fernandez: And, I hold a background, on my master's in AI.

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00:02:48.620 --> 00:03:07.299

Monica Fernandez: And, I've been shaping Nemko Digital's trust offering since I joined, working closely with PEP over here to, yeah, make sure that we can provide as much help as possible to all of our customers, old Nemko customers, as well as new customers.

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00:03:07.300 --> 00:03:13.130

Monica Fernandez: Who are seeking advice on, digital trust or AI trust.

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00:03:14.510 --> 00:03:29.480

Pepijn van der Laan: Well, thanks a lot, Monica. So, indeed, I'm Pep, I'm the Global Technical Director for Namco Digital. I've always worked at the intersection of AI, data, and strategy.

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Pepijn van der Laan: And I joined Namco Digital this summer because, basically, I'm all in on AI Trust.

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Pepijn van der Laan: after building for over a decade, many AI solutions for different, for different clients, I found that one of the key success factors for scaling the impact and scaling solutions was really in building that trust in the solutions. And, of course.

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00:03:55.380 --> 00:04:05.179

Pepijn van der Laan: you cannot have AI trust without full trust, also in the data, and also in the broader digital, digital solutions. So, hence,

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00:04:05.180 --> 00:04:16.060

Pepijn van der Laan: I'm here with you today as well, so let me tell you a little bit more about, about Nemko Digital, before we dive into the Data Act.

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00:04:16.250 --> 00:04:21.649

Pepijn van der Laan: So... Nemko Digital, part of Nemko Group.

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Pepijn van der Laan: well-known, name in the testing, inspection, and certification, built over the last few years, increasingly stronger, capabilities in the digital space, cybersecurity, but also AI and data, and hence, we, we...

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Pepijn van der Laan: positioned that as an expert center out of the Netherlands, but serving clients globally on topics like AI governance, compliance, maturity, and assurance, both looking at legislation, at

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00:04:57.950 --> 00:05:04.899

Pepijn van der Laan: standards like those of ISO IEC, but also bring in our own

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Pepijn van der Laan: our own, thoughtware, like, like the trust mark, that we, that we developed. What we, what sets us apart as, as Nemko Digital,

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00:05:18.680 --> 00:05:38.389

Pepijn van der Laan: compared to many other players in this space is that we are, on the one hand, really specialists in AI Trust, focusing on making sure that from a compliance, from a reputation, from a control, from a... yeah, from a stakeholder demand perspective, you are

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Pepijn van der Laan: cohort, so the defensive side of AI, but we do that from the belief

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Pepijn van der Laan: that, in the end, digital trust is all about creating a competitive advantage. And that is also where we, where we help our clients, and combining those two perspectives in one company is, is what sets us apart. So what are...

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Pepijn van der Laan: for our clients, the key topics that they come to us for, that is about regulation, AI regulation, but also data regulation, also product regulation.

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Pepijn van der Laan: It is about standards, it is about how to treat AI and digital products that are kind of embedded, where the AI is embedded, that they want to bring to market, and in the slipstream of those.

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00:06:30.730 --> 00:06:40.659

Pepijn van der Laan: primary topics that they come to us for. There's a lot of follow-up questions about how do we assure AI algorithms are

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Pepijn van der Laan: technically sound? How do we monitor that AI and data at scale? How do we structure also our operating model for the AI and data? And how do we build our maturity in that space? So there's quite a lot there. Of course, we're not going to do everything in this webinar. In this webinar, we're really going to focus on that regulation side.

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Pepijn van der Laan: where...

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Pepijn van der Laan: where the... yeah, the law is the starting point. So, with that starting point, Monica, maybe you can lead us into the world of EU regulation.

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00:07:18.160 --> 00:07:43.090

Monica Fernandez: Sure, sure. So, as we saw by the main question, most of our clients ask us what are the main regulations that I need to be aware of, in particular in the EU, as we see that there is a lot of developments happening, since a few years ago with, with, especially the proposal since 2019, the proposal of the

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Monica Fernandez: AI Act.

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Monica Fernandez: and what that costs in the regulatory world. There's been a lot of changes and developments. Here we have quite an intensive list of important

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Monica Fernandez: EU regulations that touch not only on AI, but also on product, on cyber, on data.

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Monica Fernandez: To summarize everything, we see here on the right, the most talked about are the AI Act that, as many of you already know, it governs AI systems that are brought into the EU market, focusing especially on high-risk AI systems and general-purpose AI models.

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Monica Fernandez: Then we have the Cyber Resilience Act that sets precautions against adversarial attacks targeting connected devices.

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Monica Fernandez: Then we have the General Product Safety Regulation, which is often overlooked, but just as important, as it has expanded the consumer product safety to digital-connected and AI-enabled products.

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Monica Fernandez: What used to be the General Product Safety Directive is now the General Product Safety Regulation.

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Monica Fernandez: And then, we have the Data Act, which, of course, we're going to dive in today, and, also another... another regulation that is often underestimated and, governs the data of these connected devices.

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Monica Fernandez: And, as with every regulation, there are penalties involved and sanctions if you do not comply or do not provide adequate documentation, all of these things we also need to be aware of.

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00:09:31.360 --> 00:09:34.179

Monica Fernandez: Yeah, I think we can, continue, Pep.

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Pepijn van der Laan: Yeah, perfect. So, yeah, with that, let's dive a little bit into the objective of that... of that regulation. What does this AI... this Data Act aim to do? So...

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Pepijn van der Laan: start out with the image of a smart elevator. There's quite a lot that goes on there, in terms of the

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Pepijn van der Laan: Product itself, the elevator, the data that is generated in that elevator, which can be camera footage, which can be multiple sensors, but also maybe there are apps connected to that elevator, either for the maintenance, for the monitoring, or for the operation of it.

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00:10:19.010 --> 00:10:22.239

Pepijn van der Laan: And then you have the interested party. There are many

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Pepijn van der Laan: Many actors in this situation, which either are part of

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Pepijn van der Laan: generating data as part of the process, capturing that data in, through the sensors and the connected systems behind that, or basically are interested in using that data. So that can be an elevator company who basically installs the, installs the sensors, it can be a property manager who wants to

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00:10:51.110 --> 00:11:05.280

Pepijn van der Laan: optimize the maintenance of the elevator. It can be a tenant of the building who wants to have that view. It can be a company that does the maintenance, or it can be even the users of the building.

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00:11:05.280 --> 00:11:13.790

Pepijn van der Laan: who are interested in that, in that data. And of course, this is something that, over the past years, with the rise of

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00:11:13.790 --> 00:11:23.670

Pepijn van der Laan: connected devices and digital technologies has increased a lot. So, this also leads to new questions about

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Pepijn van der Laan: Yeah, who is actually the owner of the data? What can you use it for? Under what circumstances do you have to, also share that data with third parties if you are the one who holds that, that data? So, basically, to...

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Pepijn van der Laan: Bring structure to this space, to give the users greater control over the data that they generate,

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Pepijn van der Laan: To give, also, incentive... to maintain the incentives to also still invest in data technologies, yeah, because there are limitations.

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00:11:56.790 --> 00:12:16.660

Pepijn van der Laan: to also protect the competitive advantage that you can create through data, but on the other hand, also lay down the conditions for when a business has the legal obligation to share data. And that is one of the things that is also super important. You cannot ignore the fact that you have that obligation.

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Pepijn van der Laan: As we will talk about a bit more.

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Pepijn van der Laan: So, that's the objective of the regulation. So, before we explain what the obligations are, let's... let's dive into a couple of the key concepts here, because actually, this is not something that is

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00:12:33.120 --> 00:12:46.429

Pepijn van der Laan: super simple, because the devices and the systems that it governs can also be quite complex, as you see in the example of the elevator. So, let's first start with, kind of, the type of products that are

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00:12:47.060 --> 00:13:00.469

Pepijn van der Laan: part that are basically governed by this regulation. Then we talk about connected products. So that means that it's an item that generates and collects data. It's data about the environment, it's able to communicate

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00:13:00.470 --> 00:13:15.829

Pepijn van der Laan: And it's not something like a modem that is primarily there for storing and processing that data, no, it has a function of its own. So I think in this case of the smart vacuum cleaner.

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Pepijn van der Laan: Right? That type of device, really the connected device, that is what this data acts wants to govern. But such a device nowadays, yeah, never comes without being connected

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Pepijn van der Laan: Also to, often, services,

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Pepijn van der Laan: Typically, they also come in the form of an app. It doesn't need to be in the form of an app, but an app is a good example. Those are related services, and those are really the services which are essential for the functioning of the product. So if there's functions of the smart vacuum cleaner, which you operate through the app, yeah, that becomes an essential part

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00:14:00.350 --> 00:14:06.810

Pepijn van der Laan: of the operating and the functioning of the product, so it becomes a related service. So it's not just

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00:14:06.810 --> 00:14:14.540

Pepijn van der Laan: data on the device, it's also data on the app that is, being governed by this, by this data act.

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00:14:18.050 --> 00:14:32.569

Pepijn van der Laan: But that's the device. Then that device is also being used. Used by a user, typically the one who buys the product. In this case, it can be an athlete who, who buys a smartwatch, and

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00:14:32.570 --> 00:14:54.899

Pepijn van der Laan: basically has the right to use it through purchase, can also be through lease. There is the watch manufacturer, who typically is the one who holds the data that is being generated through all the, all the sensors in the device, but there might also be other parties who are

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00:14:55.110 --> 00:15:11.440

Pepijn van der Laan: interested in receiving that on, yeah, typically on request of the... of the user. So that could be, in this case, for example, a health insurer who gives... who offers a better premium if the athlete, does do their,

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00:15:11.510 --> 00:15:18.320

Pepijn van der Laan: daily, daily exercise. So... That is a bit the key

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00:15:18.510 --> 00:15:22.079

Pepijn van der Laan: Concepts that are... that are there, and...

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Pepijn van der Laan: this is what is governed, the interaction between those, between those actors. It was being governed by the, by the Data Act. But before we dive into the, into the Act, where Monica will guide us through, it's time for a little

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Pepijn van der Laan: Check in on where are you?

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Pepijn van der Laan: at this moment with the, with the implementation of the Data Act? Are you either one? Yeah, you've heard that term before, some general awareness, but not yet started. Are you someone

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00:16:00.380 --> 00:16:14.719

Pepijn van der Laan: who is aware and realizes that something needs to happen, but yeah, maybe your organization has not started yet in making that concrete. Maybe some initial scoping and gap analysis, but not really a plan.

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Pepijn van der Laan: Are you 3? Are you in the state where you do have a plan?

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Pepijn van der Laan: 4, where you're really already working on it, actively implementing the changes, or are you all set? 5.

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00:16:28.100 --> 00:16:34.410

Pepijn van der Laan: So, let's see... If you already have some... Responses there...

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00:16:36.990 --> 00:16:42.729

Pepijn van der Laan: I actually cannot... don't know where I see that, but I trust that our...

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00:16:43.940 --> 00:16:50.869

Pepijn van der Laan: charming assistant David behind the scenes will, we'll keep that in check.

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00:16:54.900 --> 00:16:56.350

Pepijn van der Laan: Good, yeah.

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00:16:57.160 --> 00:16:59.360

Pepijn van der Laan: We're still going on the...

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00:17:03.410 --> 00:17:04.859

Pepijn van der Laan: On the little pole.

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00:17:21.480 --> 00:17:22.869

Pepijn van der Laan: Very good.

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00:17:33.770 --> 00:17:42.860

Pepijn van der Laan: So... yes, okay, so maybe we are slowly in the point where we can close the...

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00:17:43.570 --> 00:17:47.770

Pepijn van der Laan: Close the poll if everyone has... Made their votes.

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00:17:48.500 --> 00:17:57.779

Pepijn van der Laan: and then we can, can continue into the, into the Data Act,

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00:17:57.930 --> 00:18:04.640

Pepijn van der Laan: Monica, can I ask you to, to take it away from, Premier.

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00:18:04.910 --> 00:18:11.250

Monica Fernandez: Yes, of course. Alright, so, the content of the Data Act.

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00:18:11.250 --> 00:18:26.719

Monica Fernandez: We can see there is quite a few, thematic pillars, about 8, but these can, actually be put into three, four main buckets. So, because the Data Act does four main things.

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00:18:26.720 --> 00:18:34.320

Monica Fernandez: First, it sets the rules of the game by providing the general provisions, scopes, and definitions as

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Monica Fernandez: Pep already mentioned, looking at the... at the details of what these definitions, entail would give a lot of clarity to... to know, for example, who is a data user, a data holder, etc, etc.

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00:18:49.240 --> 00:19:08.670

Monica Fernandez: Then, second, it guarantees access and fairness for users and businesses through the classes that touch on data access and sharing, fair contracts, and even it touches on the exceptional circumstances that we see in public sector accessing such data.

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00:19:09.190 --> 00:19:26.859

Monica Fernandez: And then it enforces cloud portability and safe cross-border handling, which, of course, it is necessary for data sharing. And last but not least, it provides enforcement and legal tidy-ups through the last thematic pillars that we see here.

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00:19:27.440 --> 00:19:43.859

Monica Fernandez: But let's dive into the... the most, what we say is the heart of the Data Act. Onto the next slide, Pip. We can dive into what the Data Act really says about data access and sharing.

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Monica Fernandez: So, this theme is covered by 3 main articles, so Article 3, 5, and 8, as we have here, where Article 3 covers the data that products generate, whether it is raw or pre-processed, personal or not.

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Monica Fernandez: Data generated from connected devices and its related services, let's say an app, it has to be made readily available for the data user.

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00:20:16.200 --> 00:20:31.050

Monica Fernandez: Then Article 5, Data Sharing Upon the User's Request, covers the fact that users not only get this data in a quality manner and in a timely manner, but also free of charge.

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00:20:31.690 --> 00:20:49.029

Monica Fernandez: And then, on Article 8, the P2B sharing focuses on when, for example, another business needs that data, this data should be shared in a fair, reasonable, and not discriminatory terms.

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Monica Fernandez: Of course, while safeguarding any trade secrets or IPs.

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Monica Fernandez: Because of time, let's move on directly into an example that, we can talk about. So here we have, the example of, of, three companies. So, let's say Rob's company, company, that is based outside the EU produces industrial robots, or...

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00:21:18.810 --> 00:21:20.759

Monica Fernandez: Also, a connected product.

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00:21:21.230 --> 00:21:29.319

Monica Fernandez: Then we have Sarah's company, based in the EU, produces and sells machine tools.

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00:21:29.530 --> 00:21:45.069

Monica Fernandez: And then we have Paul, based in the EU, that is a customer of both Rob and Sarah, and uses these connected products in his own factory to promote his business and produce his own products.

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Monica Fernandez: So, the three of them face new rights and obligations starting from the 11th of September, so we just passed that date, which is why we're having this webinar as well.

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Monica Fernandez: If we move on to the next slide, we can see, that...

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Monica Fernandez: Both Rob and Sarah, regardless of where they are based, they need to provide Paul with the data generated from their connected products easily and free of charge, as we already mentioned.

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00:22:20.840 --> 00:22:33.879

Monica Fernandez: And then, luckily for Paul, moving on to the next slide, this means that he now has access to this data, and, this is quite,

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Monica Fernandez: Quite nice for him, because, of course, now he can use this data to promote and optimize his productions as he wishes.

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00:22:44.380 --> 00:22:55.810

Monica Fernandez: So, what does this mean, when we think about timelines? So, everybody is always very interested in timelines and when things come into force.

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Monica Fernandez: So, the regulation itself came into force already a while ago, so the 11th of January 2024. But not only until recently, the 12th of September, did the rights and obligations of these new contracts

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00:23:11.100 --> 00:23:25.770

Monica Fernandez: apply. Now, this means that in our example, Paul, the customer of Rob and Sarah, he can now request access to the data that is generated from the products that he's using from Rob and Sarah.

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00:23:27.000 --> 00:23:43.669

Monica Fernandez: Now, the main obligations around contracts, since the data touches a lot on contracts, these obligations are set mostly for new contracts, starting after the date of 12th September 2025.

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00:23:44.670 --> 00:23:58.769

Monica Fernandez: However, from the 12th September 2026, both Rob and Sarah are obliged to, give or provide this data in a standardized manner.

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00:23:58.910 --> 00:24:06.790

Monica Fernandez: So, not only when Paul requests this, but it has to be already available for Paul.

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Monica Fernandez: And, last but not least, an important, time in this... of this timeline is...

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Monica Fernandez: that from the 12th of September of 2027, the Data Act applies already to these existing contracts that are defined as indefinite.

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Monica Fernandez: or that expire, after 10 years from the introduction of the Act. So in this case.

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Monica Fernandez: contracts that expire after the 11th of January of 2034 are also subject... subjected to the Data Act.

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Monica Fernandez: So, talking about contracts, we can move on to the next slide to see, more or less, an overview of what these model contract terms look like. So, the Data Act defines that contracts should

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00:25:01.390 --> 00:25:18.089

Monica Fernandez: well, they resemble... they should still resemble as the usual contracts are, but of course, there are important things to... to... to add or amend of these contracts. For example, the access rights, of course, that we see in this third, bucket.

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00:25:18.200 --> 00:25:28.939

Monica Fernandez: but also the use of data, so the contract must also define the restrictions of how the data holder can use such data. It should also touch

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00:25:28.940 --> 00:25:38.320

Monica Fernandez: Upon the transfers and users, so it should handle the rights when the product ownership changes.

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Monica Fernandez: The contract should also touch upon the third-party sharing, so stating that it's only allowed through contractor safeguards and user consent to share such data.

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00:25:54.140 --> 00:26:08.720

Monica Fernandez: And, of course, personal data always has to be processed, complying with the GDPR. You know, the Data Act is not introduced into a lawless world, so the GDPR and e-privacy rules still apply, no matter what.

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00:26:08.940 --> 00:26:19.079

Monica Fernandez: And, many other terms have to be implemented into... into these contracts, new and existing ones.

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00:26:20.760 --> 00:26:28.310

Monica Fernandez: I think we can, continue, and yeah, I will hand it over to you, Pep. Yeah, you can...

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00:26:28.310 --> 00:26:42.409

Pepijn van der Laan: Perfect. So, yeah, so thanks, thanks, Monica, and I think a great, great overview. So, yeah, in order to get compliant with the Data Act, from the examples, you'll already have to fill in that there's quite some

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00:26:42.410 --> 00:26:59.880

Pepijn van der Laan: some effort involved in many situations. So, a couple of really important success factors is, first of all, to really understand your obligations. And there are some... there are a lot of quite clear-cut cases, but there are also cases where things are much more nuanced.

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00:26:59.900 --> 00:27:16.890

Pepijn van der Laan: Where you can debate, kind of, the ownership, the, being a user or not, combinations of products and services, where things are maybe a little bit less clear-cut than what we've shown you in the, in the examples here.

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00:27:16.890 --> 00:27:20.349

Pepijn van der Laan: Next step is also to really map the data in scope.

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Pepijn van der Laan: Important there to...

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Pepijn van der Laan: make sure that you're compliant, but also that you protect what is yours. So there's the difference between raw data, pre-processed data, and processed data, which is also important in terms of

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00:27:37.460 --> 00:27:57.169

Pepijn van der Laan: protecting your, your intellectual property rights, for example, making sure that you have your agreements, in place as a third one, but also, and as the fourth one, creating the technical prerequisites for successful implementation. So, because

139

00:27:57.310 --> 00:28:18.870

Pepijn van der Laan: obligations are getting, getting stronger, and are also basically stating that you have to solve for this, data act by design. It can also tie into how you design your products, how you design your data systems, and in some cases, you may already have an

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00:28:18.870 --> 00:28:25.499

Pepijn van der Laan: architecture that's very much based on API, which you can easily adapt to,

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00:28:25.500 --> 00:28:28.580

Pepijn van der Laan: Yeah, to the new world, but in some cases, yeah.

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00:28:28.840 --> 00:28:40.609

Pepijn van der Laan: the legacy of your product design may really be a challenge when you try to become compliant with this act. And of course.

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00:28:40.610 --> 00:28:50.559

Pepijn van der Laan: Looking forward, yeah, the learnings of those new regulations also go into the product development and, and procurement going, going forward.

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00:28:50.980 --> 00:28:56.439

Pepijn van der Laan: So, with those success factors in mind, yeah, what can you do now? It's really...

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00:28:56.620 --> 00:29:15.079

Pepijn van der Laan: If you haven't done so already, doing that situational analysis, understanding your responsibilities, the products and the data that is in scope, the obligations that stem from it, doing that gap assessment, what do you already have that you can use versus where are still the gaps?

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00:29:15.080 --> 00:29:18.629

Pepijn van der Laan: And then planning for the activation, and

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00:29:18.630 --> 00:29:22.899

Pepijn van der Laan: executing that, that improvement. So...

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00:29:23.300 --> 00:29:33.330

Pepijn van der Laan: that is the journey that we also help our, clients on, when they, when they need that, that support. So...

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00:29:34.210 --> 00:29:39.579

Pepijn van der Laan: That rounds off our half hour of,

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00:29:39.920 --> 00:29:56.880

Pepijn van der Laan: yeah, of, basically taking you through the basics of the, of the Data Act, so that means that, yeah, now there's also the opportunity to, to ask questions, feel free there to, to use the chat,

151

00:29:57.200 --> 00:30:06.829

Pepijn van der Laan: We can imagine that there are quite some questions, because if we look at the poll, and this is also the big reveal of the, of the results of the poll.

152

00:30:07.840 --> 00:30:12.389

Pepijn van der Laan: And the most interesting results, I would say, that

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00:30:12.710 --> 00:30:30.030

Pepijn van der Laan: None of our participants says that they are all set for the Data Act. Everyone still has work to do, so you are in good company here, working your way towards the Data Act, where

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00:30:30.420 --> 00:30:47.429

Pepijn van der Laan: One-third of the participants, roughly, are already really working towards that implementation, but just not there. There is some 10% who have a plan, but haven't started yet, and the remainder

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00:30:47.820 --> 00:31:10.040

Pepijn van der Laan: And that is, over half of our participants, are really at the beginning of that, of that journey, realizing that there is an issue, but, still, yeah, on that way towards, yeah, towards the, compliance. So, in the meantime, we already have,

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00:31:10.120 --> 00:31:16.149

Pepijn van der Laan: couple of questions, so let me read the question. First one...

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00:31:16.550 --> 00:31:24.720

Pepijn van der Laan: How to identify, authenticate that a product belongs to a person that's requesting the data.

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00:31:25.970 --> 00:31:28.900

Pepijn van der Laan: For an end user, based on a contract.

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00:31:29.010 --> 00:31:32.820

Pepijn van der Laan: when is a product resold? What proof?

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00:31:32.950 --> 00:31:42.190

Pepijn van der Laan: when is the product rented? What proof? So, Monica, would you want to give a first answer to that?

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00:31:43.220 --> 00:31:57.499

Monica Fernandez: Yeah, sure. I... I think, just to simplify things a lot, it always boils down to the contract. So, obviously, if the product is resolved, there will be a proof of such.

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00:31:57.510 --> 00:32:04.650

Monica Fernandez: How the product is being used by the new users and the rights that it has.

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00:32:04.650 --> 00:32:22.350

Monica Fernandez: And the same as if the product is being rented, so if you rent a product, you are also a data user of such product, and there should also be a contract involved stating such thing.

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00:32:23.070 --> 00:32:28.410

Monica Fernandez: So, the contracts are always the things to look for, especially for proofs.

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00:32:30.510 --> 00:32:39.090

Pepijn van der Laan: Perfect, yeah, thanks a lot, Monica, for that, for that answer. Then we have a second, second question as well.

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00:32:39.090 --> 00:32:50.829

Pepijn van der Laan: What does it mean, the provision of data in a standardized manner? Is there a specific standardized manner? What are the guidelines for that, Monica?

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00:32:53.280 --> 00:33:10.490

Monica Fernandez: I think, right now it's a little bit open, and there will be more guidelines on that. I think because the... the obligations of the provision of a standardized manner doesn't set until 2026.

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00:33:10.550 --> 00:33:25.230

Monica Fernandez: The EU still has some... some time to... well, not that much time, but we'll be releasing more guidelines on that, too. It's quite a variety of... of ways that you can do it, I imagine, so...

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00:33:25.370 --> 00:33:29.530

Monica Fernandez: Yeah, we are waiting, and we're staying aware of these guidelines.

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00:33:30.840 --> 00:33:47.570

Pepijn van der Laan: Yeah, and I think there's one thing maybe to add there. To the standardized manner, there's also talk in the regulation about machine-readable, Monica, I believe, right? That it's kind of really automated as well.

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00:33:48.790 --> 00:34:03.970

Monica Fernandez: Yes, yes, and easily accessible, so, of course, also taking into account accessibility standards as such, as well as other things. Also, free of charge is also well, stated in the act.

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00:34:05.400 --> 00:34:19.919

Pepijn van der Laan: Perfect. So, more questions coming in, so I'll keep firing a few at you, Monica. So, the milestone for September 2027, can you repeat that one?

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00:34:21.100 --> 00:34:27.050

Monica Fernandez: Yes, maybe we can go back to the timeline? Yes, so...

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00:34:27.050 --> 00:34:27.870

Pepijn van der Laan: Yeah, yeah.

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00:34:27.870 --> 00:34:44.869

Monica Fernandez: There you go. So, in September 2027, the Data Act applies to pre-existing contracts. So, by pre-existing contracts, it's those that, were already made before September 12, 2025.

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00:34:45.000 --> 00:35:00.389

Monica Fernandez: And, and also these contracts that, are indefinite, that never expire, or that only expire after 10 years, then those, those contracts are also subjected to the obligations.

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00:35:01.780 --> 00:35:02.390

Pepijn van der Laan: Yeah.

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00:35:02.920 --> 00:35:05.620

Pepijn van der Laan: Perfect. So...

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00:35:06.030 --> 00:35:27.320

Pepijn van der Laan: I think we have, yeah, time... there are still questions, so... so we still have some time here. But in the meantime, let me also put this slide on, so if you would like to have a short private consultation at later, feel free to scan the QR code.

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00:35:27.320 --> 00:35:32.839

Pepijn van der Laan: But for now, let us, let us take a couple more questions, Monica.

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00:35:33.190 --> 00:35:43.679

Pepijn van der Laan: So here's a new one. Can the provisioning of data be managed through an existing app, or should it be a separate interface?

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00:35:44.710 --> 00:35:47.230

Pepijn van der Laan: Does the act say something about death?

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00:35:47.670 --> 00:35:49.449

Pepijn van der Laan: How you provision the data?

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00:35:50.930 --> 00:36:14.049

Monica Fernandez: No, I think it can be done through the same app, but it also depends on who and how this app is being used, so I think that question is worth diving in deeper, depending on the use case and the service that is attached to the product, in this case, the app.

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00:36:15.290 --> 00:36:30.819

Pepijn van der Laan: Yeah, I agree, Monica, and I think that also ties into the specifics of your architecture, and the specifics of, kind of, yeah, are you meeting the requirements? And the requirements are quite general, right? So...

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00:36:30.820 --> 00:36:43.199

Pepijn van der Laan: They don't specify things about it being kind of a separate or the same interface. It's really kind of looking at, okay, what does meet that requirement for,

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00:36:43.210 --> 00:36:44.980

Pepijn van der Laan: For accessibility.

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00:36:47.570 --> 00:36:50.210

Pepijn van der Laan: Then...

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00:36:50.450 --> 00:37:05.979

Pepijn van der Laan: question here, is it possible receiving these slides for the, from the presentation as a reference? There will be, after the, after the webinar, there will be a website where we, where we make materials available.

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00:37:05.980 --> 00:37:13.460

Pepijn van der Laan: So, keep an eye out for, in your mailbox for, for the materials being shared.

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00:37:13.700 --> 00:37:21.809

Pepijn van der Laan: and there's here one, which says, is the Data Act also applicable for non-connected products?

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00:37:24.910 --> 00:37:26.959

Monica Fernandez: No, it's mostly connected products.

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00:37:28.000 --> 00:37:33.990

Monica Fernandez: connected products, that is the... that is the truth. Yeah. Sorry.

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00:37:35.360 --> 00:38:00.320

Monica Fernandez: Okay, we're having a... I see we're having a lot of, questions, but we do have to wrap it up soon. I do suggest, especially for the longer, more intricate questions, that you send me an email, or send Pep an email, and we're more than happy to discuss this, either through this 15-minute consultation that we offer here, or through the QR code, or just with

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00:38:00.320 --> 00:38:08.450

Monica Fernandez: can also set it up, directly through... through email. I do love that there are so many questions, so,

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00:38:08.920 --> 00:38:18.350

Monica Fernandez: Yeah, let's, keep the... the enthusiasm up and the curiosity up. There's a... there's a lot to learn, for sure.

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00:38:19.730 --> 00:38:34.800

Pepijn van der Laan: Yeah, agreed. So, great, so thanks a lot on those, on those questions. We're going to, to wrap it up then, for... for now.

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00:38:35.240 --> 00:38:48.999

Pepijn van der Laan: And then, yeah, basically, yeah, feel free to schedule that, that 15-minute consultation to reach out to us, and, yeah, hope to see you in the next, in the next webinar.

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00:38:50.700 --> 00:38:54.099

Monica Fernandez: Alright, thank you, everybody. Thank you.