BUILDING A 
TRUSTED AND FAIR 
DATA-DRIVEN 
FEDERATION 

30th March 2022
Welcome & Introduction

What can we expect from the Data Economy in the EU?
Nuria de Lama (Consulting Director, IDC)

30th March 2022
Data providers and users

% of companies acting as data providers

- Provides data: 26%
- Plans to provide: 9%
- Does not provide: 65%

Usage of Analytics/Big Data Technologies

- Yes, using: 56%
- Not using, no plans: 16%
- No, but planning: 20%
- No, considering for future: 6%

% Providing or Planning to Provide Data Services

1 to 9 employees: 17%
10 to 49 employees: 17%
50 to 249 employees: 28%
250 to 499 employees: 37%
500+ employees: 63%

The data market is the marketplace where digital data is exchanged as “products” or “services” as a result of the elaboration of raw data. The data economy measures the overall impacts of the data market on the economy as a whole. It involves the generation, collection, storage, processing, distribution, analysis elaboration, delivery, and exploitation of data enabled by digital technologies.

The value of the European data market will reach €63.6 billion for the EU27, with a growth rate of 4.9% in 2021. France, Germany, Italy, Spain, and the Netherlands tend to contribute the most to the data economy in the EU27. The NGEU again plays a significant role, as around 50% of total resources will be distributed across the four biggest countries in the EU27, making a significant difference in the next five years.
## Policy and Regulation conditions: EC Legislative Priorities and Initiatives 2021–2022

<table>
<thead>
<tr>
<th>EC Legislative Priorities 2021–2022: A Europe Fit for the Digital Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal for a REGULATION on European Data Governance (Data Governance Act)</td>
</tr>
<tr>
<td>Proposal for a REVISION of Directive 2003/98/EC on the reuse of public sector information (Open Data Act)</td>
</tr>
<tr>
<td>Proposal for a REGULATION on the Data Act (legislative, including impact assessment, Article 114 TFEU, Q3 2021)</td>
</tr>
<tr>
<td>Proposal for the REVISION of Directive 96/9/EC on the legal protection of databases (Database Directive)</td>
</tr>
<tr>
<td>Proposal for a Regulation for Digital Services (Digital Services Act) and amending Directive 2000/31/EC</td>
</tr>
<tr>
<td>Proposal for a REGULATION on contestable and fair markets in the digital sector (Digital Markets Act)</td>
</tr>
<tr>
<td>Proposal for a REGULATION laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) and amending certain Union legislative acts</td>
</tr>
<tr>
<td>Digital levy and a proposal for a digital levy as own resource (legislative, including an impact assessment, Q2 2021)</td>
</tr>
<tr>
<td>European Cyber Resilience Act (legislative, including an impact assessment, Q3 2022)</td>
</tr>
</tbody>
</table>

Source: European Commission Work Programme 2021–2022
Digital Sovereignty in the picture

1. Data
   - GDPR and free flow of non-personal data

2. Infrastructure/software
   - Ownership & protectionism
   - Interoperability & portability

3. Processes/Operations
   - Control & stability
   - Unauthorized access

Source: IDC European FutureScape 2022
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Q&A
The data economy as a political project

Focus on emerging ‘data public utilities’

Peggy Valcke and Charlotte DUCUING, CiTiP – 30th March 2022
Contents

Setting the scenes: the data economy as a political project

Public utilities as organization and regulation

The Flemish ‘data utility’

French ‘Service public de la donnée’

DGA – Towards Data Public Utilities? Public sector data

DGA – Towards Data Public Utilities? Private sector data

Conclusions
Setting the scenes: the data economy as a political project

Substantive rights
Control and access rights (i.e., Data Act, sectoral legislations)

Institutional framework
(Financial) support to (technical) data infrastructure + Data governance regulation (DGA)

- Markets are not natural → they require the law as an infrastructure, e.g. data
- Law as an infrastructure for the data economy
- Markets & State/public authorities: not contradictory one to the other
- Data markets (and other data exchange institutions) as a political project
Public utilities as organization and regulation

*i.e.*, French “Service public industriel et commercial” (SPIC)

1. Public service
   i. (Political) decision to assume control over the satisfaction of a need deemed of general interest
   ii. For which private initiative is inappropriate / insufficient

2. Public service principles
   i. Equality / non-discrimination
   ii. Continuity
   iii. Accessibility
   iv. Neutrality
   v. Transparency
   vi. Trust(worthiness)

3. Industrial or commercial
   (> < administrative SPA)
   Economic (to some extent) object, financing and operation

Public utilities at the intersection of ‘public’ and ‘private’ logics
The Flemish ‘data utility’

- As part of the post-Covid Flemish government relaunch plan
- Still in preparatory phase
- Example of future activity: real-estate information platform
  - Fragmented process of real-estate sale-related information between the various admin (urban development, env, easements, etc. info)
  - → Intermediary between the various admin and sale / long-term lease-related person
  - Incl. development and operation of the Data Platform
  - Initiative of the municipalities, the real estate sector and the Flemish gvt
French ‘Service public de la donnée’

- Created by law
- Focus on data quality and availability
- Adaptable & future-looking → *i.e* DGA, Chap II?
- Seemingly SPA… but close to – & could become – a SPIC (Cluzel-Métayer, 2018)

At stake (a.o.): the complex data pricing question

**Data producer**

- Data production
- Resp. for data updates, …

**Data distributor**

- Data distribution
- Data quality, performance and availability commitments

**Etalab (data public service)**

- Platform resp.
- Active promotion to users
- Future-looking
- May substitute DD in case of failure

**Data user**

- Data use *i.e.* for innovative P&S
- Role in data quality (error reporting, suggestions, …)

**Scope:** ‘données de références’ (*… for now*)

**Data producer**

- Data producer

**Data distributor**

- Data producer

**data.gouv.fr**
### Chapter II – Public sector bodies & competent authority

**What:** data with rights of 3rd parties (pers. Data protection, IPRs, confidentiality)

Complement to Open Data D → making such data available for reuse nonetheless

**Who:** Every PSB or a centralized, dedicated & data professional State body

**How:** Attempting to make data available despite – and account been had to – rights of 3rd parties

- Transparent, non-discr, % and justified conditions for data reuse, including a(n) (economic) price (…)
- Tailored & specific measures to enable data reuse (legal & technical)
- Supervision of data reusers

- When centralized (« competent ») body → trustworthy public sector data intermediary
- From administrative to economic activities?

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### i.e., French “Service public industriel et commercial” (SPIC)

1. **Public service**
   - (Political) decision to assume control over the satisfaction of a need deemed of general interest
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3. **Industrial or commercial**
   (>..< administrative SPA)

   Economic (to some extent) object, financing and operation

   E.g. data.gouv.fr
Chapter IV – Data sharing service providers

**What**: Regulating different types of data sharing service (‘DSS’) providers so as to bring trust to data providers and data users.

**Who**: data intermediaries (whether personal or non-personal data), data cooperatives

**How**:
- Prior notification obligations
- Conditions for providing DSS, incl.
  - Structural separation
  - Cross-usage of data prohibition
  - Fair, transparent, non-discr. provision of services
- Service continuity

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Public utilities-like obligations deemed necessary for the operation of data markets…

... without State-control & -funding→ workable?

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\*i.e., French “Service public industriel et commercial” (SPIC)\*

1. Public service
i. (Political) decision to **assume control over the satisfaction of a need deemed of general interest**
ii. For which **private initiative is inappropriate / insufficient**

2. Public service principles
i. Equality / non-discrimination
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   iv. Neutrality
   v. Transparency
   vi. Trust(worthiness)

3. Industrial or commercial
   (=> administrative SPA)
   Economic (to some extent) object, financing and operation
Conclusions 1/2: the DE as a political project

The data economy shows (again) that no social institution is ‘natural’!

\[ i.e., \text{data markets are not natural} \]

The law- and policy-makers are extremely involved

DE: Factual reality AND a political project, feeding each other in loop

Obvious, but important democratic question: different possible orientations for the DE

3 types of involvement from the law and policy-maker in the DE

- Public sector bodies as data providers (PSI D \(\rightarrow\) Open Data D \(\rightarrow\) DGA)
- The law as infrastructure for the data economy
- Active involvement of (semi-) public bodies as active participants of the data economy

The data economy shows (again) that no social institution is ‘natural’!

\[ i.e., \text{data markets are not natural} \]
Conclusions 2/2: (semi-) public bodies as active participants in the DE

- A spectrum of growing policy & legal initiatives, at both national & EU level
- Increasingly sharing similarities (in terms of org. & regulation) with traditional public utilities
- However not always recognised as such yet (e.g. DGA) → sustainable business model?
Thank you for your attention!

Do you have any questions or comments?

KU Leuven Centre for IT & IP Law (CiTiP) - imec
Sint-Michielsstraat 6, box 3443
BE-3000 Leuven, Belgium

charlotte.ducuing@kuleuven.be
http://www.law.kuleuven.be/citip
Data-driven experimentation: industry
Laure Le Bars - SAP

30th March 2022
SAP

Industry view
SAP Data Intelligence
Enabling the Intelligent Enterprise
Data Management is the key for Business Process improvement
SAP Data Intelligence – From Data Integration to Data Orchestration

- Extract meaning and ensure trust in your data
- Analyze all of your data, not just the 1%
- Infuse insights into improved business processes
Why is Data Management so difficult?

- Data profiling
- Data cataloging
- Data masking
- Data quality
- Data ingestion
- Event stream processing
- Data replication
- Streaming analytics
- Non-SAP applications
- Cloud data lakes
- SAP applications
- 3rd party data warehouses
- 3rd party databases
- ETL
- Machine learning
- Video processing
- Image processing
- Time series
- Text analytics
- Geospatial processing
- Semi-structured and unstructured data
- Meta data management
- Speech recognition
- Graph processing
- Cloud data lakes
- 3rd party data warehouses
- 3rd party databases
Why is Data Management so difficult?
Enterprise IT is challenged to a whole new degree!

**Integration**
- Structured, unstructured, streaming
- Batch, (near) real-time
- Transactional, Analytical, Hybrid

**Processing**
- Several heterogeneous engines
- Diverse processing patterns (offline, lambda, event-driven …)

**Discovery**
- Discover the available data sets, and find out their semantics

**Quality**
- Data inconsistencies and fragmentation
- Biased data sets
- ML model life cycle

**Compliance**
- Data privacy and protection
- Data lineage and auditing

**Operations**
- Distributed landscapes, cloud and on-prem
- Elastic scaling
- Monitoring
SAP Data Intelligence – Core Capabilities

Data Integration
Connect and integrate everything, structured, unstructured or streaming

Data Processing
Extract meaning from data, orchestrating any mix of engines

Data Catalog
Discover, classify, profile, understand and prepare all your enterprise data assets
Use **SAP Data Intelligence** to help your business with…

**Data Science and Machine Learning**
- Streamline data science and machine learning, from modeling and development to operations, across all enterprise data assets
- Smart energy management
- Predictive Maintenance
- Customer churn prediction
- […]

**Orchestration for Data Warehousing**
- Build a multifaceted data warehouse, across diverse and distributed data assets
- Consumer 360 view
- Marketing campaign effectiveness
- Renewable energy production simulation
- […]

**Business Application Transformation**
- Streamline innovation initiatives around Business Applications, supporting enterprise transformation programs
- HR Best Fit with SFSF
- Customer 360 with FSDM
- Timesheet Analytics with Fieldglass
- […]

**Data Catalog and Governance**
- Transform IoT event streams into enterprise-ready data, and derive actionable insights
- Data Quality across heterogeneous systems
- Data Discovery & Preparation for E2E analytics
- […]

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Innovating further – **Privacy-aware pipelines** in SAP Data Intelligence
Anonymize data and enforce privacy compliance checks

Data synthesizer via Bayesian Network + Differential Privacy
Available on the API Business Hub

Privacy policy **compliance rules enforced** on data pipelines*

* Current state of planning
Hybrid Data Catalogs in enterprise landscapes
Federation and metadata exchange, to avoid rip and replace

In large enterprises a single catalog is not realistic

Metadata is spread among multiple physical catalogs

Data objects and business terms are managed in heterogeneous systems

Federation is key

SAP Data Intelligence

3rd party catalogs *(e.g. Collibra, Alation)*

3rd party DBs and data lakes

SAP Data Warehouse Cloud

SAP Information Steward

SAP Applications

*planned
SAP Data Intelligence – Unified data integration services
Enabling end-to-end data fabric

SAP Business Technology Platform – Data & Analytics

- SAP Analytics Cloud
  - Business Intelligence
  - Augmented Analytics
  - Enterprise Planning

- SAP Data Warehouse Cloud
  - Business Layer
  - Data Spaces

- SAP HANA Cloud
  - Multi-model Engines
  - Tiered Data Storage

Connectivity & Data Access
- SAP Data Intelligence engines

SAP Master Data Governance & Integration

SAP Data Intelligence Cloud
- Data Catalog
- Orchestration
- Integration

3rd party data catalogs
3rd party processing engines
3rd party data lakes

SAP Applications
Non-SAP Applications
Unstructured data
Streaming data

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SAP’s intelligent data orchestration and governance solution is different

**Single end-to-end platform**
A single integrated platform providing data discovery and classification, data quality and data integration & orchestration

**Conceived for modern and complex landscapes**
ML-infused data governance and privacy-aware integration and orchestration, supporting a wide variety of heterogeneous technologies

**Multi-cloud, agnostic and open**
Built on open technologies, available on-prem, hybrid or as-a-service on all major hyperscalers.

**Connect into SAP and re-use existing tools**
Natively connect into SAP applications, and fully leverage existing SAP tools (BW, Data Services, Information Steward, SLT etc.)
EU data governance act

➢ open up more public sector data
➢ harmonize data sharing mechanisms across Europe
economic and societal benefits.

➢ barriers? burdensome rules to grant access to sensitive public sector datasets.

➢ data sharing service providers that will play an important role facilitating a safe
and trusted framework for companies to share their data.

➢ European Data Innovation Board
  facilitate uniform standards
removing remaining standardization barriers to B2B data sharing.

➢ Important to involve industry
  rely on existing work of international standardization bodies.
i-spaces

From “Research platform big data” to Smart Data Innovation Lab to i-spaces
Aktivitäten der Arbeitsgruppe 6
Fokus: Nationale Big Data Forschungsplattform

Problem
- Deutschland hat exzellente Forschung, die im Bereich Big Data große Chancen sehen
- ABER: Oftmals stehen keine realen Daten zu Forschungszwecken zur Verfügung.
- UND: Erstklassige Infrastruktur als Träger der Forschung nicht ausreichend gegeben.

Ziel
Nationale Big Data Forschungsplattform für strategische Forschungsthemen
- Zugang zu realen Industriedaten auf einer erstklassigen IT-Infrastruktur
- Vorteile für die Wissenschaft (Daten und Infrastruktur) und Industrie (schneller Ergebnistransfer)

Herausforderungen
Grundlagen der Arbeit mit Big Data sind heute noch nicht klar genug
- Sicherheit der Daten + Privacy
- Zusammenarbeit im Cloud-basierten Umfeld
- Rechtliche Grundlagen der Arbeit mit Big Data
Vorschlag für die AG6
Nationale Forschungsplattform für Big Data

Smart Production | Smart Logistics | Smart Grid

Frei zugängliche Datenquellen
- Öffentlicher Sektor
- Finanz-, Geo-, Wetterdaten, …
- …

Proprietäre Datenquellen
- (in geschützten Bereichen von Forschungsprojekten)

Big Data Forschungs-Plattform
Skills, Daten und Infrastruktur

Cloud-basierte infrastruktur für Big Data

BMBF Forschungs-Fokus 2013+
Smart Data Innovation Lab
Plattform-Aufbau

- Open Source Repository
- Anwendungsforschung
- Domänenspezifische Tools
  - Big Data processing Tools
    - HANA
    - Azure
    - Terracotta
    - Other tools
- Datenquellen
  - Zentraler Massenspeicher
  - Dezentrale Datenquellen
  - Katalog + Broker
- Träger (server)
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Introduction to the European federation of data-driven innovation hubs

Daniel Alonso (ITI, EUH4D project coordinator)
BDVA i-Space
Fostering European data-driven innovation and experimentation
Towards a federation of i-Spaces

Infrastructure and technology
Quality of provided services
Projects and applications
Impact to ecosystem
Business strategy

2016: 5
2017: 8
2018: 10
2019: 15
2020: 18
2021: 35

36 hubs
35 regions
21 countries
Materializing the collaboration: EUHubs4Data project
Ethics & legal: a challenge and an opportunity

- Legal framework of the future federation
- Joint delivery of services
- Mobilizing and enabling access to datasets
- Attracting SMEs to use the federated catalogue for their experimentation
- Datasets coming from the experiments
A key actor in the European data and AI ecosystem
The legal anatomy of a data space and the Data Act proposal

emre bayamlıoğlu
Researcher CiTiP KU Leuven

30th March 2022
The legal framework (anatomy) of a data space

<table>
<thead>
<tr>
<th>Access and sharing obligations</th>
<th>Legal entitlements on data</th>
<th>Contractual Framework</th>
<th>Organization/governance mechanisms</th>
<th>Technical Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Access rights</td>
<td>• Data protection,</td>
<td>• Contractual types</td>
<td>• Data pools, data commons, data</td>
<td>• How rules translate into</td>
</tr>
<tr>
<td>Data Act➔</td>
<td>• Int Property</td>
<td>• Contractual</td>
<td>trusts, data federations, data</td>
<td>design features</td>
</tr>
<tr>
<td>• Sector-specific</td>
<td>➢ Copyright</td>
<td>templates &amp; terms</td>
<td>altruism, datcoop., etc. DGA➔</td>
<td>• Interoperability</td>
</tr>
<tr>
<td>rules (energy,</td>
<td>➢ Sui generis right</td>
<td>• Fairness test</td>
<td>AI-based systems AI Act➔</td>
<td>standards</td>
</tr>
<tr>
<td>transport)</td>
<td>• Trade Secrets</td>
<td>Data Act➔</td>
<td>• AI-based systems AI Act➔</td>
<td>• APIs</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>DGA➔ Data Act➔</td>
<td>• Architectures</td>
</tr>
</tbody>
</table>

TRANSACTIONAL
Fairness test
(voluntary data access and sharing)

General rules for data access obligations

Access rights

Copyright Directive

DMA

Consumer law

IoT data

Meta data level

Access rights

Data Act: B2B data transactions
Data holder

• Natural or legal person

• the ability, to make available certain data;
  – De jure & de facto control ➔ non personal data
  – De jure control ➔ personal data
ACCESS RIGHT
scope of the right

• Access right for IoT data does not extend to derived data. While recital (17) suggests that processed data are excluded from the Act, this is not clearly reflected in the draft articles.

• A product is given a very broad definition and applies to any item which obtains, generates or collects data concerning its use or its environments and is able to communicate data via a public communications service.
  – Recital (15) suggests that products primarily designed to display or play content, or record and transmit content (including smart phones, cameras, webcams, sound recording systems and text scanners), should be excluded — not reflected in the Articles.

➔ arbitrary fuzzy edges, and narrow.
TRADE SECRETS

• The Act includes measures to preserve the confidentiality of trade secrets.
  – Limit to independent discovery

• If many users ask for a single third party to have access to their data, the net effect is that the third party will acquire the value of the manufacturer’s trade secret in the aggregation of data.
Important features

- **Legal framework for the release of data to public sector bodies**
- A legal framework is created for public bodies, both at European and national and local level, to request the surrender of data from data holders if there is an "exceptional need". Art. 15 of the Data Act-Draft lists circumstances in which such a need can be assumed. Among other things, this is the case if the data is necessary to respond to public emergencies such as natural disasters, terrorist attacks or the Corona pandemic. The public body's request must be proportionate to the exceptional need and, as far as possible, limited to non-personal data. If the public body further transfers the data or makes it publicly available, this must be communicated to the data holder.
Important features

• **Simplified change of provider in the cloud and increased interoperability**

• One of the key objectives of the Data Act-Draft is to facilitate the switching of companies from cloud, edge or similar data processing providers to other data processing architectures or providers. This is intended to remove commercial, technical, contractual and organisational obstacles that have so far prevented companies from switching cloud providers.
Important features

- **Protection against access by third countries**
- The Data Act-Draft also requires data processing services to take all reasonable technical, legal and organisational measures to prevent international transfers of or access to non-personal data by third countries if this violates European or national law of member states. If a third country wants to use non-personal data from the Union in any way, it can only be done on the basis of an international agreement. If no such agreement exists, a data transfer from the Union to a third country can only take place under certain conditions.

Probably in view of the uncertainties triggered by the GDPR in dealing with third countries, companies should be able to request a decision from a competent authority after a request to find out whether a data transfer is permissible. Furthermore, the EU Commission is to develop guidelines to facilitate an assessment of permissibility.
EUH4D

- **Consider sectoral regulations and voluntary schemes.** The Data Act is envisaged as a ‘horizontal’ regulation, applying to businesses across sectors. However, sectorial frameworks would be necessary to define data access rights and ensure flexibility for each sector. Any new rules will need to be consistent with proposed and planned sectoral regulations (such as the review of the Intelligent Transport Systems Directive and the establishment of a ‘common European mobility data space’, announced in the Sustainable and Smart Mobility Strategy.). It will also be important to draw lessons from voluntary data sharing schemes. The not-for-profit coalition International Data Spaces Association (IDSA), for example, has published a reference [architecture model](#) and application programming interface (API) [specifications](#) for data spaces. Based on the IDSA framework, carmakers Daimler and BMW have created a data-sharing network called [Catena-X](#), while the Dutch [Smart Connected Supplier Network](#) promotes data sharing in the supply chain of high-tech equipment manufacturing. The Data Act will need to avoid new obligations, technical standards, and governance models that impose burdens on companies that already share data as part of their business models.
• **Ensuring fair contractual clauses**
• Furthermore, data holders and data recipients shall contractually determine the conditions for the provision of the data. According to the Data Act-Draft, unfair contractual clauses on data access and use vis-à-vis micro-enterprises and SMEs are always to be considered invalid. Contractual clauses are ineffective, for example, in the case of a general exclusion of warranty. In addition, the unilateral imposition of clauses on data access and use that affect legitimate interests of the other contracting party is invalid. If discrimination is alleged, it is up to the user of the contractual clauses to prove their fairness.
Positive aspects:

• Model non-binding contract terms will be useful for start-ups and scale-ups, who often lack experience, legal resources and capacity to handle contractual data sharing negotiations from scratch. But industry should be involved in drafting these models.

• Clarity on the use of data generated by connected devices, including how to access and share it, if done right, can help provide more certainty to the market.

• Setting rules for governments’ access to data is a good step to avoid regulatory fragmentation. But reasons for such access should be strictly defined and not open to abuse, and Members States should not be able to bypass them.
Key concerns:

• Some provisions will undermine companies’ contractual freedom and have the opposite effect than intended. To boost data uptake, it is important that data-sharing agreements remain voluntary and commercially viable.

• Instead, the EU should provide support and incentives for companies to share data, such as schemes allowing companies to closely cooperate without falling under antitrust legislation.

• Separate and targeted approaches to business-to-business and business-to-customer data access and sharing should be set out in the final text. The Act unfruitfully merges them.

• The current proposal will restrict international data transfers beyond the provisions set in the GDPR, and in a digital world this means directly hurting our global growth prospects.
Thank you!

www.euhsubs4data.eu
How ethical and legal issues affect SMEs

Annika Linck
European DIGITAL SME Alliance

30th March 2022
WHO WE ARE

28 members

Representing more than 40,000 digital SMEs across Europe

DIGITAL SME’s members consists of national, supranational and regional associations and clusters.
WHO DO WE SPEAK FOR?

Our member SMEs

- IT security providers
- B2B software solution providers
- AI developers
- data- and IoT-specialised SMEs
- IT consultants

- less access to talent & funding
- < 50 m revenue
- < 250 (DE: 500) employees
- agile & innovative
- unevenly affected by legislation

DIGITAL ENABLERS
Europe's SME ecosystem

How cluster SMEs

- **SME ecosystem**: 25.1 million small and medium-sized enterprises (SMEs) in the European Union in 2018

- **Different** maturity levels of digital technologies, active in different sectors, varying business models from app developers to platforms to B2B
  - Different digitalisation paths
  - Different requirements for policy measures & support

- **Digital ecosystem**: 1.2 million digital SMEs (and 0.02% large companies) → 4% of SMEs are digital
DIGITAL INNOVATION PROCESS

Digitized Business Processes

Digitized Interfaces

Digital Business Models

LEGAL REQUIREMENTS

Our member SMEs

Data protection

- Product Safety + Liability

IT-Security

- Copyright & IP

- Upcoming laws in AI, DMA, DSA, Data Governance, Data Act

< 50 m revenue

< 250 (DE: 500) employees

- Agil & innovative

- Lack of access to talent and skills
- Access to capital
- Administrative burden & bureaucracy
LEGAL AND ETHICAL CONCERNS
Position Paper from 2016

No clear legal regulation for processing non-personal data

At the present time, there is no agreement as to who owns machine-generated, non-personal data. Ownership-related rights to the processing of the non-personal data can be linked to the ownership of the data carrier or the data-producing machine. But the rights of use of data could also be derived from copyrights.

- This lack of certainty leads to a situation in which it is primarily the general terms and conditions, which determine the use of data. As a result, the stronger negotiating position predominantly determines who can and cannot use data.

- Therefore, DIGITAL SME calls for the creation of an open market for data-driven business models with respect to the use of non-personal sensor and usage data in the Internet of Thing.
Membership

- SME providers & developers of AI solutions from across Europe.
- Leaders of AI innovation in different areas & sectors like logistics, agrifood, manufacturing, intellectual property, computer vision and AR, satellite-based services, etc.
- Different maturity level of AI-usage and development.
DIGITAL SME Focus Group on AI
https://www.digitalsme.eu/groups/focus-group-artificial-intelligence/

Activities
- Data Analysis
- Software Development
- Consultancy
- eHealth
- Predictive Analytics
- Big Data
- Robotics
- Natural Language
- Smart Cities
- Chatbot
- IT Development
- Asset Management
- Smart Working
Barriers to AI adoption
Identified by DIGITAL SME Focus Group on AI

BARRIERS
• Access to finance
• Access to data
• Finding skilled personnel

DRIVERS
• Improving predictions
• Decision making support
• Internal resource optimization

Innovation in AI by the SMEs in the focus group is largely driven by internal R&D (sometimes the initial research of the founder(s), customers, and users, and to a lesser extent academic research)

(Source: https://www.digitalsme.eu/policy/)
Barriers to AI adoption
EU-wide enterprise survey

Internal Barriers To AI Adoption

- Difficulties in hiring new staff with the right skills: 57%
- Cost of adoption: 52%
- Cost of adapting operational processes: 49%

External Barriers To AI Adoption

- Lack of public or external funding: 37%
- Data standardisation: 33%
- Uncertainty due to liability for potential damages: 33%
- Regulatory obstacles: 29%

Lack of public/external funding is perceived as the major barrier by micro, small and medium enterprises.

(Source: European enterprise survey on the use of technologies based on artificial intelligence, September 2020)
Barriers to AI adoption & Data use

Selected SME use cases

- A German SME providing AI solutions for energy management and CO2 reduction for municipalities in Germany.

- A Belgian SME providing smart data management to the city of Antwerpen which empowered entire smart city transition in Antwerpen.

- A Swedish SME using phone image data and combining it with road data to identify holes in the roads.

- A Spanish SME that develops innovative sensor concepts as well as software products, both for Earth and Brain sensing in the Space and Neurotechnology sectors.

- A Portugal SME using AI to enhance circular economy in fashion.

- A German SME developing image recognition algorithms.

- An SME in automotive SME supporting automated driving.
Eticas Research and Consulting

How to overcome barriers?
- Used a trusted third-party to anonymise personal data originating in the US that was needed in aggregated form by an EU corporation.
- We have designed governance mechanisms to facilitate data exchange ensuring that GDPR provisions are fulfilled regardless of the country where the personal data is to be used.
- We can present our work on how we facilitate cross-border data exchange while protecting privacy, accountability and explainability.

NITe

- AI based software solutions for automatic document management, i.e. data capture from handwritten and printed digital documents. Our use cases very often regard personal and financial data, and so we encountered some barriers for accessing and process the data:
- the barriers are especially related to privacy and legal issues. We typically work with different countries, within EU but also outside, such as US and UK, also sometimes with different legal frameworks.
- The solution we adopted since the beginning was to sign both sides a Non Disclosure Agreement (NDA) with the data provider where all the people dealing and working with the data are needed to sign that document and accept the responsibility to protect and non disclosure the data outside of the company. The content of NDA document covers both privacy and legal issues.
Digital SMEs as providers of solutions for data use

Digital SMEs:

- Many claim that GDPR is a disastrous and expensive instrument that hampers data driven SME chances to compete internationally. But some members don’t think so.
- Administrative burden and bureaucracy is a bit issues.
- Certification requirements and legal requirements present additional costs to SMEs and are sometimes to resource-intensive to implement.
Thank you!

www.eu hubs4data.eu
DIGITAL SME Focus Group on AI
The upcoming legal framework: European AI Act

Unacceptable risk: Prohibited

- General purpose social scoring
- Biometric mass surveillance: Remote biometric identification for law enforcement purposes in publicly accessible spaces (with exceptions)
- Exploitation of children or mentally disabled persons resulting in physical/psychological harm
- Subliminal manipulation resulting in physical/psychological harm

AI with specific transparency obligations: Permitted but subject to information/transparency obligations

- E.g. bots

High risk: Permitted but subject to compliance and ex-ante conformity assessment

- Safety components of regulated products
  - (e.g. medical devices, machinery) which are subject to third-party assessment under the relevant sectorial legislation
- Certain (stand-alone) AI systems in:
  - Access to and enjoyment of essential private services and public services and benefits
  - Law enforcement
  - Migration, asylum and border control management
  - Administration of justice and democratic processes
  - Biometric identification and categorisation of natural persons
  - Management and operation of critical infrastructure
  - Education and vocational training
  - Employment and workers management, access to self-employment

Minimal or no risk: Permitted with no restrictions

DIGITAL SME Focus Group on AI

Main AI application fields of the clients

GREEN: Strongly agree, Soft GREEN: Agree, YELLOW: Neutral, ORANGE: Disagree, RED: Strongly Disagree, GREY: N/A

Source: DIGITAL SME Focus Group on AI survey conducted by JRC. 2020.
How could the project's Services help SMEs fulfilling the AI Act?

Till Riedel, KIT/SDIL, EUHubs4Data Ethics Monitoring Group lead
Short history of the AI Act

• June 2019: High Level Expert Groups on AI defines Ethics Guidelines and Policy & Investment Recommendations for Trustworthy AI
• Feb 2020: Whitepaper „On Artificial Intelligence: A European Approach to Excellence and Trust”
• April 2021: Commission Draft of „AI Act“
• November 2021: Presidency Compromise
• March 2022: AIDA reports on AI in a digital age
‘artificial intelligence system’ (AI system) means

“software that is developed with one or more of the techniques and approaches listed in Annex I and can, for a given set of human-defined objectives, generate outputs such as content, predictions, recommendations, or decisions influencing the environments they interact with.”

(i) receives machine and/or human-based data and inputs,
(ii) infers how to achieve a given set of human-defined objectives using learning, reasoning or modelling implemented with the techniques and approaches listed in Annex I, and
(iii) generates outputs in the form of content (generative AI systems), predictions, recommendations or decisions, which influence the environments it interacts with;

„Presidency Compromise“

Try to regulate only „real“ AI...
‘I knew something was wrong’: first witness in Post Office hearing breaks down

Post Office operator tells how a faulty IT system meant he and his wife had to pay £17,000 bill
Techniques (Annex 1)

• Machine learning approaches, including supervised, unsupervised and reinforcement learning, using a wide variety of methods including deep learning;

• Logic- and knowledge-based approaches, including knowledge representation, inductive (logic) programming, knowledge bases, inference and deductive engines, (symbolic) reasoning and expert systems;

• Statistical approaches, Bayesian estimation, search and optimization methods

Fun question: what happens if I let 2Mio humans create programs and chose the best ones based on available data?
Prohibited

• Subliminal techniques
• Exploitation of vulnerable groups
• Social credit scoring
• Biometry in public spaces

should this be allowed without the use of AI??
HIGH-RISK AI SYSTEMS

- Biometric identification system (without agreement**)
- Critical infrastructure
  - road traffic, water, gas, heating and electricity
  - digital infrastructure**
  - emission/polution control**
- Education and vocational training
  - Admission
  - Assessment & Steering**
- Employment
  - Recruitment&Selection
  - Performance evaluation
- Access to public & private services
  - Benefits
  - Creditworthyness
  - Emergency Response
  - Insurance Premiums/Claims
- Law enforcement
  - Offender / victim /crime prediction & profiling
  - „lie detectors“
  - detect deep fakes
  - Reliability of evidence estimation
  - Big data forensics**
- Immigration
  - Profiling
  - Document forensics
  - Eligibility checks
- Judicial authorities
  - Interpreting the law

AIDA → warns for overregulation focusing on certain technology & use cases
Audience Question:

How many of the 10 EUHubs4Data Projects fall into areas regulated?
Our goal is to develop a creditworthiness & affordability assessment model that makes decisions based on end-user financial status and not on previous credit behavior.

We will utilize the dataset provided to create a classification engine able to predict the performance of each applicant (good/bad) in a way that would allow us to embed the model in an automated web application, allowing for real-time transaction classification.
LONG RANGE PLANNER
LONG-RANGE DRONES MISSION PLANNER TO ENHANCE POWER LINE DIGITIZATION

COMPANY
FuVeX

DOMAIN
ENERGY

COUNTRY
SPAIN

YEAR
2021

DESCRIPTION

Our goal in this project is precisely to develop a mission planner system to automatically calculate the flight path of these operations.

Over 5 million kilometers of European power lines must be inspected to ensure its good status. To perform these inspection operations, manned helicopters continue to be used. This means increased costs and a lower level of safety for the operators. Therefore, it is necessary to develop a tool, like the FuVeX mission planner, that can calculate flight paths more accurately and cost-efficiently.
IoT-SESOD aims to run closed-loop system experiment producing cybersecurity dataset(s), namely generating complete and accurate (I)IoT firmware SBoMs and their always-up-to-date vulnerability (CVE) mappings.
Documentation

• Descriptions of the AI System
  • Purpose
  • Interfaces
  • Versions of all Components
  • Variants
  • Hardware
  • Product „location“
  • Instructions of Use

• Description of Development
  • Development methodology
  • Design Specification
  • System architecture
  • **Data requirements** & provenance
  • Human oversight measures
  • continuous compliance measures
  • Validation & Testing procedures

This should be best practice for all AI products!!!!
Training (?), validation and testing data sets shall be...

- relevant
- representative
- free of errors
- and complete

- have the appropriate statistical properties, including, where applicable, as regards the persons or groups of users

⇒ This is crazy but data spaces might be the only way to achieve this…
EUHubs4Data Services

• Advanced Machine Learning Model Validation and Testing
• Design and development of AI models, their training and validation
• MLOps Infrastructure

• Assessment on data governance
• Assessment on ethical aspects of AI
• AI Consulting
• AI Training & Consulting for data-driven strategy
• Consultancy for Architecture Specification

→ Continuous testing at the core of risk management

→ Appropriateness of measures & best practices…
Research exceptions to come??

6. This Regulation shall not apply to AI systems, including their output, specifically developed and put into service for the sole purpose of scientific research and development.

7. This Regulation shall not affect any research and development activity regarding AI systems in so far as such activity does not lead to or entail placing an AI system on the market or putting it into service

(added in presidency compromise)

➔ Would Data Space / iSpaces serve as a platform/safe environment for premarket R&D?
Ethics Monitoring Group

- just some humans … (therefore we are experts)
- support to the project to mitigate risk
- a group for discussion and opinion and not decisions
Potential areas of ethical conflict

- *Privacy and Data Governance*
- Human agency and oversight
- Biases and Discrimination
- Technical robustness and safety
  - Includes potential malicious or dual use of results
- Transparency
- Societal and environmental well being
- Accountability
  - for development, deployment and use of AI

Reading Recommendation: D6.2-Legal-and-Ethical-Requirements.pdf (trusts-data.eu)
Anonymization of Location Data Does Not Work: A Large-Scale Measurement Study

Hui Zang
Sprint
1 Adrian Ct
Burlingame, CA 94010, USA
hui.zang@sprint.com

Jean Bolot*
Technicolor
735 Emerson St
Palo Alto, CA 94301, USA
jean.bolot@technicolor.com

ABSTRACT
We examine a very large-scale data set of more than 30 billion call records made by 25 million cell phone users across all 50 states of the US and attempt to determine to what extent anonymized location data can reveal private user information. Our approach is to infer, from the call records, the “top N” locations for each user and correlate this information with publicly-available side information such as census data. For example, the measured “top 2” locations likely correspond to home and work locations, the “top 3” to home, work, and shopping/school/commute path locations. We consider the cases where those “top N” locations are measured with different levels of granularity, ranging from a cell sector to whole cell, zip code, city, county and state. We then compute the anonymity set, namely the number of

Categories and Subject Descriptors
C.2.m [Computer-Communication Networks]: [Miscellaneous]; H.4 [Information Systems Applications]: Miscellaneous

General Terms
Measurement

Keywords
Cellular Data, Location, Privacy, k-anonymity

1. INTRODUCTION
TUNNLL

TUNNLL IS AN URBAN BUS SERVICE FOR SMALL TOWNS WITH LIMITED OR NO BUDGET.

DESCRIPTION

Tunnll is an urban bus service for small towns with limited or no budget.

Mass public transportation is an expensive operation. It needs to keep running many buses, even when some buses are empty. Hundreds of small towns around the world have limited or no budget for public transportation. Therefore, solutions like Tunnll are much needed for small towns.
DAMAS
DAT Driven Model for the Analysis of Sea-State

COMPANY
GMATICS

DOMAIN
MARINE

COUNTRY
ITALY

YEAR
2021

DESCRIPTION
All the services cover the sea areas only up to 10 km of distance from the coast.

The current scenario for sea state analysis and forecast is based on physical models and the two main operational services over the Mediterranean Sea are run by the Copernicus Météo France, in France, and the National Oceanography Centre, in the UK.
Suprisingly many actual findings

- Data management of sensitive personal data
- Processing of potentially sensitive personal data
- Specification of the Datasets used
- Missing data set description
- Unclear GDPR applicability
- Sensitivity of potentially used data sets

... mostly uncritical !?! (See public report on Ethics monitoring to be released by EUH4D)

Ethics should be a major concern for data driven innovation

... appropriate measures should be taken (with the help of iSpaces)
Replacing crewed helicopters for long range drones
5 MILLION KM.
## Means of inspection

<table>
<thead>
<tr>
<th>Costs</th>
<th>Issues</th>
</tr>
</thead>
</table>
| 150 €/km. | ➢ Costs.  
            ➢ Personal risks.  
            ➢ Emissions. |
<table>
<thead>
<tr>
<th>Means of inspection</th>
<th>Costs</th>
<th>Issues</th>
</tr>
</thead>
</table>
|                     | 50 €/km. | No digitization.  
|                     |       | No digital twin.  
|                     |       | Low-quality inspection.  |
First regulatory challenge:
500 m.
Max. range
## Means of inspection

<table>
<thead>
<tr>
<th>Costs</th>
<th>Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>300 €/km.</td>
<td>➢ 2x crewed helicopters costs.</td>
</tr>
</tbody>
</table>
Digitizing linear infrastructures
1/20 Costs
No personal risks/emissions
Digital twin
## REGULATION: KEY ALLIANCES

<table>
<thead>
<tr>
<th>REGULATORS</th>
<th>EARLY ADOPTERS</th>
<th>TECH. PARTNERS</th>
<th>LEGAL SUPPORT</th>
<th>FINANCIAL SUPPORT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enaire</td>
<td>IDE</td>
<td>UPNA</td>
<td>Sodena</td>
<td>Elsega</td>
</tr>
<tr>
<td>AESA</td>
<td>Naturgy</td>
<td></td>
<td>Cuatrecasas</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AGENCIA ESTATAL DE SEGURIDAD AEREA</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nafarroako Gobierno de Navarra</td>
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</tr>
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<td></td>
<td>eSmart Systems</td>
<td></td>
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</tr>
</tbody>
</table>

*FuVeX*
16 Members:

➢ Tech. & production.

➢ Management & business development.
MILESTONES

➢ Only Spanish authorization to perform long range power line inspections.

➢ Working to achieve the first EU certification.

➢ First Spanish U-Space flights

➢ ISO-9001, 3 patents y 2 M€.
REGULATORY CHALLENGES

➢ Safety:
  ➢ Autonomy.
  ➢ Range.
  ➢ Complexity: Radio line of sight, etc.

➢ Critical infrastructure data.
First regulatory challenge: 500 m. Max. range
## EUROPEAN REGULATORY CATEGORIES

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>CHARACTERISTICS</th>
<th>MARKET</th>
</tr>
</thead>
</table>
| Open     | Max. Range: 500 m.  
Low regulatory complexity. | Comoditized  
Overcrowded. |
| Specific | Long range flights.  
Autonomous flights.  
Require authorization. | Developing regulations.  
High entry barriers.  
75% of the market size. |
| Certified | Similar requirements to crewed aviation. | Regulatory development from 2023. |
➢ No standards defined.
➢ No certification achieved.

**Sector’s bottleneck**
Data captured to analyze the health of critical infrastructures.

Potential misuses: locate weak spots, critical links, etc.
Data captured to analyze the health of critical infrastructures.

Potential misuses: locate weak spots, critical links, etc.

US sanctions drone-maker DJI

The US has imposed more restrictions on Chinese drone-maker DJI and seven other Chinese companies.
Thank you!

FuVeX
FuVeX Civil S.L.
Vial Transversal 2
31500 Tudela (Navarra) Spain
Carlos Matilla • 645 59 14 66 • c.matilla@fuvex.com
www.fuvex.com
Legal recommendations on sustainable governance of the federation

Julie Baloup
Legal Researcher CiTiP KU Leuven

30th March 2022
EUH4D Federation & legal landscape

• EUH4D Federation : actor of the data economy
  • Federated European catalogue (datasets & data-driven services and trainings offered by its DIHs members)
  • Collaboration between European DIHs (facilitate the establishment of best practices, etc.)

• The data economy legal landscape
  • Current legal framework : patchwork of laws to ensure free movement of digital services & data (eCommerce Directive, Platform-to-business Regulation, GDPR, Regulation on the free-flow of non-personal data, Open Data Directive, etc.)
  • EU legislative proposals
    • Promoting AI-driven innovation → AI Act
    • Better regulating online platforms → Digital Services Act + Digital Markets Act
    • Fostering data sharing & availability → Data Act + Data Governance Act
Data sharing services (DGA Chap III)

• Data intermediaries (Art. 9(1)(a)(b)) DGA
  • Intermediation services between data holders (legal persons) and data users
  • Intermediation services between data subjects (individuals) and data users → personal data
    → Very broad notion (technical enablers included)

• Data cooperatives (Art. 9(1)(c)) DGA
  • Support data subjects/legal entities through guidance on data sharing conditions
  • Facilitate the collaborative pooling of data by individuals/businesses (SMEs)
Conditions for providing data sharing services

• **Pre-requisite : notification duty** (Art. 10 DGA)
  - Notification of the competent national authority
  - EU register of DSS providers

• **In the course of business : neutrality** (Art. 11 DGA)
  - Cross-usage of data prohibition
  - Fair, transparent, and non-discriminatory access to the service
  - Ensure continuity of provision of the service
  - Structural separation obligation → legal entity
Thank you!
Long term vision of the federation

Daniel Sáez-Domingo
Strategic Intelligence and Technology Transfer Director (ITI) - Board of Directors (BDVA)
dsaez@iti.es

30th March 2022
“Always remember your roots. They are the foundation of your life and the wings of your future”
BDVA i-Spaces, the key element for the ADOPTION of Data technologies

Cross-organizational and cross-sectorial environments, where research on BDV technologies and novel BDV applications can be quickly tested, piloted and exploited

- Technical and non-technical activities, bringing data, technology, application developments together and fostering skills, competences and best practices
- Rely on existing national and European initiatives, federate, complement and leverage activities of similar national incubators / environments and existing PPPs
- Needs of large and small companies, to ensure access to economic opportunities offered by BDV, testing the viability of actual business deployments

- Incubators and accelerators of data driven innovation

- Data driven services
- Experimentation and Innovation infrastructures
- Access to local SMEs / ecosystem
- Access to local / regional data
- Access / Key pillar in European Initiatives
Key pillar in European Initiatives

- Data Spaces
- Testing and Experimentation Facilities (TEF)
- eDIH (in BD and AI)
- Evaluation Facilities
- DSBA / DSSC
Why a Federation?
We are in the best position to give quality to experimentation, innovation and deployment of Data Technologies.

- Long history of collaboration inside BDV PPP
- Shared best practices
- Complete and balanced catalogue
- European coverage
- Joint infrastructures, services, people
- Reference environment for data driven testing and experimentation
- Sustainable structure
- Access to more and better customers
- Access to additional funding
- Multiply the access to European initiatives

Federation of i-Spaces / data driven hubs

- 36 hubs
- 35 regions
- 21 countries
The vision
Taking profit of EUH4D impulse, but looking for independent sustainability

Influencing policies and raising funds for the experimentation and innovation

Leveraging on the BDVA i-Spaces quality label (need to reaply constantly)

With a common and interoperable catalogue of services

Connected to the European landscape

Create a coordinated, open and vibrant group of iSpaces
Network of EDIHs

Point of entry to other European initiatives (access as a service)

European coverage

Testing Experimentation Facility on AI

European Data Space Y
A BDVA and EUH4D Joint work
Federation WG purpose and plan

- EUH4D proposal for a Governance and operationalization of the **Federated Assets**
- Updates in ToR (and CoC) (if needed)

EUH4D Handbook (final recommendation for Governance and Operating model)

---

**Meeting CEOs/Decision makers**

- Sustainability and business plan draft
- Proposal CoC and ToR (V1)

**Meeting CEOs/Decision makers**

- Governance and operational tools
- Federated assets
- Content
- Ecosystem (of SMEs)
- Exploitation and Business Plan

**Establishment Federation: EBDVF 2022**

- Hosting Federating WG (with its own Governance)
- Engagement in additional activities: Roadmap / SR1A
- Strategic Agenda / Future Funding / Industrial AI / Alignment DSBA / Standards / EuroHPC alignment / etc

**EBDVF 2023: Federation phase 2**

- Additional iSpaces to become part of the Federation WG

**Additional iSpaces to become part of the Federation**

---

**BDVA**

**iSpaces labelling 2022**

**iSpaces labelling 2023**
Thank you very much
The word “hub” has become very popular and is overused

Many different entry points for SMEs and Industry:
- DIHs, EDIHs, Competence Centres, ...
- On the data side → DSBA: GaiaX Hubs, BDVA iSpaces, Fiware iHubs, IDSA Hubs
- Technology oriented hubs and networks

Technology convergence...

Maturity
DIHs
Hubs – Towards a coherence of instruments: Actions

**DSBA:**
- Create a pan-European knowledge network, where hubs can improve their networking and business possibilities.
- Increase their opportunities, for example creating synergies within the same country.
- Drive activities such as skills development, certification, or experimentation and help to disseminate DSBA results, through their regional, and national network.
- Cross-dissemination actions to support other hubs, to improve transparency by giving easy access and multiple entry-points to the network

**EuHubs4Data:**
- EDIH and iSpaces/EUH4D (Corridors)
- iSpaces collaboration with HPC CC
Introduction to the European federation of data-driven innovation hubs

Daniel Alonso (ITI, EUH4D project coordinator)

30th March 2022
Final remarks
• European Data regulation will affect the way the federation will run and operate

• European Data regulation as the basis to build a trusted and fair federation

• DIHs and the federation as experimentation field for regulations (regulatory sandboxes)

• Already learning from the activities in the project

• Project just as the starting point

• Ready and mature enough to adopt and to contribute to European Data Strategy
Do you want to be involved?

- Are you a SME?

  -> Third EUH4D **open call for experiments** to be launched in **September**

  **Access to** the latest developments on **Data Analytics** and advanced assets on **Big Data**.

  Technical & business coaching and continuous follow-up **support by Digital Innovation Hubs (DIHs)** valued up to **70,000€ per experiment**

  **€**
  - **60,000€** financial support
  - **Visibility and promotion.**
  - **Exploitation plan**

  [https://euhubs4data.eu/](https://euhubs4data.eu/)
Do you want to be involved?

• Are you a DIH?
  
  -> BDVA i-Spaces 2022 call to be launched before summer

https://www.bdva.eu/node/1173
Do you want to be involved?


• Co-organized by BDVA and EUH4D

• Opening, regional workshops, online activities and final physical event

• 24th May / 9th June