TEN LEGAL PERSPECTIVES
ON THE “BIG DATA REVOLUTION”

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Abstract

This paper aims at exploring from a civil law perspective the impact that the “big data revolution” may have on traditional legal categories. The last decade has been characterized by the emergence of three phenomena linked to technological evolution: a) the massive extraction and accumulation of any information which relates to humans, their life and the environment in which they live; b) the introduction on large-scale of entities capable of acting independently from man’s will; c) the use of Internet as a sensitive, connective tissue capable of recording, processing and disseminating information and thus influencing the relationship between the human/sentient paradigm and the automated/predictive one.

The article examines these phenomena using ten typical legal categories: ownership, control over one’s data, access to data, transactions concerning data, consumer transactions, contractual and extra-contractual liability, competition issues, choice of law and jurisdiction, state sovereignty, philosophical and ethical issues.

Keywords: Big Data, IoT, Data protection, Property, Vicarious Liability, Digital consumers

JEL classification:


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(***) This article is the result of a common research. Paragraphs 3, 4, 6, 7 and 8 are by G. Giannone Codiglione; Introduction, conclusions and paragraphs 1, 2, 5, 9, 10 are by V. Zeno-Zencovich.