

Contents

Data access as a means to promote consumer interests and public welfare – An introduction	11
<i>Josef Drexl</i>	
<i>On the need for additional access rights</i>	
Enhancing access to and sharing of data: Striking the balance between openness and control over data	27
<i>Christian Reimsbach-Kounatze</i>	
Data access, consumer interests and social welfare – An economic perspective on data	69
<i>Bertin Martens</i>	
A legal framework for access to data – A competition policy perspective	103
<i>Heike Schweitzer and Robert Welker</i>	
<i>The larger legal framework</i>	
The constitutional framework for data access rights	157
<i>Thomas Fetzer</i>	
The legal framework for access to data from a data protection viewpoint – especially under the GDPR	175
<i>Indra Spiecker genannt Döhmann</i>	
The existing European IP rights system and the data economy – An overview with particular focus on data access and portability	209
<i>Matthias Leistner</i>	

Taking stock of existing data access regimes

Data access rules: The role of contractual unfairness control of (consumer) contracts 255

Michael Grünberger

Access to and porting of data under contract law: Consumer protection rules and market-based principles 287

Axel Metzger

Data portability under the GDPR: A blueprint for access rights? 319

Ruth Janal

Safeguarding innovation in the framework of sector-specific data access regimes: The case of digital payment services 343

Jörg Hoffmann

Data access rights – A comparative perspective 401

Louisa Specht-Riemenschneider

Paving the way for future reforms

From (horizontal and sectoral) data access solutions towards data governance systems 441

Wolfgang Kerber

Connected devices – An unfair competition law approach to data access rights of users 477

Josef Drexler

The law and policy of government access to private sector data ('B2G data sharing') 529

Heiko Richter

Contributors 573