

Vincent Winkler

Rechte an Daten im Zivilrecht

Eine vergleichende Betrachtung des Rechts der Bundesrepublik Deutschland und der Volksrepublik China

[Rights to Data in Civil Law. A Comparative View of the Laws in the Federal German Republic and the People's Republic of China.]

Published in German.

The protection of virtual property and personal information in articles 111 and 127 of the newly enacted Chinese Civil Code establishes the cornerstone in favour of the development of legal attributes to data. The civil code of Germany does not provide an explicit regulation for this so far. Against this background, Vincent Winkler's comparative legal study analyses the existing regulatory regime, taking into special account the relevant national case law. The subject matter is subdivided into virtual property, non-personal data as well as personal data, and the applicability of property law, intellectual property law, tort law, and contract law examined. Particular attention is paid to the much-discussed fields of the status of data during bankruptcies and the ability to bequeath digital assets.

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