

Bird & Bird & Legal Rights in Data

UK Perspective

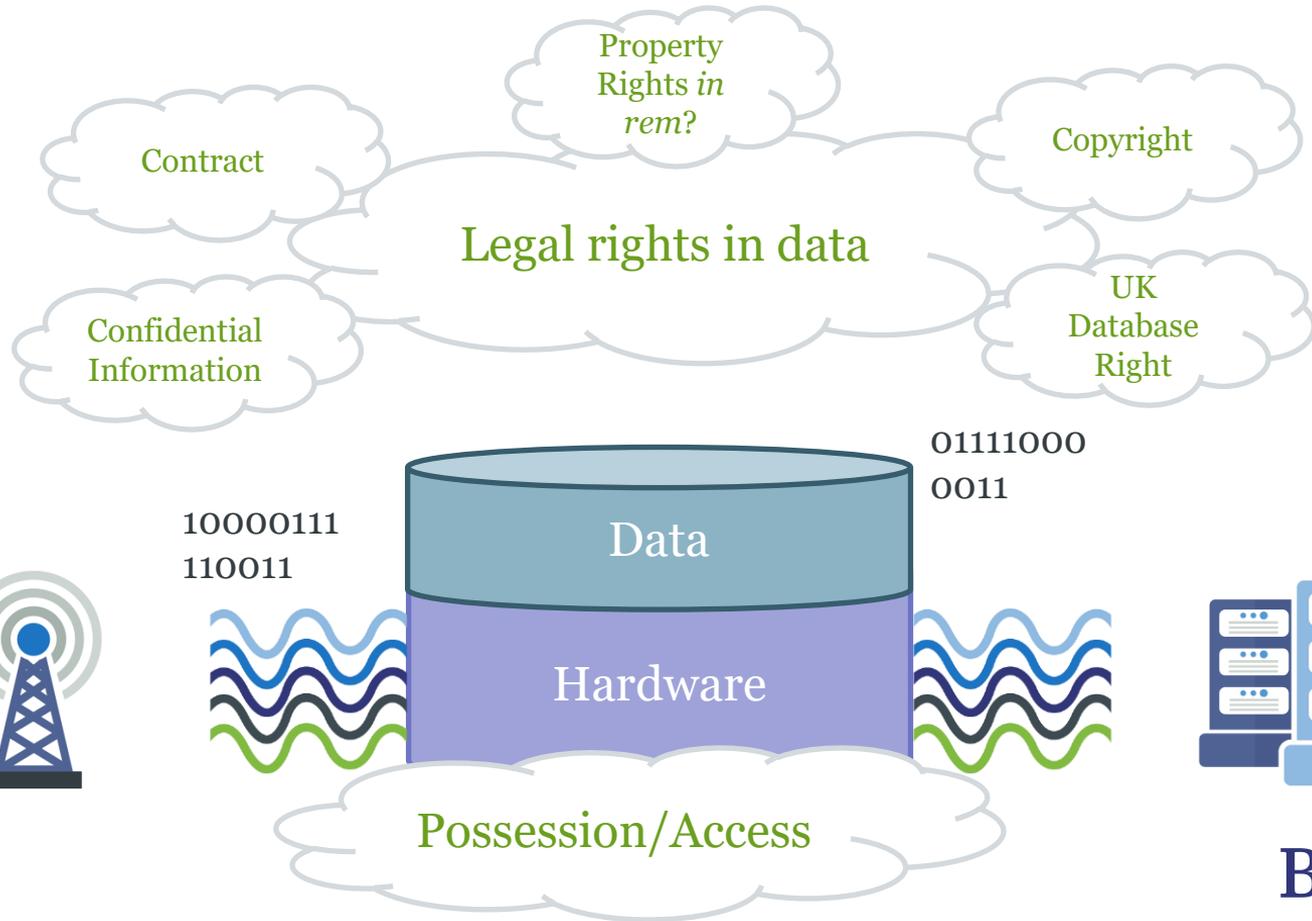
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Data "ownership"



Property Rights *in rem*?

Can data or information *per se* be property?

- Questions answered by the courts to date:
 - Can information be unlawfully taken? **No**
 - *Oxford v Moss* (1979) 68 Cr App Rep 183
 - *Douglas v Hello! Ltd (No.3)* [2005] EWCA Civ 595
 - Is confidential information a form of property? **No**
 - *Senior v Celgard* [2020] EWCA Civ 1293
 - *Thaler v Comptroller General* [2021] EWCA Civ 1374
 - Is electronic information a form of property? **No**
 - *Your Response v Datateam* [2014] EWCA Civ 281

