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Ministry of EnterpriseS: new call for proposals 2024 for the allocation of 32 million euros for patents, trademarks and designs.



DATA PROTECTION

4 September 2024 - The Irish Data Protection Commissioner asks the European Data Protection Board to adopt an opinion on the use of personal data for training purposes of Artificial Intelligence models.

The Irish Data Protection Commissioner announced the conclusion of the proceedings it brought before the Irish High Court on 8 August 2024 and focused on the significant concerns that the processing of personal data contained in the public posts of X's EU/EEA users for the purpose of training its AI 'Grok' gave rise to a risk to the fundamental rights and freedoms of individuals. The proceedings have been struck-out on the basis of X's agreement to continue to adhere to the terms of the undertaking ([DPC Statement issued 08 Aug 24](#)) on a permanent basis.

This was the first time that the DPC, as Lead Supervisory Authority across the EU/EEA, has taken such action. More broadly, the DPC is addressing issues arising from the use of personal data in AI models across industry. In this perspective the DPC made a request to the European Data Protection Board (EDPB) for an opinion pursuant to Article 64(2) GDPR. This request has been made in order to trigger discussion and facilitate agreement, at EDPB level, on some of the core issues that arise in the context of processing for the purpose of developing and training an AI model, thereby bringing some much needed clarity into this complex area. The opinion invites the EDPB to consider, amongst other things, the extent to which personal data is processed at various stages of the training and operation of an AI model, including both first party and third party data and the related question of what particular considerations arise, in relation to the assessment of the legal basis being relied upon by the data controller to ground that processing.

The DPC hopes that the resulting opinion will enable proactive, effective and consistent Europe-wide regulation of this area more broadly. It will also support the handling of a number of complaints that have been lodged with/transmitted to the DPC in relation to a range of different data controllers, for purposes connected with the training and development of various AI models.

ARTIFICIAL INTELLIGENCE.

3 September 2024 – EU Parliament releases Briefing EU Legislation in Progress paper on EU AI Act.

European Parliament released a [Briefing EU Legislation in Progress paper](#) on the EU Artificial Intelligence Act (EU AI Act).

The paper includes:

- the changes the original EU AI Act proposal was to bring;
- opinions of the Advisory committees and national Parliaments; stakeholder views, including from the Big Data Value Association, civil rights, European Enterprises Alliance, and European Consumer Organization (BEUC) on consumer protection;
- academic and other views, including on the artificial intelligence (AI) systems definition, risk-based approach, governance structure, and enforcement and redress mechanisms;
- legislative process, from the negotiation phase to the final text;
- the key provisions of the final text, including the scope of application, risk-based approach, sandboxing and real-world testing, enforcement and institutional setting, and entry into force timelines; and
- latest issues in the policy debate, including the implementation challenges, whether the EU AI Act has gone far enough in preventing and/or mitigating the risks, and international harmonization.

DIGITAL MARKETS

4 September 2024 - Publication of Resolution AGCOM 270/24/CONS: amounts and modalities of payment due by intermediary services providers to the Italian Communications Authority - AGCOM to contribute to its functioning as national coordinator of digital services under the Digital Services Act (Reg. 2022/2065 - DSA).

The Italian Communications Authority (AGCOM) has taken on the role of Digital Services Coordinator for Italy, as provided for by the Digital Services Act (DSA – EU Regulation 2022/2065). In this capacity, the Authority is, *inter alia*, responsible for the supervision and application of the Regulation on Digital Services in Italy; it ensures coordination with the other competent national authorities in charge of supervision and the application of the provisions of the aforementioned Regulation; it exercises functions of accreditation and certification of external subjects (trustworthy signalers, out-of-court dispute resolution bodies, qualified researchers); it carries out monitoring and reporting activities; it cooperates with the other Coordinators of digital services, with the European Commission and with the European Digital Services Committee in the supervision and application of the DSA.

For these purposes, subjects established in Italy that provide intermediary services such as 'mere conduit services', 'caching services', 'hosting services', as well as online platforms and online search engines - also established in Italy - whose amount exceeds EUR 500,000.00 (five hundred thousand/00) are required to contribute to the coverage of the so-called operating costs.

The contribution to be paid is equal to 0.135 per thousand of its revenues from the provision of intermediary services as resulting from the balance sheet for the accounting year 2022. The contribution must be paid within 30 days starting from 4 September, through the PagoPA system or, if not available, by bank transfer to the current account in the name of the Communications Authority.

2 September 2024 - BEUC publishes position paper on implementation of DMA obligations by Meta, Apple, Google, Amazon, ByteDance, and Microsoft.

The Digital Markets Act is a crucial piece of legislation to prevent Big Tech (gatekeepers) from controlling digital markets and give consumers greater choice and protection. For example, Apple can no longer force consumers to use its payments system for in-app purchases on iPhones or iPads. Meta will have to provide the possibility for WhatsApp users to communicate with users of other instant messaging platforms. Alphabet/Google must actively ask consumers which search engine they want to use.

However, although the legislation has been in application since early 2024, we have detected various examples of possible non-compliance from the companies in question, with likely negative consequences for markets and consumers alike.

We summarise in this new paper how we believe Apple, Meta, Alphabet/Google, Amazon, ByteDance and Microsoft are not complying with the most important, consumer-facing parts of the law. Some of these elements have already been picked up by the Commission in its non-compliance [investigations](#) and [preliminary findings](#) issued in the spring and summer.

In particular, from BEUC's perspective, several gatekeepers:

- steer consumers to provide consent to use their personal data across the services of the gatekeeper, including for advertisements;
- deter consumers from choosing alternative payment services or subscribing to cheaper services;
- make it difficult for consumers to change default settings; and
- show preferential treatment of their own services in the general search results.

Furthermore, according to BEUC:

- Meta lacks in providing information on the implementation of interoperability between its instant messaging services (WhatsApp and Messenger); and
- Amazon uses behavioural techniques that make it harder to unsubscribe from Amazon Prime than to subscribe.

INFORMATION TECHNOLOGY

4 September 2024 - New technical specifications for the Telematic Civil Process and the Telematic Criminal Process in force since 30 September 2024.

With the decree of the DGSIA of the Ministry of Justice of 2 August 2024, the new technical specifications provided for in Article 34, paragraph 1, of the decree of the Minister of Justice dated 21 February 2011 No. 44, containing the *Regulation on the technical rules for the adoption, in the civil trial and criminal trial, of information and communication technologies*, were adopted.

The above rules definitively set up the procedure introduced by Ministerial Decree no. 217 of 29 December 2023, which outlined new management issues of the telematic civil and criminal trial system and which, although in force since 14 January 2024, was not in fact operational precisely because it was subject to the issuance of the technical provisions entrusted to the General Directorate for Automated Information Systems, which, in turn, was subject to the passage of prior consultations between the bodies in various capacities concerned with the matter (the one issued on 1 March 2024 by the Digital Italy Agency and the other, issued on 6 June 2024 by the Italian Data Protection Authority).

1 September 2024 - Chamber of Commerce of Rome: the call for Digital Vouchers 2024 makes available 7 million euro non-repayable for micro, small and medium-sized enterprises in the Rome metropolitan area.

The Digital Voucher 4.0 for the year 2024 provides non-repayable contributions for consultancy, training and the purchase of goods and instrumental services aimed at the introduction of technologies in the Impresa 4.0 environment.

The subsidies are granted in the form of vouchers, equal to 70 per cent of eligible expenditure, up to a maximum amount of EUR 10,000.00 per enterprise. Eligible companies are micro, small or medium-sized enterprises with registered offices and/or local units in Rome and its province that purchase instrumental goods and services, including devices and connection costs, functional to the acquisition of the technologies envisaged or consultancy and/or training services related to one or more technologies.

The applications must be transmitted exclusively in telematic mode with digital signature, through the web tool Telemaco of Infocamere - Servizi e-gov, from 09:00 of 12 September 2024 to 14:00 of 26 September 2024.

INTELLECTUAL AND INDUSTRIAL PROPERTY

Ministry of Enterprise: new call for proposals 2024 for the allocation of 32 million euros for patents, trademarks and designs.

With the publication in the Official Gazette of the director's decree of 31 July 2024 on the programming of the resources to be allocated for the year 2024 to the Patents+, Designs+ and Trademarks+ measures, the process of reopening the calls for tenders has begun in order to ensure continuity in the support of small and medium-sized enterprises for the valorisation of industrial property rights.

The total budget of 32 million euros to be allocated for grants to SMEs is reallocated as follows



20 million for Patents+;
10 million for Designs+;
2 million for Trade Marks+.

With the subsequent issuing of the calls for proposals (which will take place within the next 30 days from 4 September 2024) the deadlines for submitting applications will be set.
