

Debunking the Myths: How the value of data should be treated in law

Myth

“...providing my data is the same as paying with money...”

- ⇒ **Unlike money, data has no standardised value, it is infinite and reusable, inexhaustible and its value differs across contexts.**
- ⇒ In many instances, data in its raw form has no inherent value and **significant investment needs to be made to generate value from it.**
- ⇒ As [outlined](#) by the EDPS: “*if personal data might be compared with money to some extent, they are obviously not identical. Giving his/her data does not deprive the individual from the possibility to give the same data again to another provider*”. He also “warns against any new provision introducing the idea that people can pay with their data the same way as they do with money”. Data is not the new oil, on the contrary it’s like sunlight, it’s infinite.

Myth

“...companies sell my data to fund the free services I use”

- ⇒ Data collected for digital services are used for a variety of reasons. According to a recent [Deloitte](#) study, 35% of businesses use data provided for service improvements, 23% use it to enable the product to function, and 22% to improve security. Data can also be used to show relevant, personalised ads which help digital content suppliers to provide content and services for free. However, monetising data for advertising purposes doesn’t mean that companies sell user data.
- ⇒ Next to ad-generated revenue, **many companies gain most of their revenue from a small number of consumers who opt for in-app purchases** while the vast majority of players never make payments (78% of players don’t make in-app purchases, Deloitte).

Myth

“...non-personal data has economic value and should have additional regulations...”

- ⇒ As recently clarified by the EDPS, nearly all data that consumers provide by using a digital service can be considered “personal data” and is therefore already covered by the GDPR.
- ⇒ Under the GDPR, consumers will have even stronger rights over their personal data, including the right to be forgotten, the right to access and the right to data portability. These will all apply to data collected while free or paid-for content is used.

Myth

“...I might not get my content back if I change service provider...”

- ⇒ Industry has invested in giving consumers technical means to download content that they create, and that is useful to them. More than ever, reputation is of paramount importance and redress has never been so easy as in the online world. Pictures taken and uploaded to a cloud service by a user, online phonebooks created, emails stored- all these are examples of data that is actively provided by a consumer while using a service. For service providers it is already common practice that this kind of content is retrievable.
- ⇒ The GDPR already provides users with the right to retrieve personal data, which is very broadly defined.
- ⇒ Any service provider who refuses to return consumer content already faces data protection authorities and potentially a fatal loss of trust.