

Postscript

On March 26, 2017, Professor Lian Yuming, director of the Big Data Strategy Key Laboratory, first proposed the “Data Rights Law” at the second reading meeting in Guiyang, officially publicizing the systematical explanations for the concepts of “data rights,” “data rights system” and “digital rights law.” On May 22, Comrade Chen Gang, then member of the Standing Committee of the Guizhou Provincial Party Committee and secretary of the Guiyang Municipal Party Committee, exchanged views with Professor Lian Yuming and put forward a series of important views, and requested the Big Data Strategy Key Laboratory to speed up cooperating with the China University of Political Science and Law. On June 6, the Guiyang Municipal People’s Government signed an agreement with the China University of Political Science and Law establishing the Strategic Research Laboratory for Big Data at China University of Political Science and Law. On July 6, China University of Political Science and Law approved the establishment of China’s first research center for data rights law.

Subsequently, the Key Laboratory of Big Data Strategy successively released a series of major theoretical achievements. “Data Rights Law” became an important issue. Among them, *Block Data 3.0: Order Internet and Sovereign Blockchain*, proposes that from data to data rights, it is the inevitable outcome for human society heads towards digital civilization. Like human rights and property rights, we also have the data right. When the Internet, big data, blockchain and law are married, the world is really different. In the book, *Redefining Big Data: Ten Driving Forces that Will Change the Future*, the author proposes a major judgment on data rights law that from farming civilization to industrial civilization and to today’s digital civilization, human beings head towards the era of “data rights” from “human rights” and “property rights,” and the law completed a major transition from the “human law” and “physical law” to the “digital law.” *Blue Book of Big Data: Annual Report on Development of Big Data in China No. 1* explains the legitimacy and possibility of data rights law from the perspective of jurisprudence, and then points out that in China’s existing legislative

system, big data is in the “grey zone” of law and supervision. This stems from the weakness of the legal basis of data rights, especially the lack of dynamic interpretation towards the background of data rights, the lack of systematic construction towards the data rights theory system and the lack of legislation on the data rights value order. *Blue Book of Big Data: Annual Report on Development of Big Data in China No. 2* explores the theoretical basis of data right, initially puts forward the basic concept of data rights system, further proposes the vision and prospect of the legislative framework of data rights law and proposes the sharing rights definite a new life of the remixing era and the data rights law reconstructs a new order of digital civilization. *Block Data 4.0: Activating Data Science in the Age of Artificial Intelligence* combines the theory of activation data science to discuss the importance of data rights law for the era of cloud-brain. The data rights law has become the legal basis for constructing the community of human destiny in cyberspace. On the basis of the continuous systematic research of the data rights law, China National Committee for Terms in Sciences and Technologies first approved the “Top Ten New Terms of Big Data” at the 2017 China International Big Data Industry Expo, and the “data rights law” was selected. Since then, the term “data rights law” has been officially recognized, entered the official vocabulary and quickly became popular.

Data Rights Law 1.0: The Theoretical Basis contains a comprehensive discussion of the data rights, focuses on the theoretical logic, value logic and legal logic of data rights law, which is also the legal philosophy of the data right. This book attaches the main thread of data rights, data rights system and data rights law, under the context of “re-mixing theory” discusses the theoretical basis of data rights with reference to “human rights theory” and “property rights theory,” through the comparison with human rights and property rights reveals the legitimacy basis of data rights law in legal philosophy, thus demonstrates the possibility, necessity and inevitability of the creation of data rights system. This book believes that the data right is the right that everyone shares data to maximize value, and its essence is the sharing right. From the legal characteristics, the data rights are a combination of personal rights and property rights. The subject of data rights is the specific right holder, and the object is a specific data set. The data rights break through the limitations of “one ownership for one object” and “properties are tangible,” often manifested as “multiple ownerships for one data.” The

data rights have private right attributes, public right attribute and sovereign attribute. The data rights system mainly includes the statutory system of data rights, data ownership system, system of data usufruct, system of data rights for public interests and sharing system. The data rights law is a legal system that regulates data ownership, right, use and protection. The marriage of data and law opens a new order in the era of digital civilization. The digital civilization provides the origin of value and the driving force of innovation for the creation of data rights law. The data rights law also provides an existing basis for the system maintenance and order promotion of digital civilization. The data rights law is the product of civilization transition, and will also be the new order of human beings reform from industrial civilization to digital civilization. Together with the property law, it constitutes the two legal foundations of the era of digital civilization.

This book is another major innovation outcome that was launched on the basis of block data theory study. The Key Laboratory of Big Data Strategy organized experts and scholars in the field of big data and researchers of data rights theory to conduct discussion, in-depth research and centralized writing. In the study and writing process of this book, Lian Yuming put forward the overall idea and core view, and carried out the overall design of the framework system. Wu Jianzhong, Song Xixian, Long Rongyuan, Hu Jing refine outline and theme thoughts, mainly Lian Yuming, Zhu Yinghui, Wu Jianzhong, Zhang Tao, Song Qing, Hu Hairong, Song Xixian, Long Rongyuan, Zhang Junli, Hu Jing, Zhang Longxiang, Zou Tao, Chen Xi, Luo Liping, Zhai Bin, Yang Guanhua, Wang Qianru, Tian Run, Luo Rong, Zheng Ting, Chen Wei were responsible for writing. Chen Gang put forward many important forward-looking and guiding points for this book. He believes that the data rights are a new object of rights, a new type of rights, a new right attribute and a new power and function of rights. These four “new” lay a theoretical foundation for the book, and further enrich the book’s ideology and theoretical system. Yan Aoshuang, deputy director of the Standing Committee of the Beijing Municipal People’s Congress, Li Zaiyong, member of the Standing Committee of the Guizhou Provincial Party Committee, executive deputy governor of Guizhou, Zhao Deming, member of the Guizhou Provincial Party Committee, deputy secretary of the Guiyang Municipal Party Committee, Chen Yan, deputy secretary of the Guiyang Municipal Committee, mayor of Guiyang, Li Zhong, the Standing

Committee of the Guiyang Municipal People's Congress, Nie Xuesong, member of the Standing Committee of Guiyang Municipal Committee, Secretary of the Municipal Party Committee, Minister of the United Front Work Department of the Municipal Party Committee, Xu Hao, member of the Standing Committee of the Guiyang Municipal Committee, Executive Vice Mayor of the Municipal People's Government, Professor Li Zheng, director of the Research Department of China University of Political Science and Law, Professor Ben Shenglin, dean of the Academy of Internet Finance (AIF) of Zhejiang University, Professor Wang Jijun and Professor Sun Shuyun of Shanxi University Law School contributed a lot of forward-looking thoughts and opinions to this book. In particular, Dr. Liu Shengguo, partner and lawyer of Tianchi Juntai Law Firm, carefully reviewed the book and put forward many professional suggestions and opinions.

On June 30, 2018, hosted by China University of Political Science and Law, Global City Development Corporation Council, Beijing, Guiyang Innovation-Driven Development Strategy Research Institute, sponsored by Key Laboratory of Big Data Strategy Research Base at China University of Political Science and Law, "the first seminar of Digital China Think Tank Forum on Data Rights Law" was held at the China University of Political Science and Law. Professor Li Zheng, director of the Research Department of China University of Political Science and Law, presided over the meeting. Jin Chengbo, professor of the Party School of the Central Committee of the Communist Party of China, Xie Haiding, researcher of the Institute of Law of the Chinese Academy of Social Sciences, Cheng Xiao, deputy secretary of the Party Committee of Law School of Tsinghua University, Zhang Jianwei, professor at the Law School of Tsinghua University, Chen Yongsheng, professor of the Law School of Peking University, Professor Yin Fei, dean of the School of Law of Central University of Finance and Economics, Professor Long Weiqiu, dean of Law School of Beijing University of Aeronautics and Astronautics, Wu Changhai, vice president and professor of the Capital Economic Research Institute of China University of Political Science and Law, Chen Huabin, professor at the School of Law of Central University of Finance and Economics, Professor Chen Jingshan, deputy editor of the *Journal of China University of Political Science and Law*, Xue Kepeng, professor of Civil and Commercial Economics Law School of China University of Political Science and Law, Professor Zhao Hongmei, director of the Institute

of Social Law of China University of Political Science and Law, Associate Professor Zhu Wei, director of the Center for Communication Law of China University of Political Science and Law and Li Min, associate professor of the Law School of China University of Political Science and Law, attended the meeting and proposed many constructive opinions of farsightedness. Experts unanimously believe that this book creatively put forward the concept of “data rights law,” which is the first book in China and even the world to be named after data rights law, with data rights as the research object, and the meaning of which is extraordinary, and has epoch-making significance.

On July 19, 2018, sponsored by Academy of Internet Finance (AIF) of Zhejiang University, Global City Development Corporation Council, Beijing, Guiyang Innovation-Driven Development Strategy Research Institute hosted by Key Laboratory of Big Data Strategy Research Base at Zhejiang University, Research Center for Prospect of Big Data Financial Risk Prevention of Zhejiang, the Second Seminar of Digital China Think Tank Forum on Data Rights Law was held at Zhejiang University. Professor Li Youxing, deputy dean of the Academy of Internet Finance (AIF) and Guanghua Law School of Zhejiang University, presided over the meeting. Professor Zhong Ruiqing from Guanghua Law School of Zhejiang University, Huang Zhongdong, associate professor of the Computer Science and Technology College of Zhejiang University, deputy director of Joint Research Center of Frontier Technology of Alibaba-Zhejiang University, Zhang Jin, deputy director of the Legislative Affairs Office of Zhejiang Provincial People’s Government, Wang Yuwei, senior partner of Beijing GuanTao and Shanghai ZhongMao Law Firm, Zhang Yongliang, associate professor at the School of Law of the Zhejiang Agriculture and Forestry University, Qi Xinyu, data expert of Ant Financial Research Institute, Dong Wang, associate professor at the School of Management of Zhejiang University, Liang Cai, director of Wind Control of Shanghai Data Exchange Center, Zhu Yue, Ph.D. candidate from Guanghua Law School of Zhejiang University, Zhou Lingrong, general manager of Zhuji Bushenglian Health Industry Group, attended the meeting and delivered a speech. Experts agree that the concept of “data rights law” will certainly become an innovation and breakthrough in the field of law. It can be said that this book is a pioneer in the field of data rights law. For data rights, whether acknowledged or rejected, it has been integrated into our lives. Data rights, the data rights system and

data rights law are still a new thing for us, there are many problems needing to be discussed and resolved, but the future prospects are bright.

On July 31, 2018, sponsored by China National Committee for Terms in Sciences and Technologies, Global City Development Corporation Council, Beijing and Guiyang Innovation-Driven Development Strategy Research Institute, hosted by the Key Laboratory of Big Data Strategy Research Base at China National Committee for Terms in Sciences and Technologies, the third seminar of Digital China Think Tank Forum on Data Rights Law was held in Beijing. Liu Qing, the former full-time deputy director of China National Committee for Terms in Sciences and Technologies, presided over the meeting. Wen Kui, former president and professor of Capital University of Economics and Business, Zhang Qingxi, deputy director of Beijing Philosophy and Social Science Planning Office, Duan Xia, director and professor of Beijing Key Laboratory of Urban Group System Evolution and Sustainable Development Decision-making Simulation of Capital University of Economics and Business, Liu Rui, director and editor of Intellectual Property Publishing of the Social Knowledge Certification Platform Operation Center, Deng Pan, assistant dean of the Beijing University of Big Data Research, and Chang Baobao, associate professor of the School of Information Science and Technology, Peking University attended the meeting and delivered speeches. Experts fully affirmed and highly appraised the proposal of data rights law. It is unanimously believed that the study of data rights law focuses on the reality and more on the future; pays more attention to the physical space and more to the virtual space, which is of great significance to the era of re-mixing that is or is about to come. In particular, experts have put forward many constructive opinions on the major issues such as the “data person” hypothesis, the protection of data rights and the sharing rights proposed in this book.

The future has already come, yet we are facing the laws of the twentieth century and the reality of the twenty-first century. The legal response in the digital age is bound to become a legal proposition that keeps pace with times and grand narrative. The study of data rights law is a groundbreaking and epoch-making work. It is a major social or academic issue that future generations cannot bypass in any way. Even if we don't touch it now, future generations must study it. We are only one step ahead and willing to be the first person to “eat crabs.” Here, special thanks go to the leaders and editors of the

Social Sciences Academic Press President Xie Shouguang highly affirmed and provide support of publishing for this book with forward-thinking, unique vision and superhuman courage and director Deng Yonghong, personally organized a number of editors to carefully plan, edit and design, therefore, the book can meet with readers as scheduled. Of course, this is only the first step in our study. We will continue to introduce the *Data Rights Law 2.0: System Design of Data Rights*, *Data Rights Law 3.0: Legislative Foresight*, *Data Rights Law 4.0: Right to Share and Right to Privacy*, *Data Rights Law 5.0: Data Rights Theory and New Ethics*, in order to further perfect the theoretical system of data rights law. The work we are doing now is only a theoretical exploration, which only provides scholars with a possible legal proposition or some research resources. A small book of 300-page can not answer everyone's question, but it is more important to let people think than to give an answer. In the process of editing, we try our best to collect the latest literature and absorb the latest ideas to enrich the content of this book. Despite this, due to the limited capacity and academic ability, there are inevitable omissions in the book. In particular, if there is any regrettable omission on the cited literature and sources, we hope you can criticize and correct.

Key Laboratory of Big Data Strategy
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