

Scope of EU Data Act (DA) for non-EEA Companies

Gabriel Kasper, Extraterritorial Scope of EU Digital Strategy, October 10, 2024 in www.swissprivacy.law/321
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Please specify
for the specific
case:

Company:

DA Article:

1(3)(a)	Connected product:
2(5)	
2(1)	
2(12)	

Material scope:

Is there a connected product involved in the business activities of the company?

- **"Connected product"** refers to an item that obtains, generates or collects data concerning its use or environment and that is able to communicate product data via an electronic communications service, physical connection or on-device access, and whose primary function is not the storing, processing or transmission of data on behalf of any party other than the user.
- **"Data"** refers to any digital representation of acts, facts or information and any compilation of such acts, facts or information, including in the form of sound, visual or audio-visual recording.
- **"User"** refers to a natural or legal person that owns a connected product or to whom temporary rights to use that connected product have been contractually transferred, or that receives related services

Yes

No

Is there a related service involved in the business activities of the company?

"Related service" refers to a digital service, other than an electronic communications service, including software, which is connected with the product at the time of the purchase, rent or lease in such a way that its absence would prevent the connected product from performing one or more of its functions, or which is subsequently connected to the product by the manufacturer or a third party to add to, update or adapt the functions of the connected product.

1(3)(a)
2(6)

Related Service:

Yes

No

Personal scope:

If there is a connected product, is the company the manufacturer of such product?

Yes

No

1(3)(a)

If there is a related service, is the company the provider of such service?

Yes

No

1(3)(a)

Territorial scope:

If there is a manufacturer of a connected product, does the manufacturer place it on the market in the EEA?
"Placing on the market" refers to the first making available of a connected product on the EEA market.

Yes

No

1(3)(a)
2(22)

EEA countries:

If there is a provider of a related service, does the provider offer such service to customers in the EEA?

Yes

No

1(3)(a)

EEA countries:

DA applies 

DA not applicable

Note: The DA may also apply to other legal entities, in particular data holders and providers of data processing (including cloud computing) services located outside the EEA (cf. article 1(3)(c), (f) DA. Certain obligations under the DA do not apply to micro or small enterprises (cf. articles 7(1), 15(2), 20(1) DA).