

61st IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)  
Integrated space applications, EO telecoms navigation (3)

Author: Dr. Ingo Baumann  
BHO Legal , Germany, ingo.baumann@bho-legal.com

EARTH OBSERVATION DATA AND SERVICES – NEW LEGAL ISSUES

**Abstract**

The paper provides an overview on recent legal issues in Earth Observation data and services resulting from changes in technologies and markets, which at least some qualify as disruptive. The developments bring some well-known legal issues in Earth Observation into new perspectives. In addition, many typical legal issues in the IT and e-commerce sectors become now directly relevant in Earth Observation. The market for Earth Observation data and services is changing dramatically. Around the world, government agencies and commercial companies are investing in new Earth Observation satellites, sometimes including large constellations of small satellites. The rise of Earth Observation satellites goes along with a massive increase in available data. Overall, the Earth Observation market is showing positive developments, with average yearly growth rates of around 10%. Earth Observation data and services are now increasingly provided via the internet, through online platforms with typical e-commerce type elements. Cloud computing services are used to handle the massive data volumes to be accessed via such platforms. Generally, we see a slow shift from the traditional data provision approach based on data licenses to more comprehensive services based on contracts and related Service Level Agreements. From the pure legal perspective, the above-described technology and market developments do not raise previously unknown issues. Commercial e-commerce platforms and Cloud Computing Services have been introduced since several years and the legal issues related to them have been tackled by legislation, codes of conduct and business practice. However, the transposition to and use within the Earth Observation sector raises challenges for institutional and commercial stakeholders. In addition, some well-known legal issues in Earth Observation come into new perspectives. This includes data policies, copyright, data licensing, personal data protection, standardization and interoperability, as well as warranty and liability for Earth Observation data. The paper will provide an European perspective.