

# Editorial

by Thomas Dreier

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Recommended citation: Thomas Dreier, Editorial, 14 (2023) JIPITEC 498 para 1.

- 1 When JIPITEC was founded some fifteen years ago, the coverage of the new double-blind peer-reviewed open access journal was still quite clearly defined with intellectual property law, IT law and e-commerce law. In the course of the following years, however, IT law in particular has expanded in a way that was previously hardly thought possible. Data protection law has experienced a considerable increase in importance, while a largely independent data law has also emerged, which reflects nothing other than the new business models in relation to the generation, trade and utilisation of data. Last but not least, research in the field of artificial intelligence, which has rapidly gained momentum in recent years, has significantly expanded the legal issues associated with IT.
- 2 As a result, following on from the previous issues, which were dedicated entirely or at least in part to a single topic, the present issue 14 (4) of JIPITEC, once again brings together a colourful mix of articles on a wide variety of topics, each of which has its own unique topical relevance. In view of their variety, these articles have been arranged in the order of the topics listed in the journal's name.
- 3 To begin with, in intellectual property law, two articles focus on the scope of copyright limitations and exceptions. Whereas *Löblich/Schwedhelm/Handschiß/Hofmann* examine to what extent ChatGPT's use of someone else's copyrighted works as training data can be justified by the European text and data mining exceptions, *da Silva Pereira* focusses on the balancing of author's rights and acts undertaken for textual scholarship as seen from a Portuguese perspective. Moreover, *Kalenský* draws the readers' attention to what happened to digital exhaustion a decade after the famous *UsedSoft*-case. Finally, the contribution by *Samaranayake* examines the relationship between trademark law and NFTs also, but not exclusively, from a Sri Lankan perspective.
- 4 Regarding IT law, *Schulz/Ollig* focus on new hybrid approaches to govern social media platforms under the European Digital Services Act. Following, *van Daalen* undertakes to construe a „right to root“, i.e. to construct a claim to control devices on the basis of the right to privacy. Thereafter *Broumas/Charalampous* cast an eye on the general regulation of emerging technologies as undertaken in Greek law. Following, *Gorbatyuk/Gils* examine to what extent blockchain technology can be used to enable and improve the transparency of patent transactions.
- 5 The last contribution to the present issue is a cautionary perspective by *Melían Pérez* on the viability of artificial intelligence as a replacement of judges and the courts.

Karlsruhe, January 2024

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