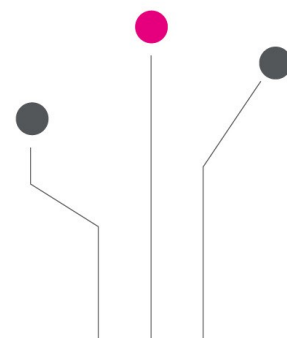


to the point technology & digitalisation



Preface

An animal battle: Will Tiger King kill Doge?

Dogecoin, the Shiba Inu themed cryptocurrency, dropped significantly after YouTuber and Dogecoin investor Matt Wallace announced he was buying a new Tiger King cryptocurrency (TKING). Thanks to this endorsement, Tiger King Coin has now risen more than 900 % since the start of July.

TKING is a new cryptocurrency based on Tiger King, an American true crime documentary series. The series focuses on controversial zookeeper Joe Exotic, who received a 22-year prison sentence in 2020. Some of the gains generated with Tiger King token transactions will be donated to tiger rescue efforts and to pay for Exotic's legal costs.

It is unclear who the developers of the Tiger King Coin are. No information on their identities is available on the token's website.

Financial experts have variously called Dogecoin a joke, a scam and something that will end very badly. However, Dogecoin has one simple purpose: to be the world's most fun currency. It is likely that it and similar cryptocurrencies will persist for as long as people have a sense of humour.



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To the Point:

- **Here we go again – the odyssey of international data transfer challenges continues**

On 4 June 2021, the European Commission ("**Commission**") issued new standard contractual clauses ("**SCCs**") pursuant to the GDPR for the transfer of personal data to third countries. After a transitional period of 15 months, i.e. at the latest by the end of 2022, all currently concluded SCCs must be superseded by the new SCCs.

The new SCCs reflect the changes required by the CJEU following the Schrems II decision and thus provide more legal certainty (at least for the time being). The new SCCs introduce a modular design and primarily aim at taking (multi-level) processing situations into account from a modern perspective. With the "docking clause" and the third-party beneficiary rights for data subjects, important topics have been addressed. Both (all) parties to the SCC need to warrant that they have no reason to believe that the laws and practices of the recipient country, including any requirements to disclose personal data or measures authorizing access by public authorities, prevent the data importer from fulfilling its obligations under the SCCs. The SCCs specify that, in providing this warranty, the parties must declare that they have considered not only the specifics of the data transfer but also the laws and practices of the recipient country that are relevant in light of the circumstances of the transfer (risk-based approach).

In other words, international data transfers require an in-depth assessment of the envisaged data transfer – a Data Transfer Impact Assessment – to ensure legal admissibility.

For more details on the new SCC, take a look at [our new blog post](#).

[Veronika Wolfbauer and Florian Terharen](#)

- **Tokenized copyrights: Linking an NFT to a copyright licence**

The mere purchase of an NFT usually does not transfer rights of exploitation or use to the acquirer. In general, however, the artwork that is connected to an NFT will be protected by copyright. From the NFT miner's perspective it is therefore advisable to consider what rights shall be included in the NFT, while the NFT buyers should consider what rights they need and check if they have been included.

Click [here](#) for five use cases on how best to endow an NFT with rights related to the artwork.

[Anna Katharina Tipotsch and Dominik Hofmarcher](#)

- **Checklist for NFT artists and buyers of NFT art**

In the process of conducting our NFT self-experiment we collected the most important questions every artist should keep in mind when considering tokenising his/her artwork. Further, we also prepared a list of key questions that are most relevant for buyers of NFT art in general including museums.

See [here](#) for the summarized list of key questions.

[Anna Katharina Tipotsch and Guido Kucsko](#)

- **EU: Attention copyright holder: clarification on the activity of satellite bouquet providers incoming**

Bouquets of satellite TV programmes are a convenient service for users. But where is the consent of the rightsholder required? The ECJ will soon offer answers.

[Find out more in our latest legal insight!](#)
[Roland Vesenmayer](#)

- **Electronic service in Polish civil cases**

Important changes in the adjudication of civil cases in Poland came into force on 3 July 2021. These are essentially technical changes to the so-called Covid Act including, among other things, new obligations of attorneys. One of the most significant changes is the introduction of electronic court service through the information portal.

In the first pleading filed by an advocate, legal advisor, patent attorney or the General Prosecutor's Office of the Republic of Poland, an e-mail address and a telephone number to be used for contacting the court should be provided. Failure to

comply with this obligation constitutes a formal defect of the pleading.

In turn, the court serves court letters by posting their contents in an information and communication system used to make those letters available (information portal). This does not apply to letters which are to be served together with copies of the parties' pleadings or other documents not originating from the court. The date of delivery is the date on which the addressee reads the letter posted in the information portal, and in the absence of such reading, the letter will be deemed delivered **14 days after the date of posting in the information portal.**

Technically, the change in question is not permanent and is only in effect during the period of either an epidemic emergency or an epidemic state declared due to COVID-19 and within one year of the last one being revoked. However, it cannot be excluded that if it works out, the change will stay for longer.

[Daria Rutecka](#)

- **DAC-8: EU directive could force crypto exchanges to hand over data to tax authorities**

For anyone who has so far given little or no thought to the taxation of their crypto assets, things could drastically change from autumn 2021. The EU Commission plans to monitor tax-payers who earn money via crypto assets much more strictly. Although there are already rules in Austria and Germany on how Bitcoin, Ethereum and Co. are to be taxed (in DeFi they are in a grey area), offences can only really be punished in the future.

The DAC-8 Directive (the eighth version of the Directive on Administrative Cooperation) provides for a "strengthening of the rules for administrative cooperation and an expansion of the exchange of information" and, in detail, an expansion to the areas of crypto assets and e-money. The financial authorities are to be provided with new options for taking action against tax fraud and tax evasion.

Observers expect the DAC-8 Directive to be implemented in the next 12 to 18 months.

[Dominik Tyrybon](#)

- **Austria: More Money for Electric Vehicles**











In January, the Austrian Federal Ministry for Climate Action Environment, Energy, Mobility, Innovation and Technology together with car importers, two-wheeler importers and sports retailers initiated a

grant campaign to support the purchase of electric vehicles for private use. Initially, the grant budget amounted to EUR 46m, but due to an unexpected run on the grant, another EUR 55m will be added, according to an announcement of the Minister. Grants are available for e-vehicles, e-motorcycles and for charging infrastructure. Amongst others, grants extend to purchases of purely electric drive vehicles or fuel cell vehicles amounting to EUR 5,000 or plug-in hybrid vehicles amounting to EUR 2,500. Electric

vehicles are becoming more popular in Austria, especially in urban areas, even though concerns about range, sustainability and availability of charging infrastructure persist. Nonetheless, purely electric drive vehicles accounted for 10.8 % of new vehicle registrations from January to May 2021.

[Sara Khalil](#)

For further information, please contact any of the individuals named above, your usual contacts at Schönherr or any member of our [technology & digitalisation group!](#)

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