

EU Data Act

MES

2025



The EU Data Act establishes groundbreaking common rules for accessing and utilising data from connected devices across the European Union's economic landscape, unlocking the vast potential of industrial data. For media, entertainment and sport (MES) organisations—which increasingly deploy connected technologies in their service delivery—this landmark legislation presents a dual impact: creating fertile ground for innovation whilst imposing significant new compliance requirements that demand strategic attention.

What is the purpose of the Data Act?

Market service providers will be able to improve their services, innovate and compete on an equal footing with comparable services offered by manufacturers. Therefore, users of connected products (including consumers and businesses) will be able to opt for a cheaper repair and maintenance provider (or maintain and repair themselves) and benefit from lower prices in the market. According to the European Commission, this could extend the lifespan of connected products, thereby contributing to the Green Deal objectives.

This transformation will be particularly impactful for the MES sectors, which increasingly rely on connected devices and data-driven services.

What are connected products and related services?

Connected products are items that can generate, obtain, or collect data about their use, performance, or environment and that can communicate this data via a cable-based or wireless connection.

In the MES sector these notably include:

- **Smart broadcasting equipment** that tracks operational parameters and usage patterns
- **Interactive digital signage in entertainment venues** that captures audience engagement metrics
- **Professional sports cameras** with automated tracking capabilities that collect performance data
- **Virtual reality headsets** that monitor user movements and physiological responses
- **Connected fitness equipment** used by athletes that records performance metrics

- **Smart stadium infrastructure** including automated lighting, sound systems, and climate control
- **Video streaming devices** that track viewing habits and content preferences
- **Connected gaming consoles** that monitor gameplay patterns and system performance
- **Wearable performance trackers** used by athletes and performers
- **Interactive museum exhibits** that collect visitor interaction data
- **Smart stage equipment for concerts and performances** that adjusts automatically based on environmental conditions

Related services are digital services that can be linked to the operation of a connected product and that affects the functionality of this connected product. From a MES context, some examples are:

- **OTT streaming applications** that control smart TV content delivery and collect viewing analytics
- **Stadium management platforms** that integrate with venue infrastructure to optimise spectator experiences
- **Performance analysis applications** that process data from athletes' wearable devices to generate training insights
- **Content recommendation engines** that use smart device usage patterns to personalise media offerings
- **Gaming companion apps** that enhance console functionality and provide additional features
- **Virtual coaching platforms** that interpret data from connected fitness equipment
- **Fan engagement applications** that interact with stadium infrastructure to enhance the spectator experience
- **Content production management systems** that integrate with broadcasting equipment
- **Interactive gaming platforms** that provide expanded functionality to gaming hardware
- **Digital rights management services** that control access to media content across connected devices

Under the EU Data Act, these connected products and related services in the media, entertainment and sports sectors will be subject to new data access and sharing requirements - creating both compliance obligations and opportunities for innovation and competition.

Who is subject to the Data Act's data sharing obligation?

Manufacturers of connected products, suppliers of data-generating components, providers of related services, and holders of product data (data obtained, generated, or collected by a connected product and which relates to its performance, use or environment).

What do you need to do to prepare?

To ensure compliance with the Data Act, you should:

Product design and accessibility

- Collaborate with technical teams to design and manufacture connected broadcasting equipment (e.g. smart stadium systems, gaming consoles, and VR headsets) in a way that makes performance and usage data directly accessible by default to both consumers and business users
- Ensure streaming platforms, fan engagement apps, and content production tools are designed with data-sharing capabilities from the outset
- Implement data accessibility features in wearable performance trackers used by athletes and performers.

Transparent information

- Draft clear documentation providing users with transparent information about how their smart media devices, connected equipment, and interactive entertainment systems collect and process data
- Create specific data handling notices for MES venues, explaining how smart infrastructure captures attendance and engagement metrics
- Develop comprehensive guides on data collection practices for interactive products and digital signage

Data access request procedures

- Design procedures for managing data access requests from users of digital services seeking their generated data
- Develop secure methods for sharing wearable device data, while ensuring team strategies and methods remain protected
- Create protocols for sharing content consumption patterns from platforms, while safeguarding trade secrets such as recommendation algorithms

Pricing policies

- Develop compensation models for third-party businesses accessing data from your applications. Compensation must be non-discriminatory and reasonable and may include a margin
- Establish pricing structures for independent developers seeking access usage patterns for complementary service development
- Set fair fee structures for analytics companies intending to use user-generated data for analysis or experience enhancement

Contractual frameworks

- Develop template agreements with FRAND (Fair, Reasonable, and Non-Discriminatory) terms for third parties accessing data from your content production management systems
- Ensure companies incorporate FRAND terms and avoid any clauses blacklisted as abusive. Create fair contractual frameworks for sharing usage metrics with independent developers
- Ensure agreements for sharing fan engagement data from venue management platforms do not include terms blacklisted as abusive.

Public sector data sharing

- Establish procedures for managing data requests from public sector bodies for their specific purposes
- Design protocols for sharing data with regulatory bodies during investigations

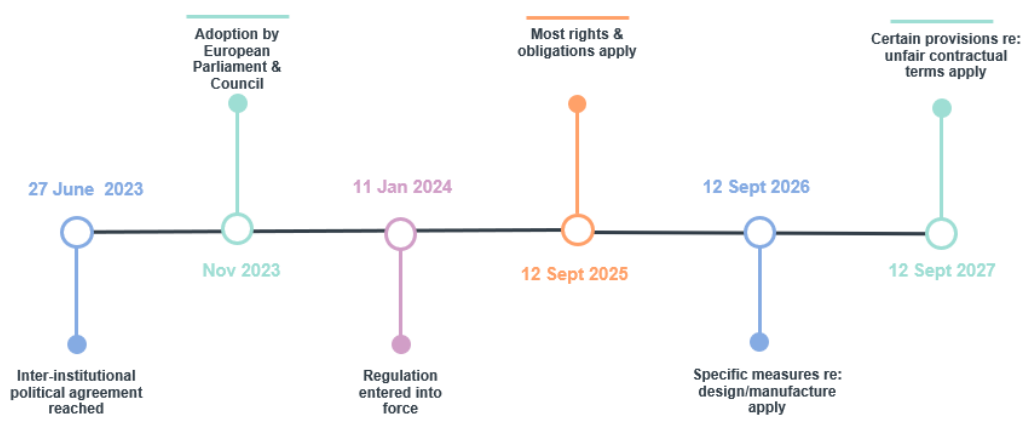
- Create frameworks for responding to public sector requests for sports performance data when required for public interest research
- By implementing these compliance measures—tailored specifically to your media, sports, and entertainment operations—you'll not only meet legal requirements but also position your business to thrive in the new data ecosystem the legislation aims to create.


What is most urgent?

Although the design and manufacture obligations will apply to connected products and related services placed on the market after **12 September 2026**, adaptation work should already be underway to meet the deadline.


Enforcement

Infringements of certain data sharing obligations may be subject to GDPR-range fines: up to **20,000,000 EUR** or **4 % of the total worldwide annual turnover** of the preceding financial year, whichever is higher.





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