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FACTORS THAT ENSURE THE OBSERVANCE AND PROTECTION OF RIGHTS IN THE DIGITAL SPHERE

In the context of legal aspects of digitalization and digital transformation legislation, it is imperative for organizations and governments to consider various factors to ensure compliance and protection of rights in the digital realm. This includes data protection laws, intellectual property rights, cybersecurity regulations, and privacy laws. The development of digital laws related to the possibility of identification and authentication of participants in digital circulation not only on the basis of the use of an electronic digital signature, but also in the future – work with artificial intelligence in the event that it is recognized as a digital person in accordance with the law[1].

Data protection laws, such as the General Data Protection Regulation (GDPR) in the European Union, play a crucial role in governing how personal data is collected, processed, and stored. Organizations need to adhere to these laws to ensure the privacy and security of user data. Enactment and enforcement of data privacy laws such as the GDPR in Europe and the CCPA in California help protect individuals' personal information from misuse.

Intellectual property rights are also a key consideration in digital transformation, as they govern the protection of creative works and inventions. Intellectual property rights refer to the legal rights that protect creations of the mind, such as inventions, literary and artistic works, designs, symbols, names, and images used in commerce. These rights typically include copyright, trademarks, patents, and trade secrets. They give creators and innovators exclusive rights to their creations, allowing them to benefit financially from their work and prevent others from using or reproducing it without permission.

Intellectual property rights are essential in promoting innovation, creativity, and economic growth. The term Intellectual property is related to human brain applied for creativity and invention. Various efforts in terms of inputs of manpower, time, energy, skill, money, etc are required to invent or create something new. The ultimate idea by which invention or creation took place is an intangible property of the person, who took pains for the invention or creation. Therefore, as per law, legal rights or monopoly rights are given to creator or innovator to harvest the economic benefits on their invention or creation [2; 3].

Cybersecurity regulations are essential to protect organizations and individuals from cyber threats and attacks. Laws governing data breaches, cybercrime, and network security are crucial in ensuring the integrity and safety of digital systems. Had cyberspace been a country, it would have been the biggest and the most populous one in the world. However, it would neither have a legislative or other representative decision-making body, nor there would be a designated law enforcement mechanism or a mechanism to protect human rights of its citizens since there is no entity exercising exclusive authority and control over the entire digital space [4]. Implementation of strong cybersecurity measures such as encryption, multi-factor authentication, and regular security audits can help prevent unauthorized access to sensitive data.

Privacy laws dictate how personal information is collected and used by organizations. It is essential for businesses to comply with privacy regulations to protect the rights of individuals and prevent unauthorized access to sensitive data. Companies and organizations should be transparent about how they collect, store, and use data, and hold themselves accountable for any breaches or violations of privacy rights.

Overall, legal aspects of digitalization and digital transformation legislation are crucial for ensuring ethical and secure practices in the increasingly digital world. Organizations and governments must stay informed about these laws and regulations to navigate the complexities of the digital landscape responsibly.

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