



Case Summary Three

Where is my bike

The Client	<p>“Where is my Bike” is a start-up that makes GPS trackers for bikes. “Where is my Bike” provides all communications between the users, the server and other relevant third parties via a mobile phone text messaging service.</p>
Legal challenges	<p>The iLINC ICT Law Incubator at KU Leuven advised on the main challenges faced by “Where is my Bike”:</p> <ul style="list-style-type: none"> • Is there a need for an “alarm centrale vergunning” (alarm central permit). • Within Belgium law there is a need for undertakings who wish to install alarm systems, to receive a permit from the Belgian government. Alarm systems can only be implemented by those undertakings who are considered to be a “beveiligingsonderneming” (safety undertaking), i.e. undertakings who invent, installs, maintain or repair alarm installations or centrals. • An analysis of relevant privacy regulation concerning the data collection that takes place in the context of “Where is my Bike” activities.
Advice	<ul style="list-style-type: none"> • Alarm central analysis <p>Students undertook research into what circumstances is an alarm central permit required in Belgium. The research looked at national and local legislation governing the permit system and the process of applying for a permit (including who can apply for a permit, when to apply and for what duration). The students also considered the consequence of a permit being granted and what the obligations would be on the entity or individual holding the permit right. The students in this analysis considered the obligations and the risks and liabilities for an early-stage bootstrapping start-up (“Where is my bike”) and the importance of the permit for the business model. Students also considered alternative models, without a permit which “Where is my bike” could consider</p> <ul style="list-style-type: none"> • Sale of the application in a B2B context <p>Students undertook a thorough and detailed data protection analysis, reviewing current and forthcoming data protection laws and regulations. In parallel the students also considered the privacy aspects of “Where is my bike” business model. The students drafted a</p>



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memorandum which outlined “Where is my bike” next steps in ensuring compliance with Belgian and EU privacy regulation and the administrative practice of the Belgian Privacy Commission as well as data protection law and necessary filings.