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Reconsidering the concept of a thing in terms of the digital environment.

Law towards an understanding of a digital thing

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1. Trends of digital legal environment

1. Development of digital objects of law towards of reflecting the material world combined with the features of the digital legal environment.

2. Implementation of a new legal tools that can revolutionise activity, which include, first of all, digital things.

3. Reconsidering of the concept of property and things towards the introduction of a broad understanding of thing and digital things as part of the person's property.

2. Reconsidering concept of property

1. Broad and narrow understanding of property.

2. Tendency to introduce a broad understanding of property as the sum of active and passive values belonging to an individual.

3. Property should be considered as a totality of all property goods, property rights and obligations owned by individuals and legal entities, which can be assessed in monetary terms.

3. Broad understanding of thing

1. Things usually means provided by nature and man-made objects of the tangible and intangible world, which have useful values and properties.

2. Digital thing should be considered an intangible thing recognized as an exception to the rule.

3. Things within the meaning of the law should be regarded all property and intangible items and property rights, insofar as they are part of the property.

4. The concept of digital thing

1. Distinction between simple information as a kind of commons) and digital data as a digital thing).

2. Digital data is a negotiable intangible asset that can be disposed as material things.

3. Information that is not part of a person's property, has no monetary value, or is not available for search and discovery (usually meta data) is not a digital thing.

5. The legal nature of digital thing

1. A digital thing is an independent type of thing, which is covered by the provisions of the Civil Code on material things, unless otherwise provided by law or does not follow from the essence of the digital thing.

6. Methodological approaches to understanding the digital things

1. Legal methodology of digital things is based on two conceptual approaches:

- recognition of digital thing as a type of thing;
- extension on digital thing of legal regime of things, ie equating them to things in a certain respect.

7. Narrow and broad understanding of digital things

1. Narrow understanding of digital thing refers to property found in virtual worlds.

2. Broad understanding of digital things refers to intangible and immaterial property objects that can be regarded as objects of real world property law.

3. Digital things should include a virtual asset, money and securities that exist exclusively in a digital form, as well as digital content and online account to the extent that are elienated part of the person's property.

8. Virtual asset as a digital thing

1. In a continental law usually are used legal regime of "intangible assets" or "things" to determine the status of virtual assets.

2. In a common law virtual assets usually are considered property.

9. Digital securities

1. Digital securities are type of digital thing, which are accounted for using technologies in the system of decentralized public register (blockchain, etc.).

2. Digital securities are equated to securities virtual assets, the issue of which is ensured by the technology of distributed ledger.

3. Unlike digital securities, digitized securities are documentary securities, the ownership of which is presented in an electronic record.

10. Digital money. Digital currency of the Central Bank

1. Electronic money shall be units of value stored on an electronic device, accepted as a means of payment by persons other than the person issuing them, and is a monetary obligation of this person, performed in cash or non-cash.

2. Virtual currency is a digital representation of value not issued by a central bank, a credit institution or an e-money issuer, which can under certain circumstances serve as an alternative to money.

3. The Central bank digital currency is a digital form of existing fiat money issued by the central bank and is a legal tender.