



Commission recommends actions to combat online piracy of sports and other live events

Brussels, 4 May 2023

The Commission today adopted a Recommendation on how to combat commercial scale online piracy of sports and other live events, such as concerts and theatre performances. It encourages Member States, national authorities, holders of rights and providers of intermediary services to take effective, balanced and appropriate measures to fight unauthorised retransmissions of such streamings, in full compliance with fundamental rights and personal data protection rules. By stepping up the fight against online piracy, the Recommendation will contribute to strengthening the competitiveness of the EU sport and creative industries.

Sports and live events contribute to fostering a diverse European cultural scene, to bringing citizens together and to providing a sense of community. The organisation of such events as well as their live transmission require substantial investments, while at the same time they contribute to economic growth and job creation. Unauthorised streaming can cause significant loss in revenue for performers, live and sports event organisers and broadcasters, thus undermining the viability of the services they offer.

The Recommendation focuses on three main areas:

- **Prompt treatment of notices related to live events:** building on the [Digital Services Act](#), it stresses the importance of urgent action from providers of hosting services in order to minimise the harm caused by illegal streaming.
- **Dynamic injunctions:** based on the remedies provided in the [Enforcement Directive](#) building on experiences in some Member States, the Recommendation encourages the use of blocking injunctions tailored to live events and, in the case of live sports events, encourages Member States to grant legal standing to sports event organisers to seek an injunction where it is currently not possible.
- **Commercial offers and awareness:** it recommends live and sports event organisers and broadcasters to increase the availability, affordability and attractiveness of their commercial offers to end users across the Union. It calls on Member States to raise users' awareness on legal offers to enjoy this type of content among consumers and on the issue of piracy among enforcement authorities.

The Recommendation also enhances the **cooperation** amongst the relevant national authorities, and between rightholders and intermediaries to better tackle the phenomenon of unauthorised retransmissions of live events. An important objective is to ensure a regular exchange of information among administrative authorities on the measures applied, their challenges and the good practices against online piracy of live events. Cross-border cooperation between Member States is important in view of the nature of piracy, which takes place across borders.

Finally, the Recommendation sets up a solid **monitoring system** to assess its effects on the fight against piracy and to consider further measures if needed. This work will be done with the support of the [European Observatory on Infringements of Intellectual Property Rights](#) (EUIPO Observatory) and will entail the establishment of clear Key Performance Indicators (KPIs) to conduct an effective monitoring.

Next Steps

The Commission will closely monitor, together with the EUIPO Observatory, the effects of this Recommendation. Today, we are launching the process for the establishment of the KPIs for the monitoring, which will be finalised before the summer.

On the basis of this monitoring exercise, the Commission will assess the effects of the Recommendation on unauthorised retransmissions of live sports and other live events by 17 November 2025. This is also the deadline by which the Commission will evaluate the way the Digital Services Act interacts with other legal acts, including copyright legislation. The implementation of

the Digital Services Act will boost the broader fight against illegal content on online platforms, with substantial impact also on the online unauthorised retransmissions of live sports and other live events.

The Commission will then decide whether additional measures are needed at EU level, in view of technological developments, as well as the evolution of distribution channels and consumption patterns.

Background

The Recommendation follows up the European Parliament resolution on the challenges of sport event organisers in the digital environment adopted in May 2021. The Commission has consulted stakeholders in the preparation of the Recommendation at a meeting in February 2023 with representatives of broadcasters, sports rights organisation, live performance organisations and online intermediaries and national authorities. It has also discussed with Member States in the context of the [Copyright Contact Committee](#).

The Recommendation also builds on the 2020 [Action Plan on Intellectual Property](#), which recognised that the persistence of counterfeiting and piracy is one of the main challenges preventing Europe from capitalising on its intellectual assets to boost recovery and resilience.

Legal remedies to fight online piracy already exist, notably the Digital Services Act and the [Enforcement Directive](#) (Directive 2004/48/EC). In particular, the Digital Services Act streamlines the processing of notices sent to providers of hosting services in case of illegal content. In addition, under the Enforcement Directive rightholders can obtain injunctions ordering online intermediaries to block the access to or remove unauthorised content. The recommendation indicates how these remedies could be used in the specific case of live events.

For More Information

[Commission Recommendation on combating online piracy of sports and other live events](#)

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Quotes:

The internet already enables European citizens to enjoy a variety of live events from sports events to live concerts. However, commercial scale piracy is jeopardising the viability of our creative and sports industries. Especially in case of live events which generate most of their value during the real-time transmission. It is therefore essential that online intermediaries cooperate with live and sports event organisers as well as broadcasters to combat piracy of live events.
Margrethe Vestager, Executive Vice-President for a Europe Fit for the Digital Age - 04/05/2023

The Internet allows us to watch live sports, concerts and theatre performance from the comfort of our homes more than ever before – but it can also put whole economic models at risk. We have already a solid framework to counter illegal content online, but it has to be enforced. Today, we call on Member States to step up the fight against piracy which demonetises our live event sectors, for example by allowing sports event organisers to seek an injunction. We are setting up a monitoring system and clear KPIs to assess the effects on these measures on the fight against online piracy and the potential need for further measures.
Thierry Breton, Commissioner for Internal Market - 04/05/2023

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