

Draft Joint Letter from Live content Coalition for EU Action on Digital Piracy

Dear Commissioner/ Minister

We, as representatives of leading live content producers, broadcasters, exhibitors in Europe are writing to you to once again highlight the difficulties faced by our sector due to the scourge of online piracy and illegal streaming. Whilst this problem is not a new one, it is more prevalent and thus more damaging while EU law remedies are still not fit for purpose. This issue had been exacerbated by the COVID-19 pandemic, which has disproportionately affected our sector.

As recognised by the European Parliament's February 2021 study on '[Cultural and creative sectors in post COVID-19 Europe](#)', the COVID-19 crisis has cost the European live events sector billions of euros in lost revenues. Given the varied approaches to lockdown easing across Europe and the continuing uncertainty around when venues will be able to reopen and events can resume, this negative financial impact is continuing to grow. Against this background, it is imperative that the EU institutions and the Member States do all they can to support our sectors and prevent further economic erosion.

Digital piracy is particularly prevalent and damaging with regard to live events, including sports, music concerts and festivals, TV shows etc. Given that the value lies in the live dimension, it is of critical importance to remove infringing broadcast as quickly as possible, and in any case before the event terminates. Furthermore, it is fundamental to ensure that when infringing content is taken down, it stays down. Current EU law refers to "expeditious" reaction from online intermediaries when infringing content is notified. Without any clarification, online intermediaries can simply react after live events finish, which makes enforcement completely meaningless. It is therefore necessary that specific action be taken to address the piracy of live content.

Therefore, we warmly welcome the overwhelming support from almost 500 Members of the European Parliament who adopted the resolution on '[Challenges of sport events' organisers in the digital environment](#)' on 19 May. We particularly welcome their call for a 30-minute maximum deadline for removal of illegal broadcast of sport content. We believe that the measures proposed by the European Parliament should apply more broadly to all kinds of live events and live content, as we are all facing similar issues when it comes to piracy.

We call now on the European Commission and the Member States to respond to the European Parliament's request by clarifying that all online intermediaries must remove or disable access to infringing live broadcasts immediately, or as fast as possible, and in any event no later than within 30 minutes of receipt of a notification from a rightholder or certified trusted flagger.

Clarifying that "expeditious" means 30 minutes maximum when it comes to infringing live broadcasts can be implemented within the Digital Services Act (DSA) framework or through a separate legislative initiative. We are agnostic about the legislative solution, but a concrete proposal has to be put forward urgently. Our sectors simply cannot afford waiting another 2 or 3 years while pirates keep making money and benefiting from a complacent EU law framework.

Yours sincerely,