

Brussels, 3 June 2022

Mr Thierry Breton
Commissioner for the Internal Market
European Commission
Rue de la Loi 200
1049 Brussels
cab-breton-contact@ec.europa.eu

Dear Commissioner Breton,

RE: Media CEOs request political support for a new anti-piracy legislative instrument to be included in the European Commission's 2023 Work Programme

We write as leaders of Commercial TV and VoD providers in Europe. Our industry ensures billions of Euro are reinvested each year in quality and regulated news and content. In so doing, informing and entertaining hundreds of millions of households across Europe.

2022 will be remembered as the year Europe adopted a horizontal legislative instrument to remodel its approach to content moderation in the digital sphere. The Digital Services Act (DSA) is a step forward that provides the basis to develop a vertical instrument to address the longstanding problems caused by online piracy. This is a key feature to ensure the DSA delivers effective and specific legal tools for the sectors concerned. This will complement what has already been achieved with the Digital Single Market Directive adopted in 2019.

Given your substantial background in business, you are uniquely placed to understand the crucial importance of protecting the investment in European content. **For years, European media, sports organisations and live event organisers have demonstrated to legislators the high levels of online piracy that negatively impact our services and the revenue flowing to legal services.**

Despite unprecedented legal offersⁱ, piracy continues to be rampant online and costs our industries billions each year. Lost revenue impacts content development, professional and grassroots sports, other high end or amateur productions, as well as tax revenue. Piracy also harms consumers who are exposed to risks of malware, data loss, and inappropriate content – with no child protection.

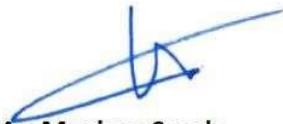
We urgently call for a legislative instrument to tackle live content piracy. Live content - such as sports and entertainment - is unique in that the value of the rights is concentrated during the specific broadcast/stream. It is a matter of financial responsibility for the Union to demonstrate the protection of content, including live cultural and creative content that receives EU funding.

The only effective tool is a legislative one. A non-legislative approach will allow intermediaries to continue to exploit existing ambiguities in the law and will not have the desired impact. We have seen some noticeable progress in a few Member States. This progress should be expanded and completed at European level while respecting the principle of subsidiarityⁱⁱ. Our teams have and continue to share potential legal approaches and effective tools that should be considered to ensure, in particular, real-time removal of pirated content with no risk of over-blocking.

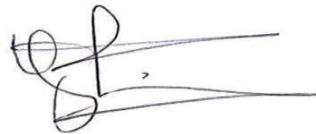
We therefore kindly request your support in the fight against live piracy by promoting a dedicated legislative instrument in the 2023 Work Programme. This action is widely supported by the European Parliamentⁱⁱⁱ and the Council of Ministers^{iv}. We see no obstacles to convert this support into a meaningful proposal that will tackle a problem that has been left unanswered for too long. Noting that while this specific instrument is crucial to tackle live piracy, we expect action from the Commission to tackle all forms of piracy at European level.

We thank you for your support and remain at your disposal for any further questions.

Yours sincerely,



Mr. Maxime Saada
Chairman & CEO, Groupe Canal+



Mr. Gilles Pélisson
Chairman & CEO, TF1



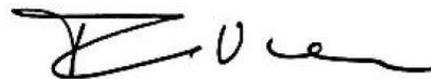
Mr. Hubertus Maria Habets
CEO, Antenna Group



Mr. Didier Stoessel
CEO, CME Group



Mr. Fedele Confalonieri
Chairman, Mediaset S.p.A



Mr. Paolo Vasile
CEO, Mediaset España Comunicación S.A.



Mr. Dean Possenniskie
Managing Director, A+E EMEA



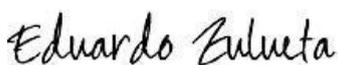
Mr. Devesh Raj
CEO, Sky Deutschland Österreich Schweiz



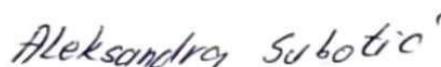
Mr. Yousef Al-Obaidli,
CEO, beIN Sports France



Mr. Anders Jensen
President & CEO, Viaplay Group



Mr. Eduardo Zulueta
President, AMC Networks International



Ms Aleksandra Subotic
CEO, United Media



Mr. Raffaele Anecchino
President & CEO, Paramount International
Networks, Studios and Streaming



Mr. Jan Koeppen
President, The Walt Disney Company EMEA



Mr. Silvio Gonzalez Moreno
CEO, Atresmedia



Mr. Andrew Georgiou
President and MD, Warner Bros. Discovery
Sports, Europe

²Copy sent to :

- Anthony Whelan, Digital Adviser, Cabinet of President von der Leyen
- Werner Stengg, Cabinet Expert, Cabinet of Executive Vice-President Vestager
- Marie Frenay, Member of Cabinet, Cabinet of Vice-President Jourová
- Agnieszka Skonieczna, Filomena Chirico & Fabrice Comptour, Members of Cabinet, Cabinet of Commissioner Breton
- Lauriane Bertrand & Jules Lobry-Deblyck, Member of Cabinet & Policy Assistant, Cabinet of Commissioner Gabriel

ⁱ [EAO Yearbook 2021/2022 Key Trends](#)

ⁱⁱ <https://rm.coe.int/mapping-report-on-national-remedies-against-online-piracy-of-sports-co/1680a4e54c>

ⁱⁱⁱ [European Parliament's INI Report on an intellectual property action plan to support the EU's recovery and resilience and "given the specific nature of live sports event broadcasts and the fact that their value is mainly limited to the duration of the sports event in question, enforcement procedures need to be as swift as possible; considers, however, that the current legal framework for injunctions and for notice and take down mechanisms does not always sufficiently guarantee an effective and timely enforcement of rights to remedy the illegal broadcast of live sports events; considers, therefore, that concrete measures that are specific to live sports event broadcasts should be adopted as soon as possible to adapt the current legal framework to, and render it suited for, these specific challenges;"](#) in INL Report on Challenges of sports events organisers in the digital environment

^{iv} [Council conclusions setting the EU's priorities for the fight against serious and organised crime for EMPACT 2022 - 2025](#)