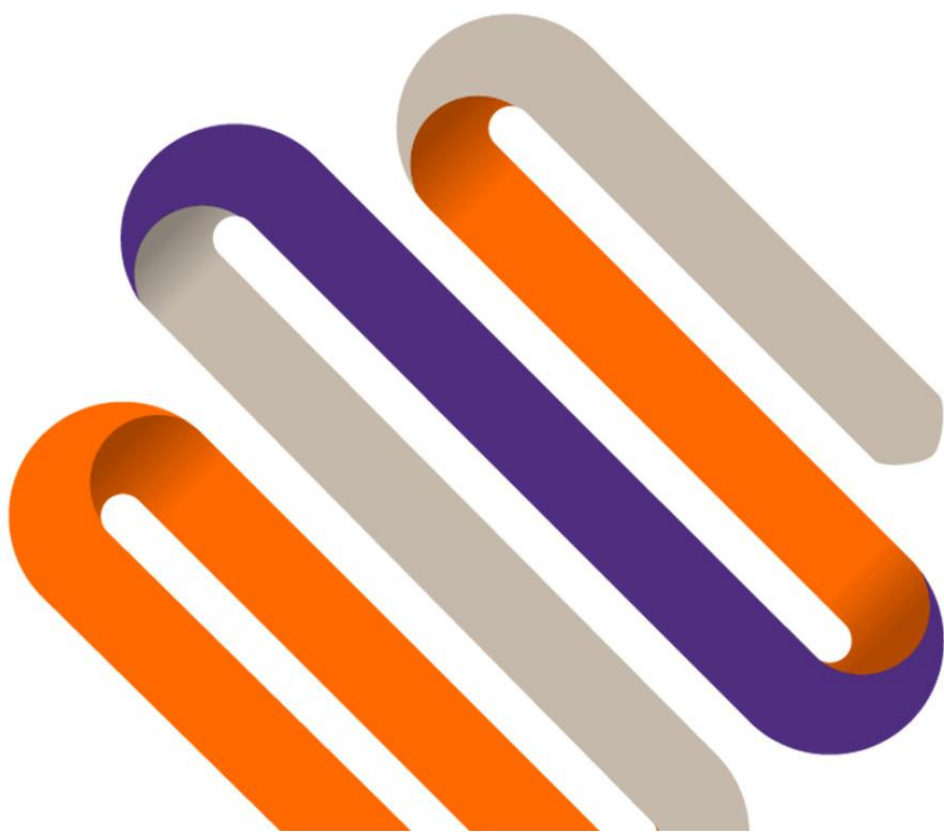




The European Commission Recommendation on combatting online piracy of live events has limited impact after 17 months

February 2025

Version 2 – previous report 'The impact of the European Commission's Recommendation on combatting online piracy of live events' published November 2024



The European Commission Recommendation on combatting online piracy of live events has limited impact after 17 months

In May 2023, the European Commission published a Recommendation on combatting online piracy of sports and other live events. This non-legislative act encouraged member states and all relevant stakeholders to take appropriate measures against the unauthorised retransmission of live events, while guaranteeing the necessary safeguards to protect fundamental rights.

In 2024, at least 10.8 million unauthorised retransmissions were detected. Over 81% of these retransmissions did not result in suspension of the transmission. Most intermediaries take limited prompt action, with only 2.7% of infringements acted upon within 30 minutes and 20% taking over 120 minutes for action.

Dedicated Server Providers (DSPs) received more notices for the suspension of retransmissions than Online Platforms and Other hosting providers. Dedicated Server Providers (DSPs) accounted for 52% of notices submitted across 2024 - 89% of notices were not suspended. In contrast, only 2% of notices submitted to online platforms were not suspended.

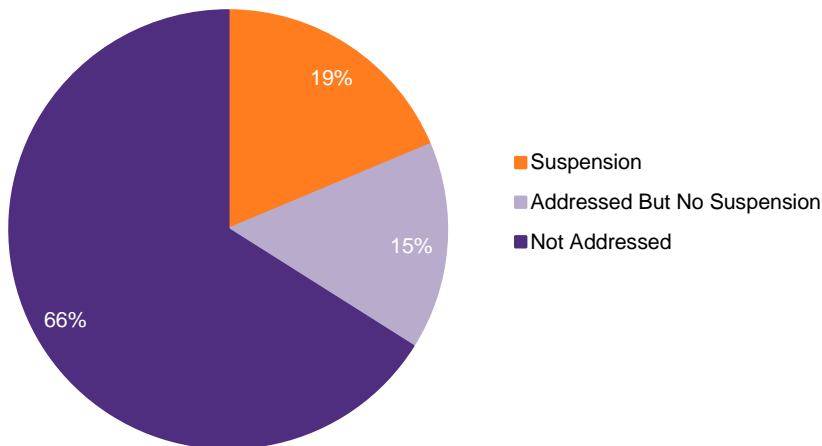
Overall, there were only marginal improvements in KPIs throughout 2024 which demonstrates the limited impact of the Recommendation against the sizeable piracy problem where mitigation efforts are mostly ignored. Since the findings are based on data from only a few major stakeholders, the full extent of online piracy issues is expected to be much larger.

Grant Thornton's findings

The second edition of Grant Thornton's analysis, created in partnership with the Live Content Coalition, analyses the data submitted by **8** providers for the whole of 2024. In general, it finds that intermediaries continue to show low responsiveness to notices with a small proportion of takedown notices leading to suspensions. The key findings for 2024 are:

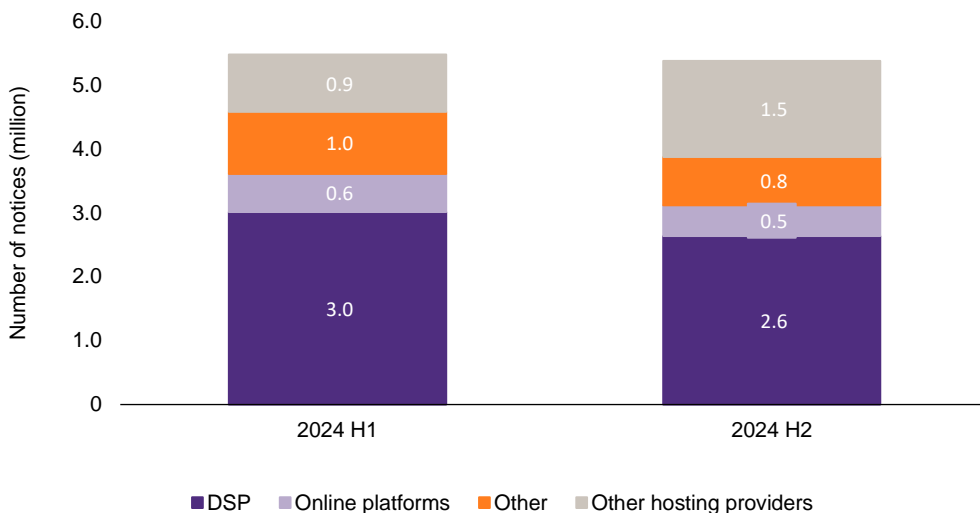
- **10.8 million** takedown notices relating to unauthorised retransmission of live events were submitted to intermediaries
 - **19%** of these retransmissions did result in suspension of the transmission notices before the authorised retransmission ended. This metric did not improve from H1 2024 to H2 2024
 - **15%** of notices were addressed by the intermediary but did not result in a suspension. This represents a deterioration from H1 where **18%** of notices were at least addressed
 - **66%** of notices were not addressed at all. This represents a slight increase from H1, where **63%** of notices were not addressed.
- Notices were submitted to intermediaries (either DSPs, Online Platforms or Other hosting providers)
 - **52%** of notices were submitted to DSPs. Only **11%** of these were suspended during live transmissions, lower than the average suspension rate of **19%**
 - **10%** of notices were submitted to Online Platforms. **98%** of these were suspended during live transmission
 - **38%** of notices were submitted to all Other hosting providers of streaming services ("Others"). Only **8%** of notices led to suspension
- Most intermediaries take limited prompt action, with only **2.7%** of infringements acted upon within 30 minutes and **20%** taking over 120 minutes for action

Outcomes of takedown notices in 2024



The data shows that piracy remains a major issue, with a similar number of notices submitted in H2 (5.4 million notices) compared to H1 (5.5 million notices). In addition, no improvements in suspension rates were observed between H1 and H2. Takedown methods for detected infringements have not changed, involving notification through channels such as email to intermediaries, prompting a response to contest the notice or act.

Number of notices per 6-month period



Within this suspension data the level of cooperation among intermediaries in 2024 was:

- **26%** of intermediaries ignored all notices with **60%** of these relating to Dedicated Service Providers
- **16%** of intermediaries actioned all notices (i.e. all notices led to suspension)

We will have an even clearer view of the impact of the Recommendation with the final set of data in July 2025. Additionally, since the findings are based on data from only a few major stakeholders, the full extent of online piracy issues is expected to be much larger.

Infringement reactions

Infringements are the detection of an unauthorised transmission for which notices are sent. This is based on the data from **7** data providers – from this data further insights into unauthorised transmissions can be observed. Grant Thornton's analysis of this data finds variations in the time taken to react to notices from different intermediaries.

Infringements often reoccur within a day of being suspended. The data indicates there is a similar chance of an infringement reoccurring within the day as being completely suspended. **Online platforms** have a **7.6%** rate of no-reoccurrence within the day, while **DSPs** have a significantly higher rate at **39.5%** further indicating the scale of the issues relating to these intermediaries.

Additionally, most intermediaries take limited prompt action, with only **2.7%** of infringements acted upon **within 30 minutes** and **20% taking over 120 minutes for action**. Identifying the location or source of illegal streams remains challenging, as consumers use tools like VPNs and DNS Proxies to bypass IP address checking. However, using network trace information, rightsholders can estimate the probable geo-location of unauthorised transmissions.

Dedicated Server Providers (DSP)

DSPs are companies or organisations that offer dedicated server hosting services, including server hardware, network infrastructure, and management for hosting websites, applications, and data. DSPs account for **5.6 million** notices per year, more than half of all notices.

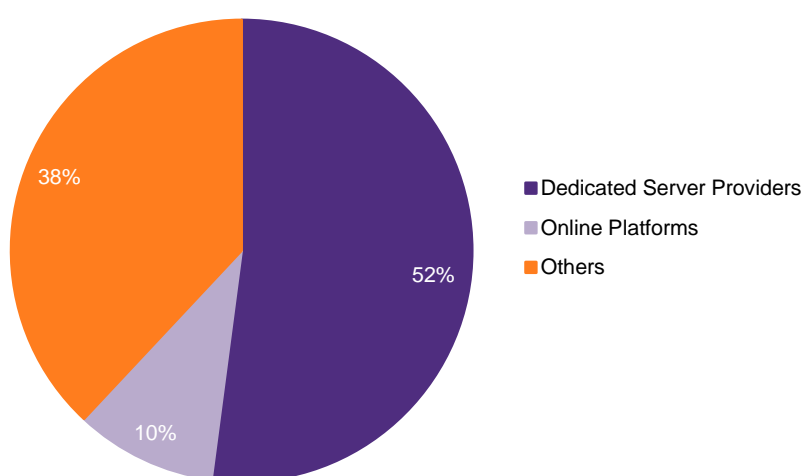
Notices were sent to **850** DSPs on average each quarter throughout 2024.

In H2, the total number of intermediaries (DSPs, Online Platforms and Other Hosting Providers) receiving notices decreased, this was by **30%** compared to H1. This decrease is mainly due to a **20%** in H2. However, this doesn't necessarily indicate improved compliance

and DSPs continue to be a significant driver of illegal transmissions. The data shows the following trends for DSPs throughout 2024:

- **52%** of total notices were submitted to DSPs of which only **11%** were suspended during live transmissions - lower than the average suspension rate of **19%**
- The number of notices submitted to DSPs decreased by **14%** in H2 compared to H1, with the proportion of total notices decreasing by 6% over the same period

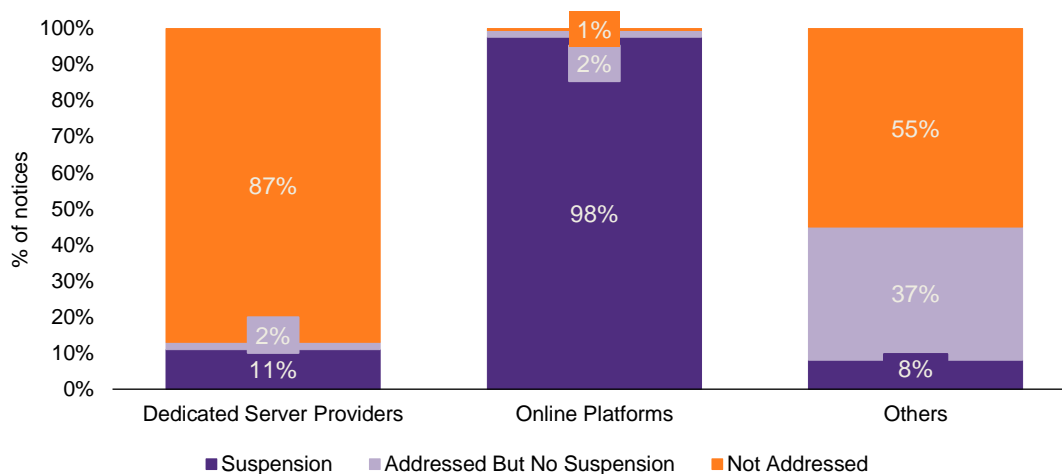
Notices by intermediary types in 2024



DSPs remain the largest driver, indicating that there is still room for improvement in DSPs' effectiveness at removing illegal retransmissions during events, especially when compared to other intermediaries:

- **10%** of notices were submitted to online platforms, with **98%** of these leading to suspension
- **38%** of notices were submitted to all other hosts of streaming services, with only **8%** leading to suspension

Outcomes of notices in 2024 by intermediary types



* Some columns may not add up to 100% due to rounding

Cooperation agreements

While Grant Thornton's analysis of the data shows that **73%** of notices submitted based on cooperation agreements resulted in suspension, **21%** were still not addressed at all and **5%** were addressed but did not lead to suspension.

Online Platforms are more likely to have a cooperation agreement. Of the notices submitted based on cooperation agreements **86%** were directed to online platforms. These have an **84%** effectiveness in achieving suspension.

Of the notices submitted to DSPs, only **1%** had a cooperation agreement. These have an **11%** effectiveness in achieving suspension.

This suggests that cooperation agreements can help improve the likelihood of suspensions when implemented, although for DSPs, these may need to be combined with additional measures.

Their coverage remained limited by the end of 2024 and despite some demonstrated improvement, with **8%** of notices submitted based on co-operation agreements in H2, compared to **5%** in H1, these numbers remain too small to be noticeably effective.

The reluctance of some platforms to sign cooperation agreements creates more challenges. In addition, the Trusted Flagger status, a measure created by the Digital Services Act ("DSA") to improve the situation with platforms, has not been awarded to any event organisers or broadcasters

2025 Outlook

There were only marginal improvements in KPIs throughout 2024 which demonstrates the lack of progress against the sizeable piracy problem where mitigation efforts are mostly ignored. Grant Thornton will continue to monitor the progress of LCC-driven initiatives and impact on piracy. The third edition of this analysis will be released in Q3 2025 reporting on key trends within year and will offer a more comprehensive view of progress through year-on-year analysis. At that point, the European Commission's Recommendation will have been published for over two years.

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The data provided

The EUIPO is supporting the European Commission in monitoring the effects of the Recommendation by gathering data from national authorities, rights holders and several intermediary services. Data has been shared for 2024 from **8** rights holders (including major sports leagues and broadcasters) with Grant Thornton. We were provided with the data that was also shared with the EUIPO and this covers 2024 and underpins the analysis and insights included in this document. The exception to this is the 'Infringements in detail' section where the raw data supporting this analysis was shared by **7** rights holders

The European Commission's Recommendation

The Recommendation highlights that:

- The unauthorised retransmissions of live events have a significant impact on the revenues of rightsholders such as event organisers and broadcasters. The development of technology and infrastructure has made it increasingly difficult for member states to manage its impact on the economy and the community
- The transmission and retransmission of these events requires significant investment and contributes to economic growth and job creation. The lost revenue from the

unauthorised retransmission of these events has a substantial impact throughout the value chain

- To monitor these risks, the Recommendation requires the European Union Intellectual Property Office (EUIPO) to assess its impact using specific KPIs derived from data collected from various stakeholders, including sports rights owners and broadcasters
- Grant Thornton has been given exclusive access to data supporting this by the Live Content Coalition (LCC), a group of representatives of leading European live content producers, broadcasters, and exhibitors

Glossary

Intermediary - a third-party entity that acts as a facilitator in addressing instances of content piracy. Intermediaries receive and process requests, such as take-down notices, from media rightsholders regarding unauthorised distribution of copyrighted materials

Takedown notice - a formal request submitted by a copyright holder to an intermediary or online service provider, requesting the removal or disabling of infringing content from a website or online platform due to copyright infringement

Infringement - detection of an unauthorised transmission for which notices are sent

Dedicated Server Provider (DSP) - a company or organisation that offers dedicated server hosting services, including server hardware, network infrastructure, and management for hosting websites, applications, and data

Online platform - a digital service that connects two or more groups of users, such as businesses or individuals, for social or commercial purposes. These may include social media, online marketplaces, app stores, etc

Others - all other hosts of streaming services

Trusted flagger status – Organisations that are formally recognised as trusted for identifying and reporting illegal content, are called Trusted Flaggers

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About the Live Content Coalition

The Live Content Coalition is a group of representatives of leading European live content producers, broadcasters, and exhibitors. As representatives of live events, including sports, music concerts and festivals, broadcast television and video on demand services, and tickets sellers, we are all united in the fight to stop piracy.



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