

# DIGITAL SERVICES ACT

ensuring a safe and accountable  
online environment



The Digital Services Act (DSA) is a new EU legislative act aimed at creating a safe and trusted online environment that guarantees users' access to legal and safe content, goods and services online, and safeguards their fundamental rights.

## What is the Digital Services Act?

The DSA is part of the [digital services package](#) – a legislative initiative tabled by the European Commission in December 2020, in response to the need to regulate the digital space to make it safer for consumers and businesses. Besides the DSA, the package also comprises the [Digital Markets Act](#) (DMA) – an EU legislative act that aims to recalibrate competition in the most important sectors of the EU digital economy, boosting fair competition, innovation and growth.

Together, the DSA and the DMA are the centrepieces of the new EU digital regulation, which aims to improve the functioning of the EU single market by establishing new regulatory modalities for the digital environment and digital services in the EU.

By pursuing the principle that what is illegal offline should also be illegal online, the DSA seeks to adopt a set of clear and uniform EU-wide responsibilities for providers of online intermediary services to achieve a greater level of public oversight over digital services. The measures foreseen, some of which are discussed in more detail below, are designed to increase due diligence – leading to greater transparency and accountability of intermediary service providers – identify and address online risks, and tackle illegal content and goods online to protect users in the digital space.

## Digital Services Act

### When?

20 days

16 November  
2022

Enters into force 20 days after its publication in the Official Journal of the European Union

4 months  
after  
designation

25 August  
2023

For very large online platforms (VLOP) and search engines (VLOSE) – four months after they are designated to the 'very large platforms' category.

The EU Commission issued a list of VLOPs and VLOSEs on 25 April 2023.

15 months/  
1 Jan 2024

17 February  
2024

The DSA will become fully applicable to other entities either 15 months after entry into force or from 1 Jan 2024, whichever comes later.

T  
I  
M  
E  
L  
I  
N  
E

## Why is the DSA needed?

### Online development

Over the past two decades, the online environment has developed rapidly. It has seen the emergence of new digital technologies and digital services, in particular online platforms, which have transformed the way people live, work, consume and do business. Notwithstanding the immense benefits offered to consumers and businesses, online digital services have increasingly exposed users to a wide range of risks, including the spread and proliferation of illegal content and goods and online disinformation.

### Limited number of regulatory tools

On the other hand, the EU legal framework governing digital services has not accompanied the pace and progress of digital change, remaining unaltered since the adoption of the [e-Commerce Directive](#) in the year 2000. As a result, EU regulatory tools and interventions in the online services sector have become limited in scope and in their ability to address existing gaps and legal issues posed by the accelerating digitalisation of societies and economies.

### Reforming the e-commerce framework

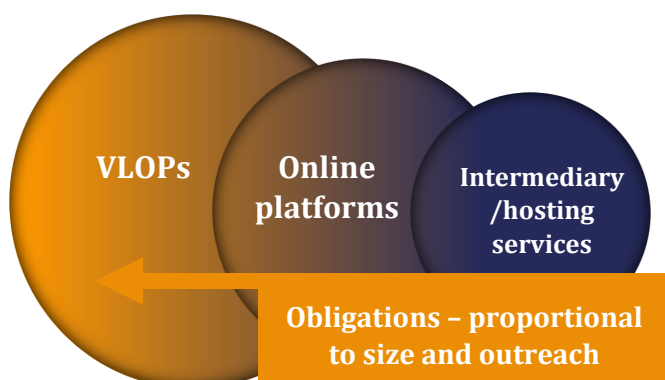
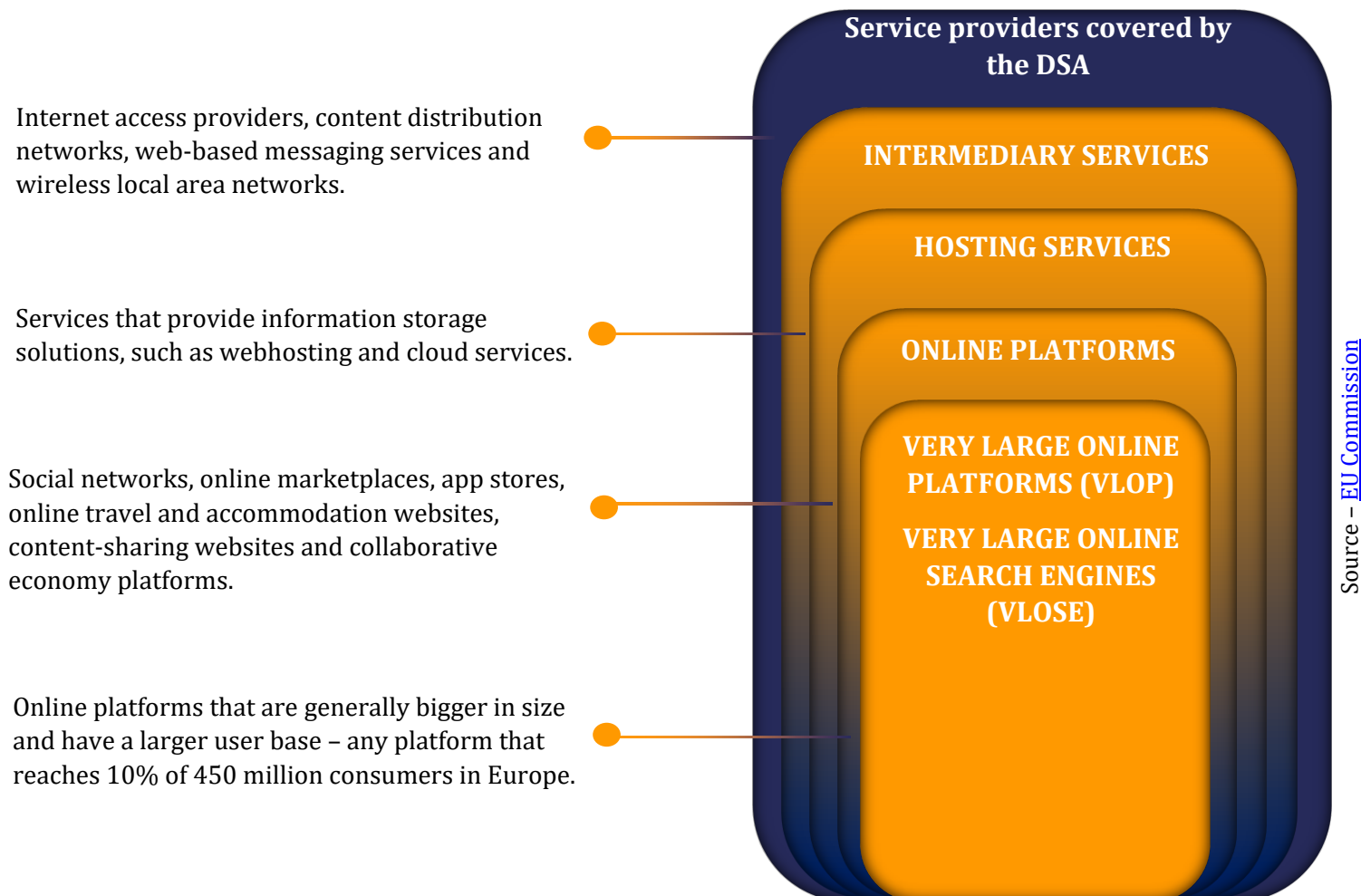
Building on core principles of the e-Commerce Directive, the new Regulation for digital services aims to reform the e-commerce framework by creating a modern and robust European governance structure, able to respond to new digital challenges and provide the necessary conditions to stimulate innovation and growth in the digital economy. In doing so, the DSA will help to reform the legal framework on e-commerce and complement existing sector-specific legislation in this area, while harmonising national laws designed to tackle illegal content.



## Europe – fit for the digital age

## To whom does the DSA apply?

The rules set out in the DSA apply to online service providers that act as online intermediaries in the EU, connecting consumers with goods, services and content. Under the DSA, online service providers are grouped into different categories, each containing a set of specific due diligence obligations.



Failure to comply with the obligations laid down in the DSA could result in sanctions, including a **fine of up to 6% of the annual worldwide turnover** of the concerned intermediary service provider or a **ban to operate in the EU single market** in the event of repeated serious breaches.

## Cumulative obligations

In line with the [principle of substantial connection](#), all the online intermediaries offering services in the European single market will be required to comply with the DSA rules irrespective of the location of their headquarters.

The obligations set out in the DSA are cumulative, which means that online platforms are subject to a specific set of due diligence obligations, in addition to all the obligations applicable to hosting service providers and intermediary service providers. Thus, the obligations set in the DSA are proportional to the role, size and impact of intermediary services in the online environment. Accordingly, stricter rules will apply to very large online platforms and very large online search engines, as a result of their extended reach and, consequently, the higher risk of potential societal harm and dissemination of illegal content. On the other hand, smaller companies will have obligations commensurate with their size and ability. This approach will help to ensure that smaller businesses remain accountable and competitive in the single market.

# What are VLOPs and VLOSEs?

On 25 April 2023, the European Commission designated 17 VLOPs and 2 VLOSEs:

## VLOPs

- Alibaba AliExpress
- Amazon Store
- Apple AppStore
- Booking.com
- Facebook
- Google Play
- Google Maps
- Google Shopping
- Instagram
- LinkedIn
- Pinterest
- Snapchat
- TikTok
- Twitter
- Wikipedia
- YouTube
- Zalando

## VLOSEs

- Bing
- Google Search

Following this designation, from **25 August 2023**, VLOPs and VLOSEs have to comply with a full set of obligations under the DSA.

## What are the new obligations for VLOPs and VLOSEs?

Source – [EU Commission](#)

### User Empowerment:

- Users will get information on content and will be able to opt-out from recommendation systems based on profiling;
- Easy illegal content reporting;
- Advertisement will not be available based on sensitive personal data;
- Information on the source of ads;
- Easily understandable terms and conditions.

### More diligent content moderation, less disinformation

- Address risks related to dissemination of illegal content online;
- Diligent enforcement of terms and conditions;
- Mechanism enabling the users to flag illegal content and act upon receiving such information;
- Analyse risks and put in place mitigation measures.

These new DSA obligations aim at protecting users online, particularly their sensitive personal data.

These rules caused a delay in launch of the new Meta app Threads as it collects and processes sensitive personal data.

### Protection of minors

- VLOPs and VLOSEs have to ensure a high level of privacy, security and safety of minors;
- Targeted advertising based on profiling towards children is not allowed;
- Special assessment on negative effects on mental health within 4 months after designation;
- Mitigate the identified risks.

### More transparency and accountability

- Public access to repositories of all ads;
- Transparency reports on content moderation and risk management;
- Adapt their systems, resources and processes for compliance, set up independent compliance systems and report to the Commission their annual risk assessment.

### Risk Assessment

- Identify, analyse and mitigate a wide range of risks: illegal content, disinformation, impact on freedom of expression, gender-based violence, protection of minors and others;
- Prepare risk mitigation plans, which are subject to an independent audit and oversight by the Commission.

# Does the DSA apply to copyright violations?

1

## Broad definition of 'illegal content'

### Article 3(h) of the DSA:

'Illegal content' means any information, which, in itself or in relation to an activity, including the sale of products or the provision of services, is not in compliance with European Union law or the law of any Member State, irrespective of the precise subject matter or nature of that law.

2

## Recital 12 of the DSA clarifies what acts could be considered as illegal content

### Recital 12 of the DSA:

The concept should be defined broadly to cover information relating to illegal content, products, services and activities. In particular, that concept should be understood to refer to information, irrespective of its form, that under the applicable law is either itself illegal – such as illegal hate speech, terrorist content and unlawful discriminatory content – or that the applicable rules make illegal in view of the fact that it relates to activities that are illegal. Examples include the sharing of images depicting child sexual abuse, the unlawful non-consensual sharing of private images, online stalking, **the sale of non-compliant or counterfeit products**, the sale of products or the provision of services in infringement of consumer protection law, the **non-authorised use of copyright protected material**, the illegal offer of accommodation services or the illegal sale of live animals.

3

## DSA applies to IP violations

**The due diligence obligations of intermediary services introduced by the DSA will have a significant impact on copyright enforcement online and ensure a stronger enforcement of Intellectual Property rights online.**

# What is the Copyright Directive?

While the DSA aims to establish harmonised mechanisms in the field of online platform regulation, several sector-specific regulations are already in place. In the area of copyright-protected content, Article 17 of the [Directive on Copyright in the Digital Single Market](#) (Copyright Directive) establishes a new liability regime for certain information service providers. Both the DSA and Article 17 of the Copyright Directive set forth a number of obligations on how the information service providers should deal with illegal content, which raises a question about how the two documents interact.

**Article 17 of the Copyright Directive prohibits content-sharing platforms from displaying unlicensed copyright content on behalf of their users.**

## Copyright Directive

### Article 17 Obligations

To avoid being liable for its users' content, a content-sharing service must be able to demonstrate that it has made **BEST EFFORTS**

01

Not to display any copyrighted content which has been registered with the platform by rights-holders

02

To take down any copyrighted content on receipt of valid notice from the rights-holder

03

To prevent the re-upload of taken-down content

04

To obtain a license

## Article 17 applies to online content-sharing service providers

### [Article 2\(6\)](#)

What **is** an online content-sharing service provider?

an **information society service**

whose **main or one of the main purposes** is to store and give the **public access** to a **large amount** of copyright-protected works uploaded by its users

which it **organises and promotes for profit-making purposes**

What **is not** an online content-sharing service provider?

### [Recital 62](#)

Non-profit online encyclopaedias

Non-profit educational and scientific repositories

Open-source software developing and sharing platforms

Electronic communication service providers

Online marketplaces (whose main activity is online retail)

Business-to-business cloud services, and cloud services that allow users to upload content for their own use

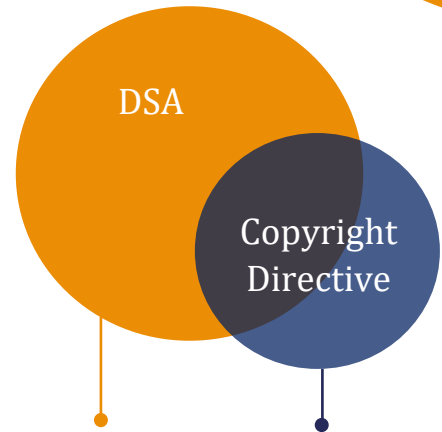


# Interplay between DSA and Copyright Directive

## Lex generalis vs lex specialis

The DSA addresses the potential overlap between the two legal regimes in [Article 2\(4\)\(b\)](#), which indicates that the Regulation is applicable “**without prejudice to the rules laid down by <...> Union law on copyright and related rights**”. [Recital 11](#) adds that the “**regulation is without prejudice to the rules of Union law on copyright and related rights, <...> which establish specific rules and procedures that should remain unaffected**”. This means that the DSA clearly intends to establish a more general mechanism, which will be supplemented by sector-specific regulation.

This makes the DSA *lex generalis* and Article 17 of the Copyright Directive – *lex specialis*, ‘*lex specialis derogat legi generali*’, which means that the DSA rules are applicable in matters not regulated by Article 17 of the Copyright Directive.



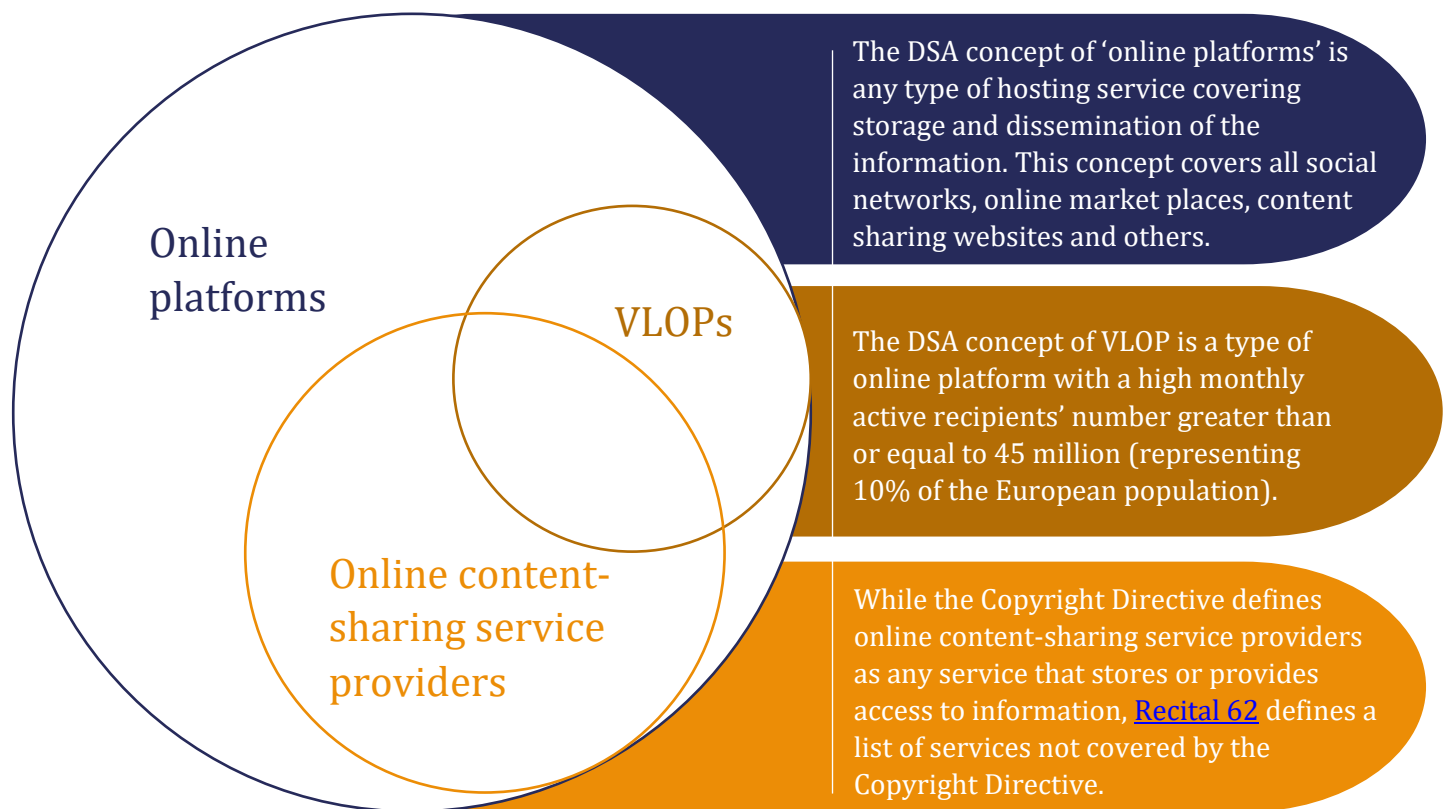
### Lex generalis

The DSA establishes general rules and mechanisms applicable to service providers

### Lex specialis

Copyright Directive is a sector-specific regulation applicable in areas not covered by the DSA

## Interplay between service providers defined by the DSA and Copyright Directive



Through the four categories of service providers, the DSA sets a broader scope of application. The Copyright Directive, on the other hand, only applies to online content-sharing service providers, which partially fall under the DSA’s concepts of online platforms and VLOPs.

# What are the new liability regime rules?

Chapter II of the DSA regulates the liability of providers of [intermediary services](#). This chapter maintains key principles set in Articles 12-15 of the [e-Commerce Directive](#), transfers them to Articles 4 to 6 and 8, and provides some additional clarifications.

## Similarities to e-Commerce Directive

### Exemption from liabilities

Similarly to the principles of the e-Commerce Directive, the DSA regulates exemptions from liability of intermediary service providers, stating conditions under which providers of mere [conduit services](#), [caching services](#) and [hosting services](#) may not be held liable for illegal third-party information stored or transmitted via them.

### Prohibition of general monitoring

The DSA further confirms the prohibition of general monitoring set in Article 15(1) of the [e-Commerce Directive](#).

## Prohibition of general monitoring and copyrights

This prohibition of general monitoring corresponds to the provisions of Article 17(8) of the [Copyright Directive](#) meaning that intermediary service providers cannot conduct general monitoring of copyright-protected content. The prohibition of general monitoring and installation of filtering systems to prevent copyright infringements has also been confirmed by the Court of Justice of the European Union (CJEU) in [several cases](#). However, Recital 30 of the DSA indicates that monitoring obligations in specific cases would not be against the prohibition of Article 8 of the DSA. The legislator does not specify what would constitute a specific case – the clarification is left to the regulation of national legislation in compliance with the EU law as interpreted by the CJEU.

## Novelty – Good Samaritan Protection

Having confirmed a majority of provisions in the e-Commerce Directive, the DSA introduces a novelty to the intermediary liability regime set out in the e-Commerce Directive. Pursuant to this new addition, the intermediaries will not automatically lose the conditional exemption from liability solely because they engage in voluntary investigations or other initiatives for [“detecting, identifying and removing, or disabling access to, illegal content”](#) (Article 7 of the DSA). In other words, voluntary measures taken by intermediaries on their own initiative and carried out in good faith should not be the sole reason for the loss of immunity. This provision is sometimes referred to as the ‘**Good Samaritan Protection**’.

## Good Samaritan Protection and copyrights

In terms of copyright-protected content, Article 17(4)(b) and (c) of the [Copyright Directive](#) already sets forth a liability exemption mechanism requiring online content-sharing service providers to make their **best efforts** to apply preventive measures to ensure the unavailability or removal of copyright-infringing content.

The Good Samaritan Protection has already been granted under US legislation called the Communications Decency Act, Section 230; however, EU legislation did not previously include such regulation.



# What are the cooperation obligations?

## Orders to provide information

### Article 10 of the DSA

The providers of intermediary services have an obligation to inform the requesting authority about the receipt of the order and any effect given to the order upon receipt of an order from national judicial or administrative authority.

Article 10 of the DSA establishes the requirements for the orders to provide information

## Cooperation with national judicial and administrative authorities

### Article 9 of the DSA

The DSA imposes an obligation on information service providers to cooperate with national judicial and administrative authorities by taking down illegal content or providing requested information about a specific user.

Orders to act against illegal content or to provide information could be closely linked with civil or criminal proceedings in national jurisdictions, as well as judicial cooperation mechanisms, which often relate to sensitive or classified information. For this reason, the DSA leaves a lot of room to avoid any prejudice to ongoing civil or criminal investigations and sets the conditions under which the provisions of the DSA would not be applicable.

The Article 10 obligations shall not be prejudiced to the EU or national law. For this reason, Article 10 along with Recitals 34 to 39 sets a list of conditions for the orders to provide the information.

Condition

01.

Orders to provide information should include a reference to the legal basis under Union or national law for the order.

The orders should include elements that enable the addressee to identify the issuing authority, including the contact details of a contact point within that authority where appropriate, and to verify the authenticity of the order.

Condition

02.

Condition

03.

The orders should have clear information enabling the provider of intermediary services to identify the specific recipient or recipients on whom information is sought, such as one or more account names or unique identifiers.

The orders should include a statement of reasons explaining the objective for which the information is required and why the requirement to provide the information is necessary and proportionate to determine compliance by the recipients of the intermediary services.

Condition

04.

Condition

05.

The orders should include information about redress mechanisms available to the provider and to the recipients of the service concerned.

Where applicable, the orders should include information about which authority is to receive the information about the effect given to the orders.

Condition

06.

# What is the notice and action mechanism?

The DSA proposes to harmonise the ‘notice and action’ regime, which had been implemented in a very fragmented manner under the [e-Commerce Directive](#). This, together with other provisions in the DSA, maintains the cornerstones of the [e-Commerce Directive](#) in relation to the protection of the freedom of expression, namely conditional immunity from liability for hosting content (Article 5).

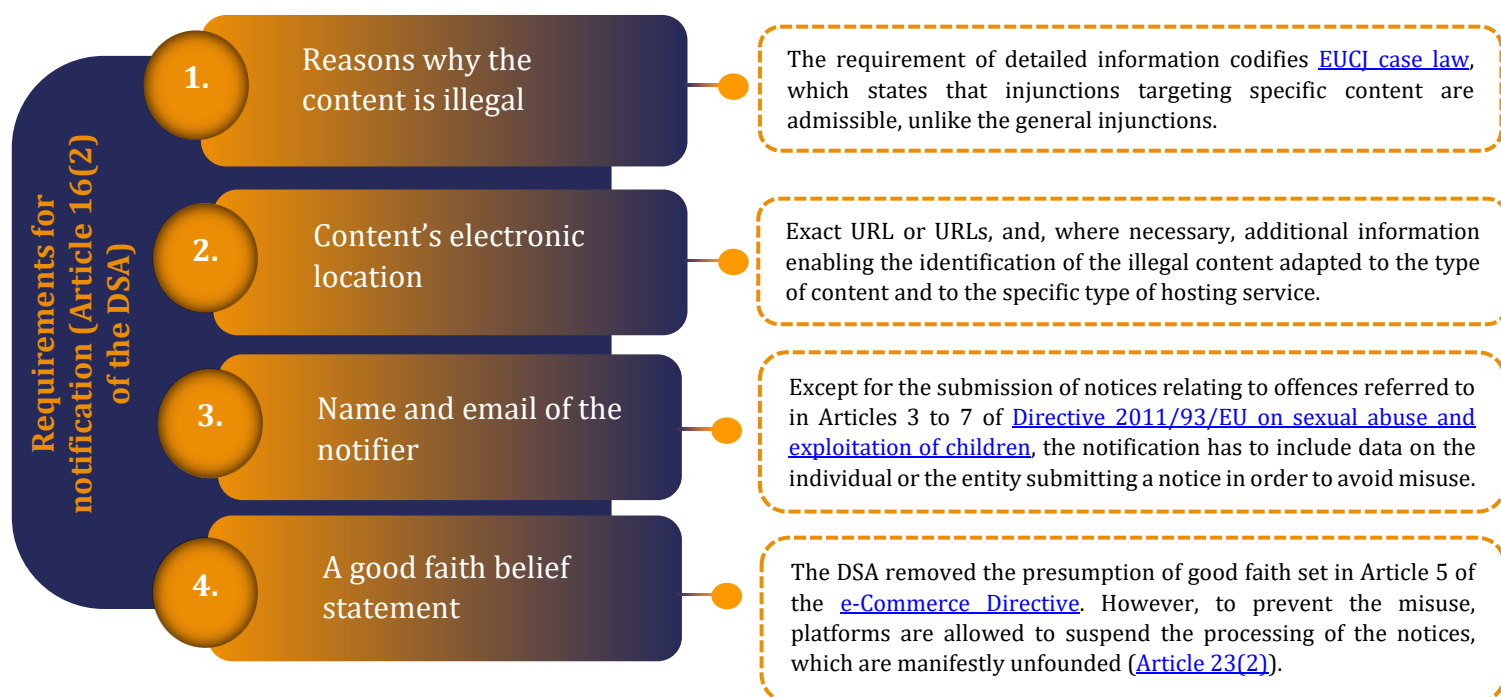
## Possibility to notify about illegal content

Hosting services, including online platforms, are required to set up a notice and action mechanism through which any individual or entity could notify them of the presence of illegal content, including content infringing copyrights, patents, trademarks or other IP rights. Strict requirements for notices are set to ensure that they are precise and sufficiently substantiated.

## Trusted flaggers

The DSA introduces the concept of ‘trusted flaggers’ (certified independent entities with expertise and competence in reporting illegal content). Online platform providers must ensure that reports from trusted flaggers are processed and decided on a priority basis.

**Recital 61 indicates that trusted flagger status can only be awarded to entities, and not individuals, that have demonstrated their expertise and competence in tackling illegal content. In particular, industry associations representing their members' interests are encouraged to apply for the status of trusted flaggers.**



## Internal complaint handling and dispute mechanism

Together with the notice and action mechanism, the DSA imposes on the online platforms an obligation to ensure internal complaint handling and dispute settlement mechanisms that could be easily accessible for users who disagree with the decision to remove their content ([Article 20](#)). The online platforms also need to set up certain safeguards against malicious notifications ([Article 23](#)). These obligations will ensure a transparent and efficient notification system, allowing an efficient takedown of illegal content, including copyright-infringing content, and guaranteeing that all possible precautions are taken to reduce potential misuse of the notification mechanisms.

# What is the DSA reporting sequence?

## Reporting illegal content to online platform (Article 16)

Article 16 requires online service providers to put in place systems that allow recipients of their services to notify them of the presence of allegedly illegal content. These mechanisms must enable for the submission of precise and detailed notices. Article 17 then requires online service providers to provide a statement of reasons to the affected user, which must include the decision made, the facts and circumstances relied on in making such a decision, information on the use of automated means, a reference to the legal or contractual ground relied on, and information on the available redress.

**APPROVED**

**If request is approved, the online platform takes down the illegal content giving statement of reasons**

**REJECTED**

## Possibility to submit a claim following internal complaint-handling system (Article 20)

If the Online platform rejects notification of illegal content, the affected recipient might file a complaint. Online service providers must have an internal complaint system that allows recipients of their services to file a complaint against decisions to remove, disable, suspend, or terminate a user's access to information, services, or their account. In such a circumstances, the online service provider re-examines the initial claim and decides whether to remove the reported information, along with a statement of reasons (Article 21).

**APPROVED**

**If approved, online platform takes down the illegal content giving statement of reasons**

**REJECTED**

## Possibility to refer to out-of-court dispute settlement mechanism (Article 21)

If the online service provider also rejects the complaint, they need to inform the complainant of their reasoned conclusion and the options available to them, including out-of-court settlement or other redress. In the event of an out-of-court settlement, the claim is referred to an out-of-court conflict resolution authority, which renders a decision.

**APPROVED**

**In case the claim is approved, the online platform reimburses expenses**

# How is the notice and action mechanism applicable to copyright protected content?

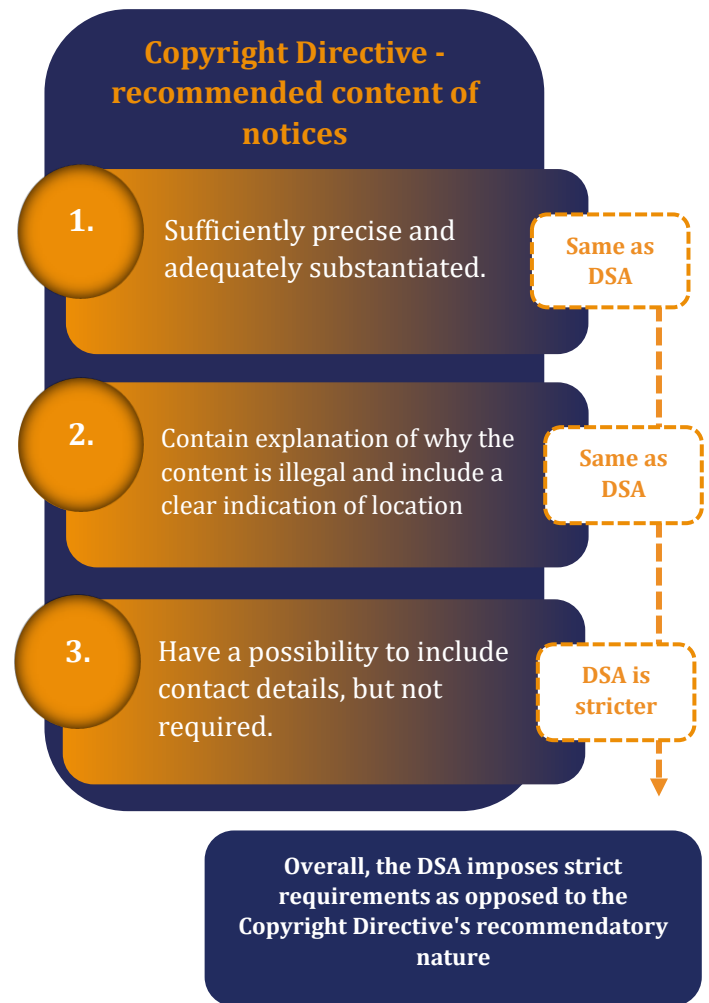
## Notification obligations set in the Copyright Directive

In this regard, it is important to note that the [Copyright Directive](#) also established certain notice and action obligations in Article 17(4)(b) and (c). Unlike the DSA, the Directive merely indicates that the notifications have to be ‘sufficiently substantiated’ without giving further details on the type of information that needs to be included in the notification.

The term ‘sufficiently substantiated’ was further clarified in the [Commission’s Guidance on Article 17 of the Copyright Directive](#), which provides general recommendations.

However, the Commission Guidance only provides recommendations, with the goal of allowing the provider in question to make an informed and diligent decision about the content to which the notice refers.

Compared to the Copyright Directive, the DSA has stricter requirements. The most notable is the obligation to provide contact details, which is mandatory under the new DSA notification regime.



## Does the obligation to notify about suspicious illegal activity apply to copyrights?

### Article 18 obligations

Hosting services have an obligation to notify local authorities of activity that raises a suspicion that the recipient may have committed, may be committing or is likely to commit a criminal offence involving a threat to the life or safety of a person or persons ([Article 18 of the DSA](#)). The DSA sets strict requirements on which criminal offences are considered serious, thus obliging the hosting services to report them.

While [Recital 56](#) gives a non-exhaustive list of what could constitute suspicious criminal activity (incitement to commit terrorism, sexual abuse and exploitation of children, trafficking in human beings), the main criteria remains that such activity poses a threat to the life or safety of persons.

Given that IP crimes are often of a commercial nature, which does not pose a threat to the life or safety of persons, it could be argued that the hosting services do not have an obligation to inform the law enforcement authorities of such criminal offences. The obligation of notification could apply in cases of fake medicines or other counterfeit products, which could involve a threat to the life and safety of persons.

Article 18 obligations **are not applicable to intellectual property crimes**, except when they involve a threat to the life and safety of persons.

# What are transparency reporting obligations?

The DSA introduces multiple layers of transparency reporting obligations of intermediaries concerning content moderation activities, which is an essential element to ensure accountability. Transparency obligations depend on the type of service provider.

These requirements are designed to help online users, oversight bodies and the general public to understand how content moderation is conducted by large and very large online platforms, the most common types of illegal content and how it is taken down. These obligations will also help to ensure due diligence and a due process regime for online intermediaries.

These obligations are of particular importance in case of moderating illegal content related to copyrights and other IP-related rights. It would help to understand the latest trends and type of IP-infringing content as well as to assist law enforcement agencies in taking preventive actions.



	Intermediary services	Hosting services	Online platforms	VLOPs
Terms of use	<a href="#">Article 14</a>	<a href="#">Article 14</a> <a href="#">Article 17</a>	<a href="#">Article 14</a> <a href="#">Article 17</a> <a href="#">Article 23</a> <a href="#">Article 27</a> <a href="#">Article 30</a>	<a href="#">Article 14</a> <a href="#">Article 17</a> <a href="#">Article 23</a> <a href="#">Article 27</a> <a href="#">Article 30</a> <a href="#">Article 38</a>
Transparency reporting obligations	<a href="#">Article 15</a>	<a href="#">Article 15</a>	<a href="#">Article 15</a> <a href="#">Article 22</a> <a href="#">Article 24</a>	<a href="#">Article 15</a> <a href="#">Article 22</a> <a href="#">Article 24</a> <a href="#">Article 42</a>
Reporting/cooperation obligations	<a href="#">Article 9</a>	<a href="#">Article 9</a> <a href="#">Article 18</a>	<a href="#">Article 9</a> <a href="#">Article 18</a>	<a href="#">Article 9</a> <a href="#">Article 18</a>
Advertising transparency	X	X	<a href="#">Article 26</a>	<a href="#">Article 26</a> <a href="#">Article 39</a>
Risk assessment and auditing	X	X	X	<a href="#">Articles 34-36</a> <a href="#">Article 37</a>
Access to data	X	X	X	<a href="#">Article 40</a> <a href="#">Article 79</a>



# How will the DSA be enforced?

In Chapter IV, the DSA outlines the framework for enforcement, implementation, cooperation and penalties. The DSA combines the country-of-origin principle with a decisive centralisation of powers, in the hands of the Commission, when it comes to enforcement against the most powerful platforms. It provides sufficient tools to curb illegal content, including copyright-infringing content through various enforcement measures, including blocking orders against access providers.

The European Commission has significant supervisory and empowerment powers. The Commission is the primary regulator for VLOPs and VLOSEs. The centralised approach is set due to the potential cross-border impact in case of failure to comply with the DSA obligations.

## Tasks

The Commission has exclusive powers for provisions in Section 5 of Chapter III, the due diligence obligations, including risk assessments, independent audits, and additional online advertising transparency.

Investigative powers, exercised either through its own initiative or at a request of a Digital Service Coordinator (DSC) upon suspicion of infringement by VLOPs or VLOSEs.

Enforcement powers, including the request to provide information, issue non-compliance decisions, impose fines and make legally binding commitments.

Articles 49 and 50 of the DSA establish the national DSC as a main competent authority.

**In line with Recital 109, Member States could appoint more than one competent authority. This would enable the appointment of a separate DSC for the copyright protection.**

EBDS is an independent advisory group aimed at supporting consistent application of the DSA. It comprises all DSCs who have voting power, and the Commission as a chair, without voting power.

Primary role is advisory, which includes drafting codes of conduct and supporting joint investigations between the DSCs and the Commission.

Advises the DSCs and the Commission about appropriate enforcement measures, especially for the VLOPs.

## Tasks

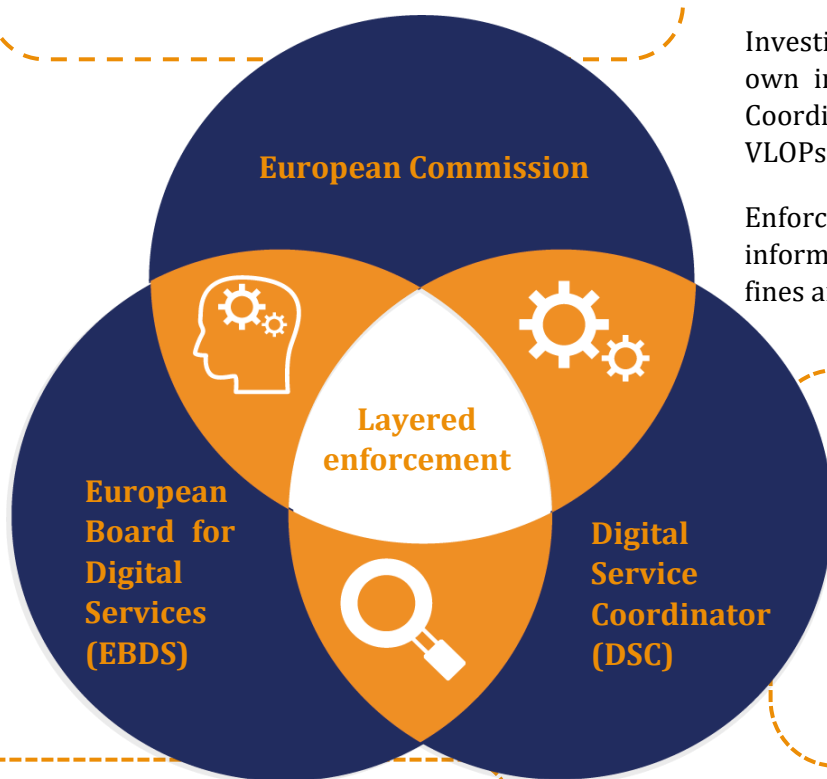
## Tasks

Have vast investigation powers, including carrying out on-site inspections, interviewing staff members, and requiring the production of documents and information.

Have extensive enforcement powers, including making compliance agreements, imposing interim measures, fines and penalties.

Are responsible for coordinating the enforcement of the DSA – DSCs have to cooperate with each other, national authorities, EBDS and the Commission.

Recipients of the service have the right to lodge a complaint with the DSC against providers of intermediary services alleging an infringement of DSA ([Article 53](#)).





# References

## EU documents

- Digital Services Act. European Parliament legislative resolution of 5 July 2022 on the proposal for a regulation of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and amending Directive 2000/31/EC (COM(2020)0825 – C9-0418/2020 – 2020/0361(COD)), [Texts adopted - Digital Services Act \\*\\*\\*I - Tuesday, 5 July 2022 \(europa.eu\)](#).
- European Commission, Proposal for Regulation of the European Parliament and of the Council on a Single Market for Digital Services (Digital Services Act) and amending Directive 2000/31/EC, COM(2020) 825 final, [EUR-Lex - 52020PC0825 - EN - EUR-Lex \(europa.eu\)](#).
- Copyright Directive. Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC, [EUR-Lex - 32019L0790 - EN - EUR-Lex \(europa.eu\)](#).
- E-Commerce Directive. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market. [EUR-Lex - 32000L0031 - EN - EUR-Lex \(europa.eu\)](#).
- Communication from the Commission to the European Parliament and the Council, Guidance on Article 17 of Directive 2019/790 on Copyright in the Digital Single Market, COM/2021/288. [EUR-Lex - 52021DC0288 - EN - EUR-Lex \(europa.eu\)](#).

## Other documents

- Peukert, A., Husovec, M., Kretschmer, M. et al. European Copyright Society – Comment on Copyright and the Digital Services Act Proposal. IIC 53, 358–376 (2022).
- Quintais, J.P. and Schwemer, S.F. ‘The Interplay between the Digital Services Act and Sector Regulation: How Special Is Copyright?’ European Journal of Risk Regulation. <https://doi.org/10.1017/err.2022.1>.
- The Digital Services Act: ensuring a safe and accountable online environment. [The Digital Services Act: ensuring a safe and accountable online environment | European Commission \(europa.eu\)](#).
- Digital services package. [Digital services package – Consilium \(europa.eu\)](#).
- Digital Services Act: Commission welcomes political agreement on rules ensuring a safe and accountable online environment. [DSA: Commission welcomes political agreement \(europa.eu\)](#).
- The Digital Services Act package. [The Digital Services Act package | Shaping Europe’s digital future \(europa.eu\)](#).
- A Europe fit for the digital age. [A Europe fit for the digital age | European Commission \(europa.eu\)](#).



This flyer was prepared by the Intellectual Property Crime (IPC) Project at Eurojust.

The IPC Project is funded by the European Union Intellectual Property Office (EUIPO). The Project aims to boost cooperation and ensure a more coherent and robust response against IP infringements across the EU.

## Eurojust

Twitter & LinkedIn: @Eurojust

### PDF:

- Catalogue number: QP-02-24-408-EN-N
- ISBN: 978-92-9404-334-4
- DOI: 10.2812/802073



The designations and the presentation of the materials used in this publication, including their respective references, do not imply the expression of any opinion whatsoever on the part of Eurojust.

This document was created using information obtained from online sources and legislation in effect at the time of writing.

In case of errors or inconsistencies in the document, please notify the IPC Project at [IPCrime@eurojust.europa.eu](mailto:IPCrime@eurojust.europa.eu).

Get in touch with us at:

**[IPCrime@eurojust.europa.eu](mailto:IPCrime@eurojust.europa.eu)**

Website:

<https://www.eurojust.europa.eu/intellectual-property-crime-project>

