

The new Digital Services Act Package: A paradigm shift?

A webinar series of the European Audiovisual Observatory

#3 Copyright and the Digital Services Act

The DSA introduces a horizontal framework for all categories of content, products, services and activities of "intermediary services" providers, through a scale of obligations depending on the size of the provider. It builds on the E-Commerce Directive (ECD) and complements and clarifies the Directive on Copyright in the Digital Single Market (DSM). How will the DSA interplay with the EU acquis on copyright? How will the new gradual liability regime operate? And what are the new obligations of online platforms under due diligence and transparency (from notice and action mechanisms to trusted flaggers, fast-track procedures and stay-down obligations against repeat infringers...)?

Thursday, 27 May 2021, 16.00 – 17.30 CET, Online webinar

Opening	
16.00 – 16.05	Opening and introduction to the session by Maja Cappello , Head of the Observatory's Department for Legal Information
The expert's corner	
16.05 – 16.15	Risks and opportunities of the DSA in light of copyright rules – <i>The interplay between the DSA, the E-Commerce Directive (ECD) and the Directive on Copyright in the Single Market (DSM)</i> Eleonora Rosati , Professor of IP Law of Stockholm University, Director of the Institute for intellectual property and market law (IFIM)
Fire-side chats with stakeholders	
16.15 – 16.25	Setting the scene by Marco Giorello , Head of Unit, Copyright, DG CONNECT, European Commission
16.25 – 16.35	Platform liability, due diligence, and the fight against illegal content: What impact? <i>A stated goal of the DSA is to reduce consumer exposure to illegal content, which it aims to do by imposing "due diligence" obligations on platforms. Whether this succeeds will depend in part on the interplay between the new rules and the liability framework, which involves elements of the DSA, Art. 17 DSM, and pending ECJ cases.</i> Stan McCoy , President and Managing Director EMEA, Motion Picture Association (MPA)
16.35 – 16.45	From filtering and blocking illegal content to stay-down obligation: what can online platform do? <i>From filtering/blocking illegal content through automated filtering (Art. 17 DSM) to Notice and Action (N&A) mechanism, stay down mechanisms and trusted flaggers (DSA): what is the role of online platform and what can they effectively do to combat copyright infringement?</i> Marco Pancini , Government Affairs and Public Policy Director for Europe, YouTube
16.45-16.55	Transparency obligations on very large platforms <i>Can new transparency measures for very large platforms and access to data benefit the audiovisual sector? Could the "Know Your Business Customer" obligations on traceability of business customers be a solution against infringement of copyright-protected content?</i> Stéphanie Martin , Legal Advisor, Society of Audiovisual Authors (SAA)
16.55-17.05	What are the risks for user's rights? <i>How will the changes in the liability regime introduced by the DSA for most online sharing platforms impact users' rights with respect to legitimate uses of protected works?</i> Maria Michalis , The European Alliance of Listeners and Viewers Associations (Euralva)
Interaction with the audience	
17.05 – 17.20	Short Q & A session with our audience
Closing	
17.20 – 17.30	Closing with input from the Expert and the European Commission Maja Cappello , Head of the Observatory's Department for Legal Information