[IT] AGCOM orders the blocking of the DNS of several football streaming sites

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On 10 September 2015, the *Autorità per le garanzie nelle comunicazioni* (Italian Communications Authority - AGCOM) by means of Resolutions no. 157/15/CSP, 158/15/CSP and 159/15/CSP ordered the blocking of the DNS of several web pages hosted on servers managed by foreign companies through which it was possible to view football matches between Italian and foreign teams.

The legal basis of the abovementioned AGCOM decisions is the Regulation for the protection of copyright on electronic communications networks adopted by means of Resolution no. 680/13/CONS on 12 December 2013.

In particular Section 8, paragraph 4 of the above AGCOM Regulation sets forth that if AGCOM ascertains a copyright infringement and the infringing website is hosted on servers located outside Italy, AGCOM may order the relevant service providers to disable the access to the web page.

Furthermore according to paragraph 5 of the same section, AGCOM may order that users requesting access to the disabled websites are automatically redirected to a landing page stating that the websites were shut down according to Regulation no. 680/13/CONS.

In light of the above-described legal framework, and following Mediaset Premium S.p.A.'s complaints, AGCOM ascertained that streaming websites hosted on foreign servers made accessible several Series A and the International Champions Cup football matches, whose audiovisual rights were held by Mediaset.

With reference to the copyright infringements at hand, AGCOM deemed the exceptions and limitations to the protection of copyright set forth under Italian Copyright Law not applicable, and therefore ordered the mere conduit service providers to block the DNS of the websites through which the football matches were accessible within two days.

Delibera n. 157/15/CSP, Provvedimento ai sensi degli articoli 8, commi 2 e 4, e 9, comma 1, lett. d) del Regolamento in materia di tutela del diritto d'autore sulle reti di comunicazioni elettronica e procedure attuative ai sensi del Decreto Legislativo 9 aprile 2003, n. 70, di cui alla

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delibera n. 680/13/CONS

http://www.agcom.it/documentazione/documento?p_p_auth=fLw7zRht&p_p_id=101_INSTANCE_kidx9GUnIodu&p_p_lifecycle=0&p_p_col_id=column-1&p_p_col_count=1&_101_INSTANCE_kidx9GUnIodu_struts_action=%2Fasset_publisher%2Fview_content&_101_INS

Resolution no. 157/15/CSP, Decision issued according to Sections 8, paragraphs 2 and 4, and 9, paragraph 1, letter d) of the Regulation for the protection of copyright on communications services networks and relevant implementing measures provided under Legislative Decree of April 9, 2003, no. 70 as set forth under Resolution no. 680/13/CON

Delibera n. 158/15/CSP, Provvedimento ai sensi degli articoli 8, commi 2 e 4, e 9, comma 1, lett. d) del Regolamento in materia di tutela del diritto d'autore sulle reti di comunicazioni elettronica e procedure attuative ai sensi del Decreto Legislativo 9 aprile 2003, n. 70, di cui alla delibera n. 680/13/CONS

http://www.agcom.it/documentazione/documento?p_p_auth=fLw7zRht&p_p_id=101_INSTANCE_kidx9GUnIodu&p_p_lifecycle=0&p_p_col_id=column-1&p_p_col_count=1&_101_INSTANCE_kidx9GUnIodu_struts_action=%2Fasset_publisher%2Fview_content&_101_INS

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http://www.agcom.it/documentazione/documento?p_p_auth=fLw7zRht&p_p_id=101_INSTANCE_kidx9GUnIodu&p_p_lifecycle=0&p_p_col_id=column-1&p_p_col_count=1&_101_INSTANCE_kidx9GUnIodu_struts_action=%2Fasset_publisher%2Fview_content&_101_INS

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