

[CZ] Czech Court decides against M7 Group concerning distribution of channels

IRIS 2018-8:1/13

Jan Fučík
Česká televize

The Municipal Court in Prague granted the application of TV Prima for interim measures regarding Skylink decryption cards. Operators should not breach their contracts with TV Prima by distributing its programmes outside of the Czech Republic, thus running the risk of being penalised by global copyright holders for foreign programmes. In particular, the Court issued an interim injunction against M7 Group Luxembourg preventing it from distributing TV Prima channels actually intended for Czech viewers in Slovakia. The Court ordered M7 Group to block access to the channels Prima, Prima Cool, Prima Love, Prima Zoom, Prima Max and Prima Krimi on decryption cards supplied by the DTH platform Skylink in Slovakia. Furthermore, M7 Group was also obliged to stop offering and selling such cards in Slovakia. An appeal was lodged against that interim measure by M7 Group.

The Municipal Court in Prague also issued two preliminary measures against M7 Group Luxembourg concerning the unauthorised distribution of the free-to-air channels TV Nova in Slovakia and TV Markiza in the Czech Republic. Under the terms of the preliminary decision, M7 Group is obliged to block access to TV Nova's programmes via decoder cards that allow users to access the DTH platform Skylink's services in Slovakia. At the same time, M7 Group cannot offer and sell decoder cards in Slovakia that allow access to TV Nova's free broadcast channels. Similarly, the preliminary measure also obliges M7 Group to block access to TV Markiza's programmes via decoder cards in the Czech Republic. Likewise, M7 Group may not offer and sell decoder cards in the Czech Republic that allow access to TV Markiza's free broadcast channels. TV Nova and TV Markiza are both owned by Central European Media Enterprises (CME), while the M7 Group operates Skylink, which provides DTH services in both the Czech Republic and Slovakia.

Předběžné opatření Městského soudu v Praze č.j. 1 Nc 7/2018 z 28.6.2018

Interim Injunction Municipal Court in Prague Nr.1 Nc 7/2018 from 28 June 2018

