[ES] Ruling against Spanish Football League piracy

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The National Professional Football League and the pay-TV service Movistar Plus+ have won a lawsuit filed by both entities to prevent the piracy of content from the National League Championship, known as LaLiga, managed by the former organism. Telefónica, the telecom company that owns Movistar Plus+, has shared part of the ruling of Barcelona's Commercial Court No. 9 of 25 July 2022, which empowers the operator to block websites that facilitate piracy. This court decision came into force a few days before the start of the championship, whose first match day took place on 12 August; it will be active until the end of 2024/2025 season.

Although there have been previous court orders in Spain blocking pirate websites that infringed LaLiga's broadcasting rights, this new ruling has a clear precedent in the one issued on 21 December 2021 by Barcelona's Commercial Court No. 6. The 2021 decision enabled dynamic protection mechanisms for blocking pirated content hosted on the Internet, since it authorised weekly communications between LaLiga and/or Telefónica with the main Internet service providers —including, in turn, Telefónica— to block pirate websites without the need to notify the court in advance.

Telefónica argues that this protective measure is necessary because numerous cases of digital piracy have been detected that affect the exploitation of their broadcasting rights, since different models of piracy of audiovisual content on the Internet are used. In this respect, the number of unlawful domains cited in the new ruling is well above previous similar court decisions and it identifies many of the technological practices that allow the illegal sharing of content, like P2P streaming.

In addition, it should be noted that LaLiga is a highly strategic asset for Movistar Plus+, the sole owner of its broadcasting rights in Spain, along with the streaming service DAZN. Not in vain, the *Comisión Nacional de los Mercados y la Competencia* (National Markets and Competition Commission - CNMC), the body that promotes and ensures the proper operation of the markets, issued various reports analysing the conditions for selling the broadcasting rights of this world renowned championship (see IRIS 2022-4/8).

It is also worth mentioning that, in a related ruling, Movistar Plus+ won another lawsuit, filed alone, which will also allow the operator to obtain weekly blocking of

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websites that facilitate piracy of any of the audiovisual content it owns. Thus, all content on the Movistar Plus+ platform will be protected through the weekly mechanism of blocking pirate domains enabled by the courts, as well as the content of those OTTs with which Movistar has different commercial agreements.

LaLiga y Movistar Plus+ ganan una demanda conjunta para evitar la piratería

https://www.telefonica.es/es/sala-comunicacion/laliga-y-movistar-plus-ganan-una-demanda-conjunta-para-evitar-la-pirateria/

LaLiga and Movistar Plus+ win a class-action lawsuit to avoid piracy

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