European Commission publishes Key Performance Indicators to monitor and assess the effects of its Recommendation on online piracy of sports and other live events

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Following the adoption on 4 May 2023 of the Recommendation regarding online piracy of sports and other live events, the European Commission published, on 31 July 2023, Key Performance Indicators (KPIs) to monitor and assess the effects of the Recommendation. The European Observatory on Infringement of Intellectual Property Rights, hosted by the European Union Intellectual Property Office (EUIPO Observatory) will support the European Commission in that monitoring and assessment.

The Recommendation is to encourage member states, national authorities, holders of rights and providers of intermediary services to take "effective, appropriate, and proportionate measures to combat unauthorised retransmissions of live sports events and other live events." Its Recommendations to member states emphasise the importance of promptly treating notices related to unauthorised live event retransmissions and the use of injunctions tailored to the dynamic nature of live events. It also encourages cooperation between public authorities, holders of rights and providers of intermediary services, and raises awareness of the existence of commercial offers. The holders of rights of live transmission events are encouraged to increase the availability, affordability and attractiveness of their commercial offers to end users across the European Union.

Four KPIs have been established to monitor and assess the implementation and effects of the Recommendation. While the first KPI quantifies the number of visits to pirate live sports events websites, differentiated by traffic source and device, the others include both quantitative and qualitative data.

The second KPI focuses on the prompt treatment of notices related to unauthorised retransmission of live events, monitoring the volume and follow-up of notices, the action taken by intermediaries to avoid misuse and/or repeated misuses of their services for unauthorised retransmission of live events and the evolution of voluntary cooperation with other market players to ensure that their services are not used to facilitate the promotion and functioning of operators giving access to unauthorised retransmission of live events.

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The third KPI assesses the effects of the Recommendation on the use of blocking injunctions and dynamic blocking injunctions tailored to live events, based on data from public authorities, internet access providers and holders of rights or third-party service providers specialised in enforcing their rights online.

Lastly, the fourth KPI focuses on the availability, affordability and attractiveness of commercial offers, and the awareness of legal offers of live sports and other events, based on data from holder of rights in live transmissions of sports and other events, and from national authorities.

The European Commission will assess the effects of the Recommendation by 17 November 2025, based on the results of the monitoring exercise but potentially also other sources of information. Stakeholders interested in participating in the monitoring exercise should contact the EUIPO.

Recommendation on online piracy of sports and other live events: the Commission services publish Key Performance Indicators

https://digital-strategy.ec.europa.eu/en/news/recommendation-online-piracy-sports-and-other-live-events-commission-services-publish-key

Recommendation on combating online piracy of sports and other live events

https://digital-strategy.ec.europa.eu/en/library/recommendation-combating-online-piracy-sports-and-other-live-events

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