

Council takes digital content forward, but further efforts needed

BRUSSELS (June 8th 2017) - DIGITALEUROPE welcomes the improvements made in Council on the Digital Content Directive, and in particular the efforts to avoid overlaps and conflicts between the proposed Digital Content Directive and the recently adopted General Data Protection Regulation (GDPR). The clear references to the GDPR are a significant improvement and will provide legal certainty as we enter the implementation phase of the new privacy rules.

However, we urge lawmakers to address our outstanding concerns in the trilogue negotiations, especially regarding the scope of the Directive.

While we believe that the changes made to limit the scope to the provision of personal data is a step in the right direction, we remain strongly concerned about endorsing the general principle that ‘users pay with their data’, and its impact on consumers and business.

“The scope, as agreed today, fails to take current and future market developments as well as changing consumer needs fully into account,” said DIGITALEUROPE Director General Cecilia Bonefeld-Dahl. “It will create greater uncertainty and risk for both consumers and suppliers, especially start-ups and SMEs. This will result in fewer innovative content providers and reduce incentives for companies to innovate and grow.”

“App development in the EU alone is now worth € 63bn and will provide nearly 5 million jobs by 2018,” added Ms Bonefeld-Dahl. “This new phase of impressive growth in Europe’s digital content and service market is thanks to the availability of free, freemium and paid business models, which let consumers access content according to their preferences. We must not fix what isn’t broken. In fact, the average user has 95 different apps installed on their devices and overall consumer satisfaction is very high for zero-priced and paid-for content.”

DIGITALEUROPE also regrets the decision taken by the Council that embedded digital content should fall under the Tangible Goods Directive. Access to remedies in the case of lack of supply or conformity of the content or service should of course be facilitated, but the approach adopted will create confusion for consumers. “Most people will find it difficult to distinguish between embedded and non-embedded digital content,” explained Ms Bonefeld-Dahl. “All digital content – embedded or not – should be treated the same way and fall under the Digital Content Directive.”

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ABOUT DIGITALEUROPE

DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies.

DIGITALEUROPE ensures industry participation in the development and implementation of EU policies. DIGITALEUROPE's members include 61 corporate members and 37 national trade associations from across Europe. Our website provides further information on our recent news and activities: <http://www.digitaleurope.org>

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