



Status and results of MoU on the sale of Counterfeit goods online & MoU on Online Advertising and IPR

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Memorandum of Understanding

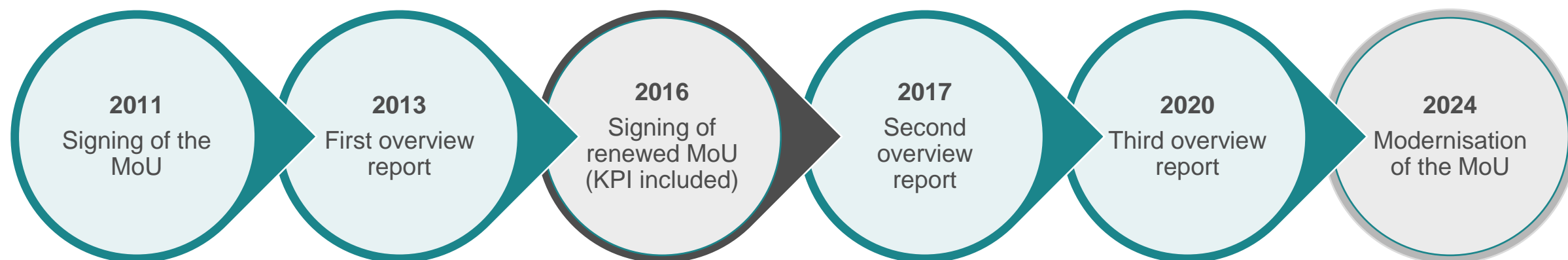
The European Commission is facilitating two MoUs:

- **2011: MoU on the sale of counterfeit goods on the internet**
 - Prevent offers of counterfeit goods from appearing on online marketplaces
- **2016: MoU on Online Advertising and Intellectual Property Rights**
 - Limit advertising on websites and mobile applications that infringe copyright or disseminate counterfeit goods



MoU on the sale of counterfeit goods online

Objective: Prevent offers of counterfeit goods from appearing on online marketplaces



Key areas covered in the MoU



MoU Cooperation in practice



MoU meetings

- Plenary meeting twice a year
- Discussion on:
 - Experiences & disagreements
 - Agreed results (KPI)
 - Sharing of best practices
 - Challenge and opportunities of new trends and technologies (e.g. AI & blockchain)
- Cooperation with law enforcement authorities

The role of the Commission and EUIPO

European Commission

Not a signatory, but plays a facilitating role, e.g. by:

- organising meetings
- ensuring that all signatories act constructively & in good faith
- promoting the MoU cooperation
- explaining the function & benefits of the MoU to potential new signatories

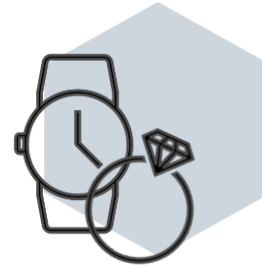
EUIPO

Not a signatory, but acts as a trusted party for KPIs by:

- ensuring the confidentiality of individual submissions
- ensuring a neutral, non-discriminatory evaluation process
- aggregating & analysing the agreed results reported by signatories
- sending the agreed results to the Commission & the signatories

Data Collection Exercise – the KPIs

- Twice a year
- Helping signatories to better structure their monitoring processes
- Bilateral dialogues between right holders and online platforms:
 - exchange of information
 - broader issues raised
 - feedback on online platforms' reporting tools provided by rights holders



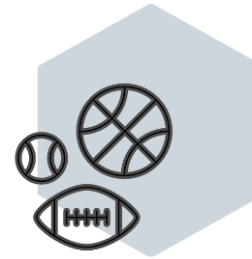
Luxury brands



Electronics



Fashion brands

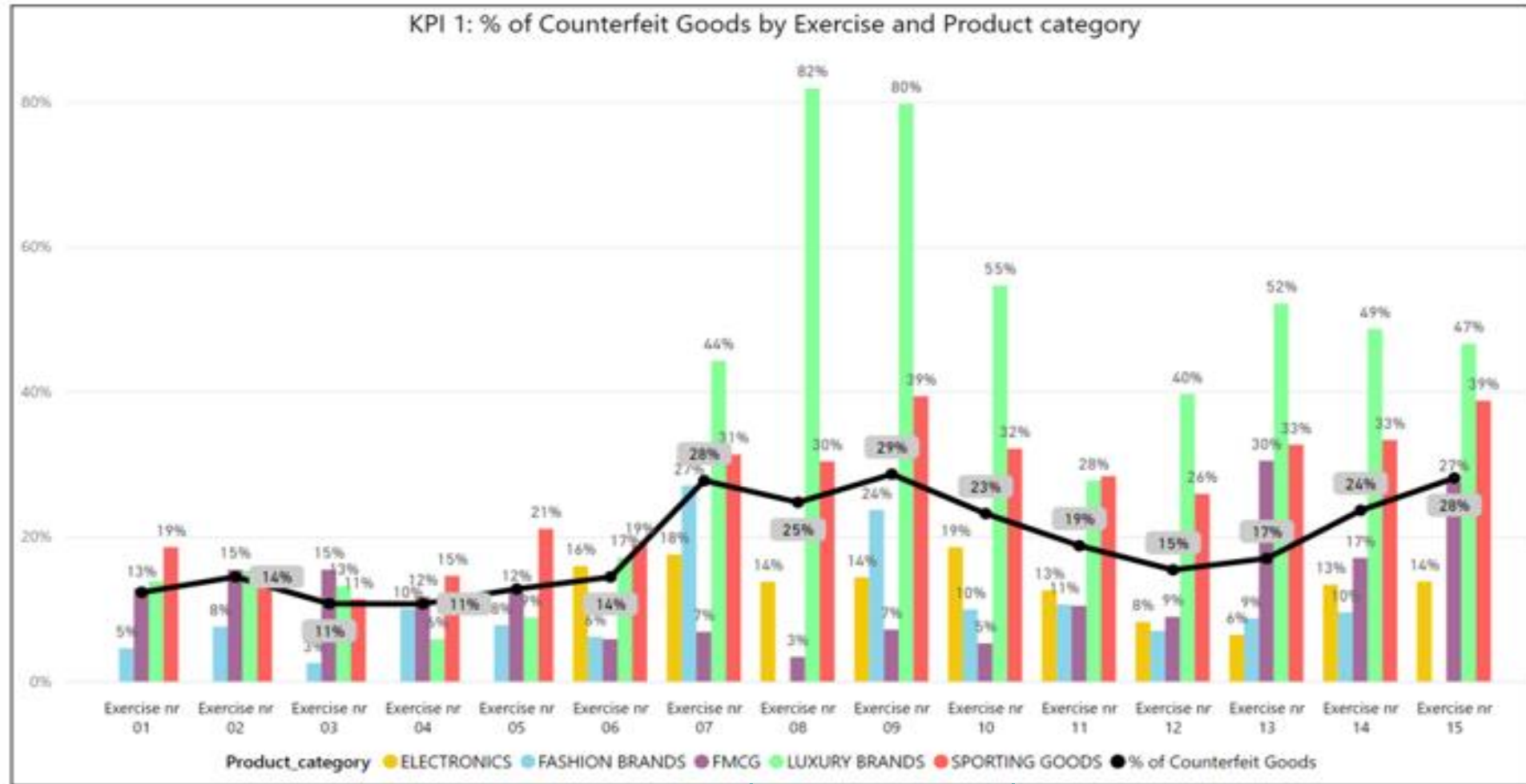


Sporting goods



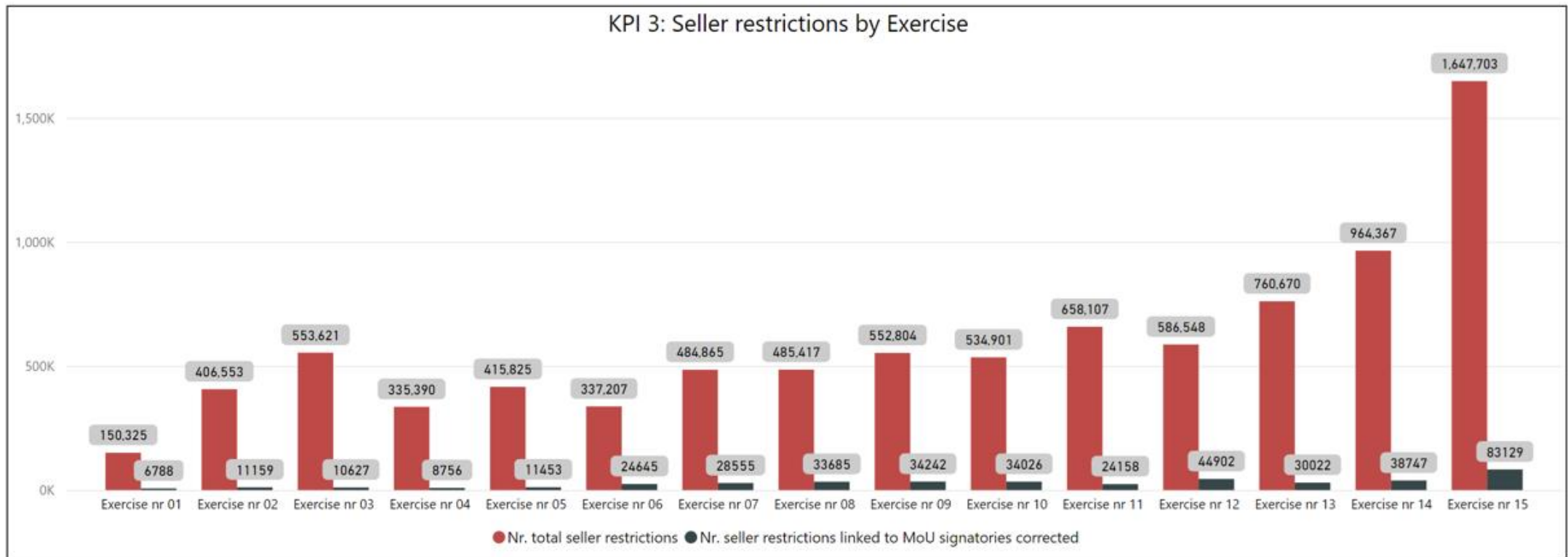
Fast-moving consumer goods

Counterfeit goods identified



Covid19

Seller restrictions by exercise



Key outcome of the MoU on counterfeiting

- **Positive impact observed**
 - **Reduction in counterfeit listings**, supported by robust KPI tracking
 - **Enhanced collaboration** with customs and law enforcement for identifying high-risk sellers and counterfeit networks
 - Development of **proactive measures** like identity verification for sellers, proactive detection of counterfeit items, and brand protection programs
 - Rights holders and online platforms value regular meetings for **sharing insights, challenges, and best practices**

Modernisation and revision of the MoU

Feedback from signatories

- **Strong support to continue cooperation**, emphasising transparency, improved communication, and timely exchange of information

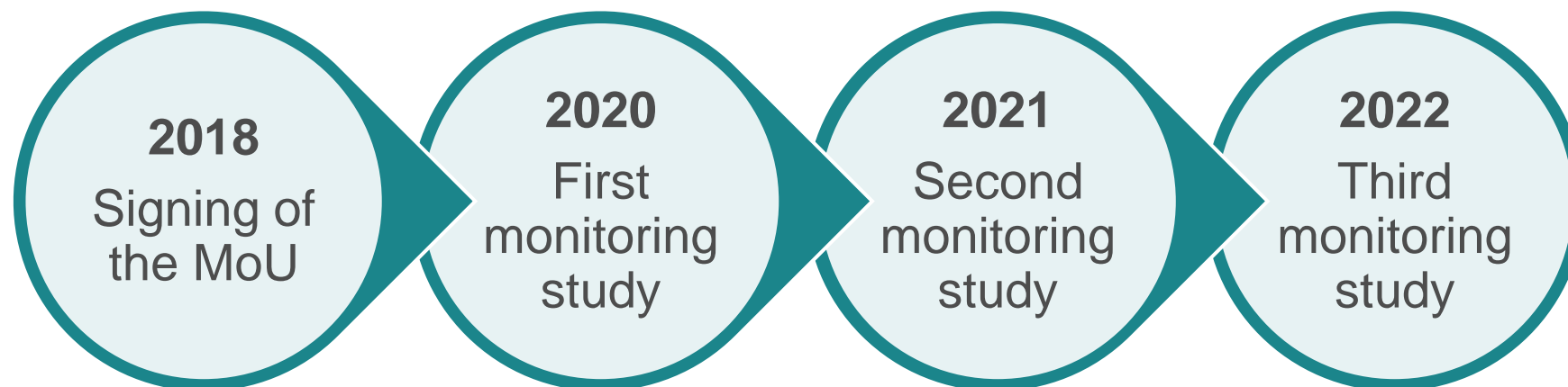
Need for revision and modernisation

- **New digital and legal landscape** shaped by the Digital Services Act and the growth of e-commerce
- Opportunity to further **strengthen collaboration** and improve the KPI data collection exercise



MoU on Online Advertising and IPR

Objective: Limit the placement of advertising on IPR-infringing websites and mobile apps



Key areas covered in the MoU



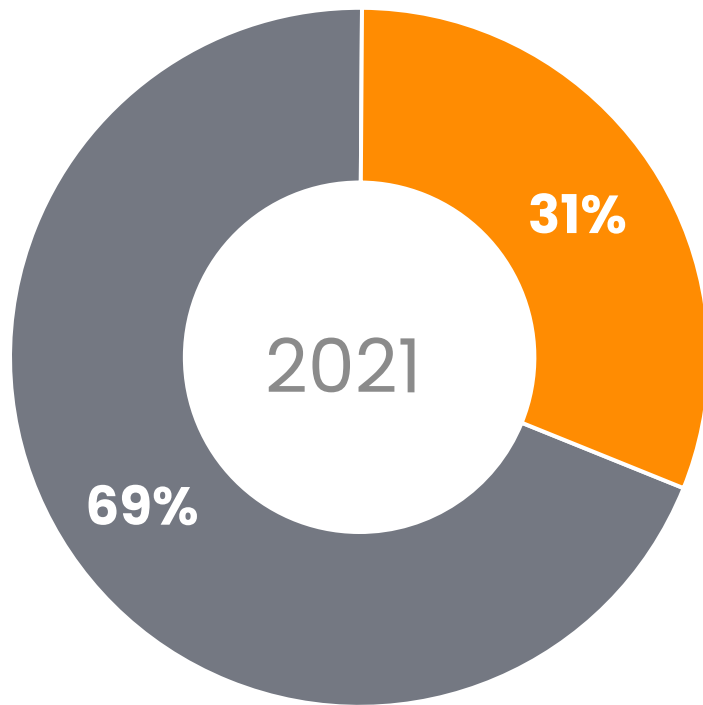
MoU cooperation in practice



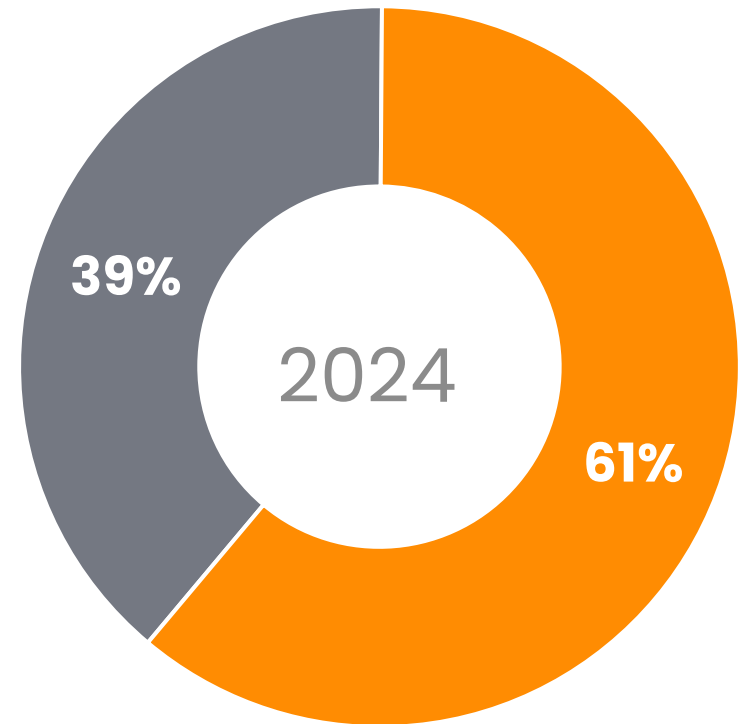
MoU meetings

- One yearly plenary meeting
- Discussion on:
 - Update on on-going initiatives
 - Update on the ad funded piracy landscape
 - Sharing of best practices
 - Communication & awareness raising

Increase in ad views on **illegal websites**

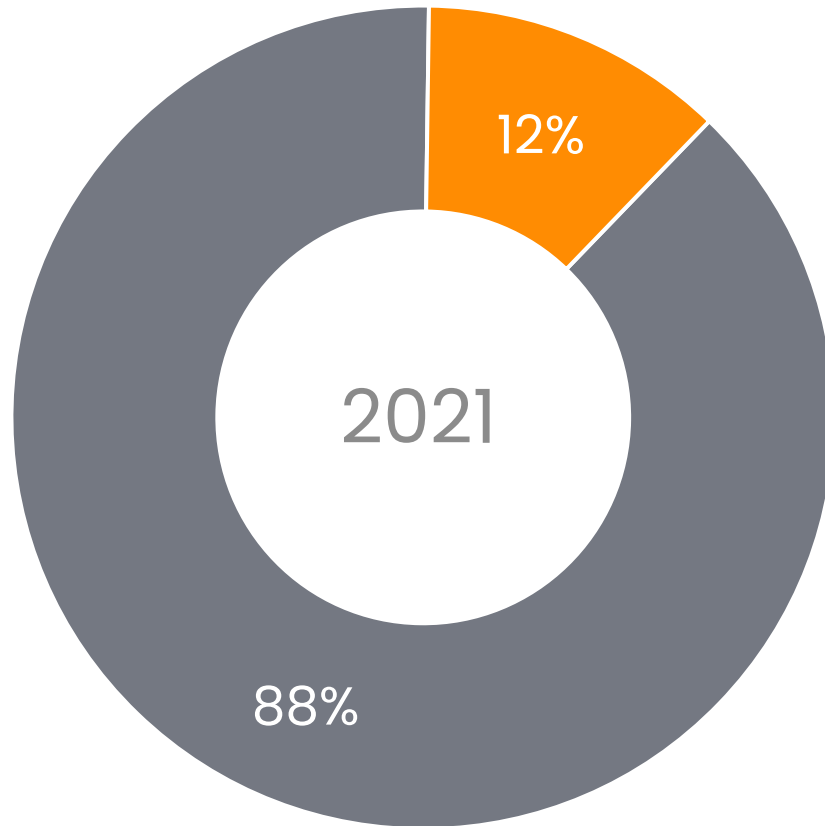


■ High Risk Websites ■ Illegal Websites

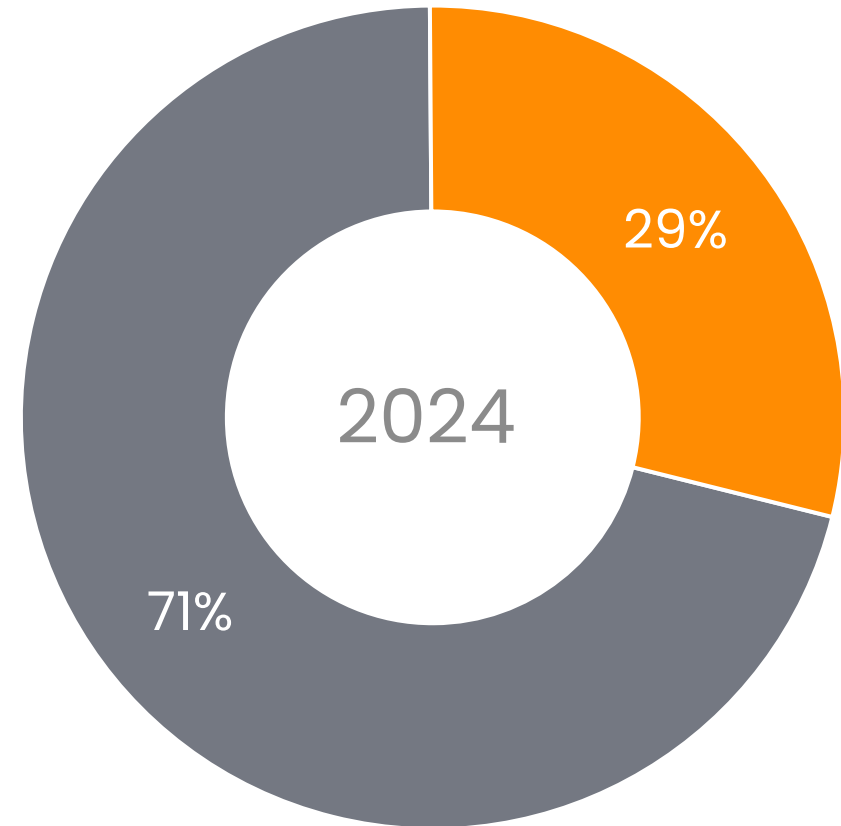


■ High Risk Websites ■ Illegal Websites

Increase in ad views on **illegal apps**



■ High Risk Apps ■ Illegal Apps



■ High Risk Apps ■ Illegal Apps

Key outcome of the MoU on Advertising

- **Positive impact observed**
 - **12% reduction** in average ads per visit to IPR-infringing sites.
 - **Decrease in gambling ads** from major brands on infringing sites (from 62% to 50%).
 - **Reduction in EU brand presence** on IPR-infringing sites (93% to 75%).
- **Good practices and tools**
 - Use of **exclusion lists, brand safety policies, and third-party verification** by signatories
 - **Improved collaboration** across the advertising supply chain to prevent ad misplacement

Thank you