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European Commission Publishes Strategy on the Digital Single Market

By Ignasi Guardans, Etienne Drouard and Annette Mutschler-Siebert

On 6 May the European Commission released the EU's [Digital Single Market strategy](#) (the '**DSM Strategy**'), with the declared objective to tear down the obstacles to doing business online. The DSM Strategy has been released together with a document intended to provide the "[Analysis and Evidence](#)" supporting it.

K&L Gates organized a webinar to discuss and analyse the content of the DSM Strategy, to listen to the webinar please [click here](#).

The DSM Strategy will create potential major challenges as well as opportunities for almost every company doing business in the EU. It is made up of three main pillars: (i) a better online access for consumers and businesses across Europe; (ii) creating the right conditions and a level playing field for advanced digital networks and innovative services; and (iii) maximising the growth potential of the digital economy.

A detail of each of the proposed measures included in the DSM Strategy can be found [here](#). Among the announced measures we can underline the following:

Under Pillar I: a serious review of the legal framework of **e-commerce** in Europe, including the current contract models and common terms & conditions; a specific target against unfair **geo-blocking**, and more generally, any geo-localisation which may impose a discrimination among EU based customers; a reform on **IP law**, to facilitate multi territorial licensing and promote cross border access to online digital content; a review of **VAT in e-commerce**, with a direct impact on sales from "third country" (non -EU) merchants.

Under Pillar II: a review of the whole **telecom framework**, including spectrum management, and including current universal service obligations; a review of the general rules on **audiovisual online services**, extending its scope, and with an impact on advertising, minors' protection, etc...; an enlargement of **ISP providers obligations** regarding illegal content; a review of the role and framework of online platforms, to prevent abuse, ensure interoperability and reinforce freedom among customers; a review of **data protection** legislation and **cybersecurity**.

Under Pillar III: an effort to push for **interoperability and standardization**; a strong **e-Government** Action Plan 2016-2020, with a direct impact on cross border business recognition and on public procurement.

All this is to be achieved by measures of different nature: policy and regulatory proposals, some already in the pipeline, others brand new, etc. [Here](#) you can find an overview of all the EU legislative or regulatory acts which are or may be affected by DSM strategy.

For more information on any of these announced measures, please contact any of the authors.

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