Meeting with Hermes
Date: 07/10/20
Topic: Digital Services Act
Visitors:
EC: Werner Stengg,

Hermes presented their company, and reported on latest developments in the fight against counterfeit. This is no longer limited to luxury products, but extends to all types of products (e.g. toys, pharmaceuticals,...), sometimes sold at high prices. Digital has become the main channels for such sales, and customs authorities are helpless in the face of small parcels sent directly to consumers.

They stressed that Hermes had always been pro-digital, with an own web presence since 2001. But they not only need to protect their own property, but also the final consumer.

With regard to the upcoming DSA, they requested that the same rules should apply online and offline, that strict know-your-business-customers obligations are needed (to avoid re-upload of removed content after a few minutes), that third-country platforms need to be in scope, that platforms need to participate in the fight against piracy (and not hide behind the liability exemption). They also stressed that social media companies are becoming market places in their own right and needed to be covered. Clear duties of care are needed for platforms.

The Commission representatives confirmed that the DSA was indeed going to address the issues put forward by Hermes, and that clear duties of care (including KYBC and notice-and-takedown obligations) are being considered.