



EUROPEAN COMMISSION

Cabinet of President Ursula von der Leyen
Member of Cabinet

Brussels, 27 November 2020
CA.1.CAB STAFF/

SHORT NOTES OF A MEETING

Subject: Meeting of Anthony Whelan with ISFE on 20 February 2020 (*PEGI age guidelines, copyright directive implementation, ePrivacy, data portability, digital services act*)

Videogames are a creative and digital sector where Europe is a leader. Publishers and developers' interests largely aligned.

- PEGI has transferred to the entire apps world
- Copyright Directive – fair contracts provisions 18-22 – video games have some specificities, should be recognised in national implementation while avoiding fragmentation; Article 17: games companies with UGC platforms excluded because no platform for third party works
- ePrivacy: games publishers do not collect data for third party advertising as main business model, interest to monitor game play in order to identify new opportunities & innovate.. Concern re confidentiality applying to game chat rooms; and re cookie consent requirement to monitor game play data.
- Data strategy: non-personal data portability? UGC content in a game has no utility outside that game.
- DSA: video publishers are both content/IP owners and platform operators, therefore they have balanced view. Be careful about rebalancing safe harbour provisions.
- DST: any new proposal should take into account losses.

e-signed -
Anthony WHELAN