

To:



Subject: Meeting report: Virtual meeting with LVMH – 7 October 2020

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Participants:

- LVMH: [REDACTED], Senior Manager – Head of Brussels Office, and [REDACTED], Corporate Affairs Manager
- DG GROW: [REDACTED]

We met with LVMH to discuss the on-going initiatives in the fight against counterfeiting and online platform responsibility (DSA package).

Main take-away points:

1. **IP action plan:** DG GROW updated LVMH on the IP action plan and follow-up initiatives on IPR enforcement, as well as the upcoming review of the EU design legislation.
2. **DSA package:** LVMH called for:
 - an horizontal obligation of duty of care (which would reinforce the added-value of the [MoU on the sale of counterfeit goods on the internet](#)), and an increased transparency in proactive and preventive measures;
 - an harmonisation of notice and take down (NTD) measures, and a focus on what happens before and after the NTD;
 - the inclusion of non-EU sellers, clarified policies on repeat infringers, and the verification of sellers' identity (introduction of Know Your Seller (KYS) and Know Your Business Customer (KYBC), as repeat infringers can be easily detected by e.g. the telephone number and the bank account number);
3. **Blockchain:** LVMH is developing within a consortium the AURA project, which is a platform that aims to make it possible for consumers to access the product history and proof of authenticity of luxury goods (from raw materials to the point of sale, all the way to second-hand markets). However, even if this authentication mechanism will help increase transparency and ensure authenticity of the product (e.g. details on product origin and components, instructions for product care, and the after-sales and warranty services available), it is not an IPR enforcement initiative ('story-telling').
4. **GIs:**

- Agri GIs: DG GROW updated LVMH on the EU policy on agri GIs, as LVMH owns Champagne and Cognac brands;
- Non-agri GIs: LVMH is interested in the EU policy on non-agri GIs given the importance of non-agri GIs materials used in the confection of LVMH's products (e.g. dentelle of Calais, cashmere of Scotland); LVMH is supportive of any savoir-faire ('story-telling').

Next steps:

- LVMH committed to share with the EC:
 - an updated position paper on the **DSA package**;
 - relevant trends related to the impact of the **COVID-19 crisis** on counterfeiting;
 - its views on the EU policy on **non-agri GIs**, which could be discussed in a next meeting;
- LVMH committed to check in the last annual report if LVMH's **CSR** includes any commitment to addressing the issue of counterfeiting.
- Even if LVMH is not a signatory, the EC invited LVMH to share any comment on the recent [evaluation report on the functioning of the MoU on the sale of counterfeit goods on the internet](#).

Kind regards,

