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E-004786/2025

Answer given by Executive Vice-President Séjourné
on behalf of the European Commission
(11.2.2026)

The sale of goods infringing intellectual property rights (IPR) is a serious challenge posed by the rise of e-commerce in the EU, with significant negative impact on consumers' health and safety, innovation, small businesses and EU competitiveness¹.

Online marketplaces operating in the EU must comply with horizontal and specific obligations under the Digital Services Act (DSA)², such as putting in place user-friendly mechanisms to flag illegal content and appeal content moderation decisions and ensuring trader traceability. Platforms designated as very large online platforms and very large online search engines are subject to additional obligations, including the assessment and mitigation of systemic risks related to illegal content, consumer protection, public health, protection of minors, etc.

Following its in-depth investigations opened in 2024³, the Commission preliminarily found in June 2025 AliExpress to be in breach of its obligations to assess and mitigate risks related to the dissemination of illegal products⁴. The Commission also preliminarily found in July 2025⁵ Temu to be in breach of its obligation to properly assess the risks of illegal products being disseminated on its marketplace. If the Commission's preliminary views are ultimately confirmed, it will adopt a non-compliance decision, possibly entailing fines⁶.

Moreover, EU law provides different tools for rightsholders to protect their IPR and compete fairly in the digital marketplace. Under Directive 2004/48/EC⁷, companies affected by counterfeiting may apply for an injunction against infringers and any intermediary whose services are being used to facilitate those infringements, including online platforms, to stop the infringing activities.

¹ In 2025, the Commission set out a comprehensive approach in its E-commerce Communication to tackle the dissemination of illegal goods online: <https://digital-strategy.ec.europa.eu/en/library/e-commerce-communication-comprehensive-eu-toolbox-safe-and-sustainable-e-commerce>.

² <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>.

³ https://ec.europa.eu/commission/presscorner/detail/en/ip_24_1485;

https://ec.europa.eu/commission/presscorner/detail/en/ip_24_5622.

⁴ https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1551.

⁵ https://ec.europa.eu/commission/presscorner/detail/en/ip_25_1913.

⁶ Ibid.

⁷ [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32004L0048R\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32004L0048R(01)).