

(English version)

**Question for written answer E-002632/26
to the Commission
Kosma Złotowski (ECR)
(25 June 2026)**

Subject: GTA VI physical edition with no disc (video game)

GTA (Grand Theft Auto) is an action-adventure video game series developed by Rockstar Games. It is one of the most successful video game franchises, with GTA V having sold nearly 230 million copies.

According to information released by the developer, GTA VI, scheduled for release in November 2026, will cost EUR 79.99. The physical edition will reportedly not contain a game disc, but only a code enabling the digital download of the game. Once activated, the code will be linked to a single user account and cannot be reused or transferred.

As traditional physical editions contain a disc that allows both installation and resale of the game, this model would effectively prevent the secondary sale of legally purchased copies. In practice, the so-called physical edition would function as a digital edition, as consumers would be required to register the code and download the game online. This raises concerns regarding consumer rights and ownership of digital products.

In the light of the above:

1. Is the Commission aware of such practices and, if so, what is its position on them, and does it consider this model to raise concerns regarding consumer rights or consumer protection legislation?
2. Does the Commission have any legal or regulatory instruments to address situations where a product marketed as a physical edition is, in practice, a digital edition?

Submitted: 25.6.2026

**Answer given by Mr McGrath on behalf of the European Commission
(2 October 2026)**

EU consumer law does not prescribe how digital providers should supply their products, which can be online or on physical/tangible data carrier.

EU consumer law protects the consumers of digital content and services, such as video games, in all their supply modes. In particular, the consumer is entitled to enjoy a digital content or service, including a video game, that is in conformity with the contractual stipulations and with the consumer's reasonable expectations as regards its functionality (Directive (EU) 2019/770 ⁽¹⁾).

Providers of digital content and services must provide consumers with clear information about the main characteristics and functionality of their products (Directive 2011/83/EU ⁽²⁾).

Misleading information or omission of material information that consumers need for taking informed transactional definitions is prohibited (Directive 2005/29/EC ⁽³⁾).

Subject to case-by-case assessment, misleading marketing of the distribution mode of a game could amount to an infringement. The relevant EU instruments are transposed into national laws. Member States authorities and courts deal with the enforcement.

Under EU copyright law, rightholders enjoy exclusive rights over their creations, such as videogames which are complex works comprising other elements beyond the computer program ⁽⁴⁾.

In practice, rightholders may allow third parties to exercise certain rights in respect of their protected works by way of licence, unless an exception or limitation applies or the principle of exhaustion applies.

The principle of exhaustion may apply in certain circumstances to the distribution in electronic or digital form of a computer program ⁽⁵⁾.

⁽¹⁾ <http://data.europa.eu/eli/dir/2019/770/oj>.

⁽²⁾ <http://data.europa.eu/eli/dir/2011/83/oj>.

⁽³⁾ <http://data.europa.eu/eli/dir/2005/29/oj>.

⁽⁴⁾ CJEU Case C-355/12, Nintendo.

⁽⁵⁾ CJEU Case C-128/11, UsedSoft v Oracle.