Joint statement

Businesses' priorities for the Digital Content Directive proposal

The above organisations would like to bring to the attention of the Members of the European Parliament IMCO and JURI Committees key considerations to take into account ahead of their vote on the joint draft report on the digital content proposal. In order to achieve the proposal's objectives and contribute to better regulation without hindering innovation, we urge the European Parliament to:

➢ **Endorse the original proposal's full harmonisation approach**. While we applaud the effort to fully harmonise the legal guarantee period for digital content, we regret that minimum harmonisation has been proposed for goods with embedded digital content. Different rules will not simplify cross-border shopping.

➢ **Align contract rules for 'digital content' and 'goods', to the greatest extent possible**, because this is the most effective way of ensuring that legislation remains future-proof in the case of goods with embedded digital content; and that legislation continues to be clear and easy to understand.

➢ **Maintain consistency with the existing European data protection rules, and clarify data aspects**. We appreciate the efforts to align the rules with the General Data Protection Regulation, as recommended by the European Data Protection Supervisor and as proposed by the Council. We agree that it is best if this proposal only covers personal data with respect to portability.

➢ **Refrain from regulating lifespan and durability in contract law**. While we are committed to improving sustainability and durability of goods, such policies are best pursued via product specific rules and not via contract law which serves different purposes. Companies should remain free to decide whether to provide commercial guarantees and inform about the duration of lifespan, as to foster competition. They need to rely on a simple and predictable legal environment to be able to offer best remedies and service to their consumers.

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