

**DECISION OF THE DEPARTMENT FOR COMBATING INFRINGEMENTS OF COPYRIGHT AND
RELATED RIGHTS COMMITTED ONLINE AND THE ILLEGAL EXPLOITATION OF ONLINE GAMES
OF CHANCE**

**OF 7 SEPTEMBER 2026 CONCERNING ORDERS RR/25/00020 AND C/25/00022, C/25/00023,
C/25/00024 and C/25/00026**

Having regard to the Act of 15 June 1935 on the use of languages in judicial matters;

Having regard to the Act of 18 July 1966 on the use of languages in administrative matters;

Having regard to the protection of copyright, related rights and database rights provided for in Book XI of the Code of Economic Law, in particular Articles XI.164 et seq. of the Code of Economic Law (hereinafter “CEL”);

Having regard to the summary proceedings brought on the basis of Articles XVII.34/1 et seq. of the Code of Economic Law (hereinafter “CEL”);

Having regard to the Royal Decree of 18 April 2024 on the creation of the Department for Combating Infringements of Copyright and Related Rights Committed Online and the Illegal Exploitation of Online Games of Chance (hereinafter “the Department”);

Having regard to the order of the President of the French-speaking Business Court of Brussels of 28 March 2025, bearing reference RR/25/00020, received by the Department on 28 March 2025 (hereinafter “the order of 28 March 2025”);

Having regard to the order of the President of the French-speaking Business Court of Brussels of 20 August 2026, bearing reference C/25/00022, C/25/00023, C/25/00024 and C/25/00026, partially setting aside order RR/25/00020 and setting aside the Department’s decision of 1 April 2025, bearing reference 250401-BAPO-D-FR-001, with respect to Google LLC, Google Ireland LTD, Cloudflare Inc., Cisco Systems Inc., and Cisco OpenDNS LLC, received by the Department on 20 August 2026 (hereinafter “the order of 20 August 2026”);

Having regard to the consultation of the parties;

The Department has ruled, independently and impartially, on the implementing provisions of the interim measures contained in the above-mentioned order.

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I. Interim measures contained in the orders

A. Order of 28 March 2025

The President of the French-speaking Business Court of Brussels declared the claims of the applicants The 12th Player SRL and DAZN LIMITED (hereafter "DAZN") admissible and well-founded, and consequently:

- Found that the domain names identified in Annex 1.a and b (the Target Sites) provide access to websites through which the related rights of producers and broadcasters (Article XI.209, paragraph 1, of the CEL and Article XI.215, paragraph 1, of the CEL) belonging to DAZN are infringed;
- Found that the services of the Intermediaries are used by the operators of the Target Sites to infringe related rights belonging to DAZN;
- Ordered VOO, ORANGE BELGIUM, PROXIMUS, TELENET, DIGI COMMUNICATIONS BELGIUM, CLOUDFLARE, GOOGLE LLC and GOOGLE IRELAND LTD, CISCO SYSTEMS and CISCO OPENDNS, in their capacity as intermediaries within the meaning of Article XVII.14, paragraph 4, of the CEL, to:
 1. implement, at their own expense, within their respective domain name resolution systems, DNS blocking measures capable of preventing access, from Belgian territory, to:
 - the Target Sites;
 - domain names giving access to the Target Sites, by means of mirror sites and/or redirections, which will subsequently be notified to them by the Department and/or DAZN;
 - websites replicating the Target Sites by means of copycats which will subsequently be notified to them by the Department and/or DAZN, it being understood that, for this category of sites, DAZN undertakes, in the context of regular updates to the blocking measures, to request the blocking only of websites meeting the following cumulative criteria:
 - i. they satisfy the confidential criteria set out in Confidential Annex 2.b;
 - ii. they are, like the Target Sites, structurally dedicated to the mass infringement of audio-visual content, in particular sports content;
 - iii. they offer, in particular, content over which DAZN holds exclusive rights;
 - iv. they are accessible in Belgium;
 - v. no operating licence has been granted to the operators of these sites by DAZN.
 2. implement, at their own expense, within their respective domain name resolution systems, measures designed to unblock access, from Belgian territory, to any domain name that has already been notified to the Intermediaries under the forthcoming order but whose sole or predominant purpose is no longer to provide access to, or replicate, a Target Site, which will subsequently be notified to them by the Department and/or DAZN;

3. implement the above-mentioned blocking and unblocking measures in accordance with the arrangements, frequency and timeframe determined by the Department;
 4. take redirection measures, so that their customers who have attempted to access a blocked domain name are redirected to a web page whose content will be determined by the Department in collaboration with DAZN;
- [...] ;
 - Ordered CLOUDFLARE, GOOGLE LLC and GOOGLE IRELAND LTD, CISCO SYSTEMS and CISCO OPENDNS to pay a periodic penalty payment of 100,000 euros per day of non-compliance, which shall apply from the second day following the deadline granted to the intermediaries for putting the blocking measures in place;

The President of the Business Court authorised the Department to implement the interim measures in order to ensure their effectiveness.

The President of the Court instructed the Department to determine the implementing provisions for the measures ordered, in consultation with DAZN and the Intermediaries, in particular:

- the exact timetable for implementation of the ordered measures by the Intermediaries, it being understood that this timetable must comply with the principle that blocking must be effective 1 hour and 30 minutes before the start of each Pro League match, provided that the Intermediaries have received notification of the order or of an update at least 2 working days beforehand;
- the format of notifications in the context of updates;
- the content of the web page that users will see in place of the pirate site they attempted to access.

In accordance with Article XVII.34/1, paragraph 8, the President of the Business Court extended the interim measures to all or part of a website replicating the website identified in the order and subject to the interim measures, or to any address giving direct access thereto.

He instructed the Department to implement and coordinate the updating of the ordered measures, and in particular:

- to identify, with the assistance of DAZN where necessary, circumvention domain names (redirections, mirror sites, copycats);
- to act as an intermediary between DAZN and the Intermediaries, in particular by notifying the Intermediaries of the Target Sites and of updates.

Lastly, the President of the Business Court instructed the Department to ensure the effective implementation, by the Intermediaries, of the ordered measures, on the one hand through confirmations obtained from the Intermediaries and, on the other hand, through practical checks carried out by the Department itself.

B. Order of 20 August 2026

The companies CLOUDFLARE, GOOGLE LLC and GOOGLE IRELAND LTD, CISCO SYSTEMS and CISCO OPENDNS are third-party opponents in the context of this order.

The President of the French-speaking Business Court of Brussels, ruling in adversarial proceedings and on an interim basis:

- On admissibility,
 - Declared the third-party opposition and application for annulment admissible,
 - [...],
 - Declared the initial application [...] inadmissible insofar as it concerned CISCO OPENDNS LLC,
 - Consequently, set aside and annulled the order of 28 March 2025 (RR/25/00020) and the decision of 1 April 2025 (250401-BAPO-D-FR-001) insofar as they concerned CISCO OPENDNS LLC,

[...]

- On the merits,
 - Set aside the order under challenge (RR/25/00020) with respect to the third-party opponents exclusively, insofar as it required them to:

“4 take redirection measures, so that their customers who have attempted to access a blocked domain name are redirected to a web page whose content will be determined by the Department in collaboration with the applicants;”
 - Confirmed the order under challenge for the remainder, and upheld its effects for the future, it being specified that:

The DNS blocking measures imposed by the order under challenge must be put in place by the third-party opponents within a maximum period of 3 months from service of the order,

Updates to the ordered measures must be implemented within a period of 5 days from their notification by the Department,

- On the periodic penalty payment,

Declared that the periodic penalty payment shall only become due upon expiry of the 3-month period set for the implementation of the DNS blocking measures,

Declared that, in the event of non-compliance with the DNS blocking measures, the periodic penalty payment shall only be calculated for the days on which the matches for which DAZN holds related rights are broadcast live,

Declared that no periodic penalty payment may be claimed in the event of under-blocking resulting from an exceptional geolocation error, it being for the third-party opponents to establish such exceptional error,

Declared that the periodic penalty payment shall cease to have effect, for each third-party opponent, once it reaches 20,000,000 euros,

- On the Department's Decision No. 250401-BAPO-D-FR-001 of 1 April 2025
 - Set aside that decision with respect to the third-party opponents,

[...]

II. Scope of the Department's mandate

The Department may not extend, limit or amend the scope of the order (Article XVII.34/1, paragraph 9, subparagraph 1 of the CEL).

By order of 20 August 2026, the President of the French-speaking Business Court of Brussels instructed the Department to adopt a new decision with respect to third-party opponents, in accordance with the arrangements specified in the order of 28 March 2025 and the order of 20 August 2026.

The Department became aware of the Order of 20 August 2026 on 20 August 2026.

Pursuant to Article XVII.34/3, § 2, paragraph 3 of the Code of Economic Law, *"within three working days from the day on which it became aware of the Order, the Department may transmit to the parties concerned, where appropriate by electronic mail, a draft of the implementation arrangements. Where they deem it necessary, the parties concerned may submit to the Department, by electronic mail, their observations on the draft within three working days from the day on which the Department transmitted the draft implementation arrangements. Save in exceptional circumstances, the Department shall communicate the final implementation arrangements to the parties concerned by the provisional measures within a maximum period of three working days from the day on which the observations of the parties concerned were communicated to it or, in the absence of observations, from the expiry of the time limit granted to the parties concerned to respond"*.

In the present case, the Department transmitted a draft of the implementation arrangements to the parties concerned by electronic mail on 25 August 2026, that is, within 3 working days from the day on which it became aware of the Order.

Having regard to the importance of hearing the parties and taking into account exceptional circumstances related notably to the holiday period surrounding that date, the Department proposed that the deadline for submitting observations be extended from 28 August 2026 to 2 September 2026. In response, several parties expressly requested such an extension.

Accordingly, the Department issues the present Decision on 7 September 2026, namely within 3 working days from the last day on which the observations of the parties concerned were communicated to it.

III. Decision of the Department on the implementing provisions of the interim measures

A. Implementation timetable

At points 88 and 89 of the order of 20 August 2026, the President of the French-speaking Business Court of Brussels found that *"DAZN's assertion that it will continue to produce and broadcast PRO LEAGUE*

matches during the 2026-2027 season appears plausible” and that “it follows from these elements that, at the conclusion of the prima facie assessment which the interim relief judge is required to carry out, the third-party opponents’ action is based on related rights that were apparently valid at the time the application was filed, that remain apparently valid on the date on which this decision is delivered, and that will apparently continue for an indefinite period.”

DAZN informed the Department, during its hearing and by email of 2 September 2026, that, following an agreement reached with the Pro League, DAZN’s rights to, and broadcasting of, the Jupiler Pro League are confirmed until June 2030.

The Pro League is a non-profit association that organises the following competitions: the Jupiler Pro League, the Women’s Lotto Pro League, the Challenger Pro League and the Crocky Cup.

The competitions are held in the form of matches grouped into sets, referred to as “Matchdays”. Each “Matchday” corresponds to several matches generally taking place from Friday evening to Sunday evening.

According to information provided by DAZN, the schedule, as it stood on 3 September 2026, appears to be as follows:

Jupiler Pro League

The Jupiler Pro League, or the Belgian men’s football championship, also known as Division 1A, is the top-level professional men’s football championship of the Royal Belgian Football Association (“RBFA”), comprising 34 Matchdays taking place between Friday 7 August 2026 and Sunday 23 May 2027.

Lotto Women’s Pro League

The Lotto Women’s Pro League, or the Belgian women’s football championship, also known as Women’s D1, is a competition comprising 21 Matchdays taking place from the weekend of Saturday 5 September 2026.

Challenger’s Pro League

The Challenger’s Pro League, or the Belgian second-division championship, is a competition comprising 30 Matchdays taking place from the weekend of Friday 14 August 2026 to the weekend of Friday 30 April 2027.

Crocky Cup

The Crocky Cup, or the Belgian Cup for the 2026-2027 season, is expected to resume on 26 September 2026 and end after 23 May 2027.

Given the absence of a complete schedule, and the possibility that the dates and times initially announced may be changed for various reasons, it would be counterproductive to specify a blocking timetable in advance in this decision.

For the sake of legal certainty and clarity for the Department and the intermediaries, it will be for DAZN to specify, for each blocking order corresponding to an update (that is, other than the blocking measures imposed by the order of 28 March 2025, which must be put in place within a maximum period of 3 months from service of the order of 20 August 2026), the date and start time of the competition Matchday for which DAZN wishes to have the list of blocked sites or digital services updated.

It being understood that blocking must be effective 1 hour and 30 minutes before the start time of that matchday, and that the Department must have a period of 2 working days to send the blocking order to the intermediaries, who must themselves have 5 working days to implement it (starting from the expiry of the 3-month period running from service of the order of 20 August 2026).

Updates shall be limited to one submission per week.

The President of the Business Court stated, in the order of 20 August 2026, that it fell within the Department's competence to adapt, where appropriate, the implementing provisions of the injunction to also cover the broadcasting of Serie A matches, and that no specific request to that effect had been made in the operative part of DAZN's submissions. He added that DAZN had not produced any signed contractual extracts relating to the broadcasting rights for Serie A matches during the 2026-2027 season (point 96 of the order of 20 August 2026).

It will be for DAZN, where appropriate, to request an amendment to Decision 250401-BAPO-D-FR-001 and to this decision from the Department, under Article XVII.34/3, paragraph 3, of the CEL.

There is therefore no need, at this stage, to adapt the implementing provisions of the injunction to also cover the broadcasting of Serie A matches.

B. Implementing provisions applicable to so-called "alternative" DNS resolver service providers

So-called "alternative" DNS resolver service providers, in their capacity as intermediaries within the meaning of Article XVII.34/1, paragraph 1, of the CEL, must implement, at their own expense, within their respective domain name resolution systems, DNS blocking measures capable of preventing access, from Belgian territory, to the disputed sites.

1. Addressees

- Cloudflare Inc., a company incorporated under the laws of the United States, bearing company number 3274841, with registered office at 101 Townsend Street, 94107, San Francisco, California (United States) (hereinafter "Cloudflare");
- Google LLC, a limited liability company incorporated under the laws of the United States, bearing company number 201727810678, with registered office at 1600 Amphitheatre Parkway, Mountain View, California 94043 (United States), and Google Ireland Limited, a limited liability company incorporated under the laws of Ireland, bearing company number 368047, with registered office at Gordon House, Barrow Street, Dublin 4, D04 E5W5, Dublin (Ireland) (hereinafter "Google");
- CISCO SYSTEMS INC., a company incorporated under the laws of the United States, bearing company number 4682478, with registered office at 3098 Olsen Dr., San Jose, California 95128, United States of America (hereinafter "Cisco").

The company Cisco OpenDNS, which was targeted by the third-party opponents' unilateral application, no longer has any operational activity of its own relating to the provision of the OpenDNS service,

following its acquisition by CISCO. Consequently, the order of 28 March 2025 is set aside and annulled insofar as it concerns Cisco OpenDNS LLC, such that this decision does not concern Cisco OpenDNS LLC.

During its hearing, Cisco informed the Department that it will suspend its OpenDNS service in Belgium, on the grounds that it considers that the architecture underlying the global public DNS system “*does not allow for the implementation of selective, geolocated and dynamic blocking as required by the order*”, and that “*the developments that would be necessary to achieve this would compromise the performance, stability and security of that service.*” Cisco states that suspension is “*the only concrete measure that Cisco is technically able to implement in order to achieve the intended result*”, and that “*this suspension, which fully satisfies the blocking obligation with respect to Cisco, will be implemented without any prejudicial admission or acquiescence, and subject to the express reservation of all of Cisco’s rights and remedies*”.

Where the Department finds that Cisco has suspended its OpenDNS service in Belgium, then for the duration of that suspension, the Department shall refrain from sending blocking notifications to Cisco, as such notifications will have become moot.

2. Notification format

Notifications are systematically made by email.

The Department uses the email addresses previously provided to it by the intermediary.

The intermediary may provide the Department with an alternative electronic communication channel it prefers to use.

Notifications from the Department are presumed to have been received 3 working days after they are sent, unless proven otherwise (Article 4, paragraph 3 of the Royal Decree of 18 April 2024 on the creation of the Department).

3. Implementation deadline concerning the DNS blocking measures imposed by the order of 28 March 2025

The intermediary must implement the DNS blocking measures imposed by the order of 28 March 2025 within a maximum period of 3 months from service of the order of 20 August 2026.

Between the implementation of the order of 28 March 2025 and the order of 20 August 2026, updates were made to the list of digital services subject to the measures. The digital services identified in these updates are included in the list of digital services whose blocking is “*imposed on the basis of the order of 28 March 2025*”, it being understood that digital services whose access has been unblocked since the measures began to be implemented are removed from that list.

A list of the digital services to be blocked on the basis of the order of 28 March 2025, updated as at 20 August 2026, will be transmitted to the addressees of this decision together with this decision.

The addressees have a maximum period of 3 months from service of the order of 20 August 2026 to implement the measures in accordance with the updated list communicated by the Department on 7 September 2026. Any subsequent update must be implemented within 5 working days of receipt of notification from the Department, subject to the expiry of the 3-month period (see the point below

concerning the provisions applicable to DNS blocking measures imposed in the context of updates occurring after the order of 20 August 2026).

IV. Follow-up by the Department on the implementing provisions

A. Confirmation of implementation by the intermediaries

All intermediaries targeted by the implementing provisions send the Department a confirmation of implementation within three working days following implementation, specifying the measures they have taken to prevent access to the target websites from Belgian territory.

These intermediaries send the Department confirmation of implementation by e-mail, using the Department's e-mail address: anti-piracy@economie.fgov.be.

B. Verification of the implementation by the Department

The Department will check that the recipients are implementing the measures.

The recipients of the measures shall provide the Department with the necessary facilities and/or information to enable the Department to carry out these checks.

V. Update of measures ordered

A. Websites identified by DAZN

DAZN may communicate to the Department the identification data of any website replicating in whole or in part the disputed websites identified in the order or any address giving direct access thereto in accordance with the terms below. They may also provide the Department with the identification data of digital services that are no longer infringing.

The communication of identification data with regard to these websites shall be made via a sharing link provided by the Department.

The communication shall include the following elements:

- the identification data of the replica website, including its FQDN and URL, and a reference to the associated primary site, set out in the form of an Excel file;
- an indication of the classification of the digital service in question (whether a redirection or a service to be unblocked);
- except in the case of redirections and unblockings, time-stamped screenshots or video captures confirming the full or partial similarity of the digital service to one of the digital services referred to in the order, and any other element enabling the Department's staff to establish the full or partial similarity of the digital service to one of the digital services referred to in the order;
- the date and start time of the competition Matchday for which DAZN wishes to have the list of blocked sites or digital services updated.

The transmission of these data shall be carried out:

- via a sharing link provided by the Department, by sending a parent folder containing the files listing each digital service concerned, as well as a folder for each digital service concerned containing the screenshots or timestamped video captures and any other elements;
- and by any other means agreed upon by the parties.

A notification shall also be sent to the Department by email to the dedicated address of the Department, anti-piracy@economie.fgov.be, to inform it of the aforementioned communication.

DAZN shall limit itself to a maximum of one update submission per week, with the total number of new replica websites to be examined by the Department not exceeding 100 per week. It shall send such updates to the Department no later than 7 working days before the competition Matchday for which DAZN wishes to have the list of blocked sites or digital services updated.

If a replica website sent to the Department does not meet the criteria laid down by law and in the order, the Department shall inform DAZN that the website in question will not be included in the next update, without prejudice to DAZN's right to reintroduce a completed file for the same website at a later date.

B. Websites identified by the Department

The Department may, on its own initiative, identify digital services that replicate, in whole or in part, the infringing digital services identified in the order, or any address giving direct access thereto. The Department may also, on its own initiative or at the request of any interested party, identify digital services that are no longer infringing.

In such cases, the Department shall communicate to the rights holder the list of infringing digital services it has identified in the context of its mandate and shall request confirmation from the rights holder that the rights holder holds exclusive rights over the content offered and that no licence to operate has been granted by the rights holder to the operators of the digital services concerned. The Department shall also ask the rightholder for the date and start time of the competition Matchday for which DAZN wishes to have the list of blocked sites or digital services updated.

The Department shall only include such digital services in the updated list communicated to the addressees of the measures once such confirmation and information concerning the timing of the blocking have been received.

C. Provisions concerning DNS blocking measures imposed in the context of updates occurring after the order of 20 August 2026

For the sake of legal certainty and clarity for the Department and the intermediaries, it will be for DAZN to specify, for each blocking order corresponding to an update (that is, other than the blocking measures imposed by the order of 28 March 2025, which must be put in place within a maximum period of 3 months from service of the order of 20 August 2026), the date and start time of the competition Matchday for which DAZN wishes to have the list of blocked sites or digital services updated.

It being understood that blocking must be effective 1 hour and 30 minutes before the start time of that matchday, and that the Department must have a period of 2 working days to send the blocking order to the intermediaries, who must themselves have 5 working days to implement it (starting from the expiry of the 3-month period running from service of the order of 20 August 2026).

Updates shall be limited to one submission per week.

Regarding updates identified between 20 August 2026 and the expiry of the initial 3-month period running from service of the order of 20 August 2026, bearing reference C/25/00022, C/25/00023, C/25/00024 and C/25/00026 (hereinafter “the initial period”), given the 3-month period, if the Department were to wait until the expiry of that 3-month period to send all such updates, the addressees could potentially, at that point, be made aware of 100 sites to be blocked, multiplied by the number of weeks elapsed between 20 August 2026 and the expiry of the 3-month period running from service of the order of 20 August 2026.

In order to avoid such a situation, the Department shall send updates for this period to the addressees progressively, it being understood that such updates must be implemented within 5 working days of the expiry of the initial period.

From the expiry of the initial period onward, any update sent must be implemented by the addressees within 5 working days of receipt of notification from the Department.

The Department shall communicate the updates to the addressees in accordance with the same formalities as those set out above.

During the period the measures are in force, DAZN or any interested party may inform the Department that a website or digital service subject to blocking does not have, or no longer has, an infringing character. Where an intermediary identifies such a situation, it shall provide the Department with supporting evidence of that finding, and may request from the Department the supporting documents provided by the rightholders or gathered by the Department to verify that a given domain meets the conditions required for it to be blocked.

Where applicable, the Department shall send the intermediaries a list of infringing sites or digital services that must be unblocked, and shall remove them from the blacklist.

VI. Monitoring the effectiveness of the measures

The Department, where applicable with the assistance of DAZN, shall regularly measure traffic to the domain names and/or URLs concerned in order to assess the effectiveness of the measures.

Where the Department considers the implementing measures taken by the addressees of an order to be insufficient, excessive or obsolete, it shall refer the matter to the President of the Business Court, in accordance with Article XVII.34/1 of the Code of Economic Law, with a view to seeking the withdrawal or amendment of the order or of the measures implementing it (Article XVII.34/3, paragraph 5, of the Code of Economic Law).

VII. Respect for fundamental rights and freedoms

In determining the implementing provisions of the measures contained in the order to block the disputed websites, the Department took into account that these implementing provisions must pass the proportionality test and that the provisions must:

- be suitable to achieve the intended objective (suitability test);
- be necessary to achieve the intended objective (necessity test);

- not impose a disproportionate burden on the intermediary in relation to the objective pursued, and ensure the proper balance between conflicting rights and freedoms on the one hand and the public interest on the other (proportionality *stricto sensu* test).

The implementing provisions for the intermediaries, as described by the Department in its decision, have been adapted to achieve the intended objective, in the sense that they must all enable the restriction of access to the illegal websites within Belgian territory, in order to protect Belgian consumers and safeguard the interests of legitimate rightholders.

The measures imposed on the addressees active in Belgian territory as alternative DNS resolver service providers were the subject of a technical analysis by the President of the Business Court of Brussels in the order of 20 August 2026 (point 79 of the order of 20 August 2026).

The implementing provisions are appropriate to achieve the intended objective, in that they should all make it possible to restrict access to the disputed websites on Belgian territory.

DNS resolution services contribute to the dissemination of unlawful content, whether provided by an ISP or by an alternative provider. It is indeed through the DNS resolution service that a user's query to DNS servers directs them to the IP address of the website they are seeking to access (point 79 of the order of 20 August 2026).

The implementing provisions must ensure a fair balance between the protection of intellectual property, the protection of privacy, freedom of expression and information, and the freedom to conduct a business (point 107 of the order of 20 August 2026).

As noted by the President of the Business Court in his order of 20 August 2026, the Court of Justice of the European Union has clarified that *"the measures which are taken by the addressee of an injunction (...) when implementing that injunction must be sufficiently effective to ensure genuine protection of the fundamental right at issue, that is to say that they must have the effect of preventing unauthorised access to the protected subject-matter or, at least, of making it difficult to achieve and of seriously discouraging internet users who are using the services of the addressee of that injunction from accessing the subject-matter made available to them in breach of that fundamental right"*¹.

As the judge clarifies, the effectiveness of the injunctions sought must be assessed from a global and collective perspective. Imposing a blocking measure on the main alternative DNS resolution service providers helps strengthen the effectiveness of the blocking injunction imposed on ISPs, which is regarded as a relevant measure.

It is also with this effectiveness of the blocking measure in mind that it was decided that it should operate intermittently, and that it should only be implemented one and a half hours before the start of matches. In this way, users find it more difficult to anticipate the blocking and plan around it in advance.

The combination of these measures is intended to discourage users seeking access to unlawful content, as their experience as consumers of football matches, which they are very attached to watching live, will be disrupted (point 113 of the order of 20 August 2026).

Taking into account the analysis carried out by the President in his order of 20 August 2026, the measures imposed do not undermine the general interest (points 116 et seq. of the order of 20 August 2026).

¹ C.J.E.U., 27 March 2014, *UPC Telekabel*, C-314/12, pt. 62 ; C.J.E.U., 15 September 2016, *Mc Fadden*, C484/14, pt. 95.

The risks of under-blocking or over-blocking (based on a geolocation system) concern a particularly limited number of internet users who might seek to access the sites in question while located in territory bordering Belgium. This possibility does not render the blocking measure disproportionate, and therefore does not undermine internet users' freedom of information (point 122 of the order of 20 August 2026).

The blocking measure, insofar as it involves the processing of personal data, does not appear incompatible with the protection of internet users' privacy either. Such processing would constitute processing necessary for compliance with a legal obligation within the meaning of Article 6 of the General Data Protection Regulation (point 123 of the order of 20 August 2026).

As regards the freedom to conduct a business, the President notes, in his order of 20 August 2026, the limitations on this right, which is not an absolute prerogative (point 125 of the order of 20 August 2026).

In the field of intellectual property, it has been held that the obligation to put in place "*a complex, costly, permanent IT system, at its own expense alone*", could constitute a disproportionate interference with an intermediary service provider's freedom to conduct a business. The principle of proportionality requires that injunctions do not exceed the limits of what is appropriate and necessary to achieve the legitimate objectives pursued by the legislation in question, it being understood that, where a choice exists between several appropriate measures, the least restrictive one should be used, and that the disadvantages caused must not be disproportionate to the aims pursued (point 125 of the order of 20 August 2026).

In the UPC Telekabel judgment, the Court of Justice held that an injunction does not undermine the very substance of the right to freedom to conduct a business where, first, it "*leaves its addressee to determine the specific measures to be taken in order to achieve the result sought, with the result that he can choose to put in place measures which are best adapted to the resources and abilities available to him and which are compatible with the other obligations and challenges which he will encounter in the exercise of his activity*" and, secondly, it "*allows its addressee to avoid liability by proving that he has taken all reasonable measures*" (point 125 of the order of 20 August 2026).

DNS blocking consists of preventing DNS resolution for the target sites, so that their IP address is not provided to the computers of users seeking to access them (point 125 of the order of 20 August 2026).

The President found that it is technically possible, including for alternative DNS resolver service providers, to put in place a DNS blocking system (point 127 of the order of 20 August 2026), and that the blocking measure does not undermine the very substance of the right to freedom to conduct a business (point 129 of the order of 20 August 2026).

The measure does not hinder their right to provide a DNS resolution service. It does, however, constitute a restriction on their freedom to conduct a business, in that it imposes on them constraints that are primarily technical and financial in nature in providing that service; however, as the President notes in his order of 20 August 2026, it has not been established that the implementation cost and its impact on service quality would be disproportionate (point 132 of the order of 20 August 2026).

For the sake of fairness and effectiveness, a period of 3 months is granted to the addressees to ensure that DNS blocking is implemented simultaneously and in a coordinated manner (point 141 of the order of 20 August 2026).

As regards the redirection measure, the order of 20 August 2026 confirms that such a measure cannot be imposed on alternative DNS resolver service providers. By comparison with the blocking measure,

the redirection measure appears less essential to the protection of intellectual property rights (points 134 to 136 of the order of 20 August 2026).

Before adopting the present Decision, the Department ensured that a draft decision was transmitted to the parties concerned and that each party concerned was afforded the opportunity to submit observations on that draft, an extended time limit having been granted in particular to take account of the holiday period.

If new elements justify it, DAZN, an intermediary or any interested party may request the Department to amend the detailed implementing provisions.

The implementing provisions established by the Department relate to a closed list of disputed websites and the equivalent websites that have been identified. Access to those websites is restricted on Belgian territory.

The disputed websites and the date on which access to those websites must be blocked shall be specified by the Department at least 5 working days in advance, so that the intermediaries can plan the implementation and, if necessary, select the most effective means.

During the period the measures are in force, DAZN or any interested party may inform the Department that a website or digital service subject to blocking does not have, or no longer has, an infringing character. Where an intermediary identifies such a situation, it shall provide the Department with supporting evidence of that finding, and may request from the Department the supporting documents provided by the rightholders or gathered by the Department to verify that a given domain meets the conditions required for it to be blocked.

Where applicable, the Department shall send the intermediaries a list of infringing sites or digital services that must be unblocked, and shall remove them from the blacklist.

If the Department considers that the implementing measures taken by the addressees of an order are insufficient, excessive or obsolete, it will refer the matter to the President of the Business Court, in accordance with Article XVII.34/1 of the CEL, with a view to having the order or the implementing measures withdrawn or modified (Article XVII.34/3, paragraph 5 of the CEL).

Consequently, this decision takes into account the fundamental rights and freedoms of the persons concerned in accordance with Article XVII.34/3, paragraph 2, subparagraph 3 of the CEL and provides justification for this in accordance with Article 2, paragraph 4 of the Royal Decree of 18 April 2024 on the creation of the Department.

VIII. Publication of the Department's decision

In accordance with Article XVII.34/3, paragraph 2, subparagraph 5 of the CEL, the Department publishes its decisions on the website of the FPS Economy at the following address:

<https://economie.fgov.be/en/themes/intellectual-property/intellectual-property-rights/copyright-and-related-rights/sanctions-and-legal-actions/online-piracy>.

This publication takes place within 5 working days of the date of the decision.

IX. Publication of the blacklist (Article XVII.34/3, paragraph 6 of the Code of Economic Law)

The Department is responsible for maintaining and updating a list of websites and other digital content subject to interim measures based on an infringement of copyright, of a related right, or of a database producer's right committed online.

The Department shall publish the list of infringing digital services referred to in the orders within **8 working days** of 20 August 2026 – the date of receipt of the order of 20 August 2026, bearing reference C/25/00022, C/25/00023, C/25/00024 and C/25/00026, partially setting aside the order of 28 March 2025, bearing reference RR/25/00020 – that is, in this case, no later than 1 September 2026.

These websites can be identified in the list by the reference 260907-BAPO-D-FR-025.

The Department shall progressively publish the updated list of digital services that replicate, in whole or in part, the infringing digital services identified in the order, or any address providing direct access thereto, each time within **8 working days** from the communication of the updated list to the addressees of the measures.

These publications can be found on the website of the FPS Economy, at the following address: <https://economie.fgov.be/en/themes/intellectual-property/intellectual-property-rights/copyright-and-related-rights/sanctions-and-legal-actions/online-piracy>.

When the interim measures come to an end, the Department shall remove the infringing digital services concerned from its blacklist.

X. Penalties

Article XVII.34/1, paragraph 9, subparagraph 3 of the CEL states that:

The implementing provisions of the interim measures, as specified by the Department, adapted where necessary to ensure their effectiveness, form an integral part of these measures, and the violation of the implementing provisions, provided that the Department's decision has been served on its addressee(s), gives rise to the same sanctions as those for non-compliance with the provisional measures, in particular any penalty payments to which they are subject, and for which the President of the Business Court has set the time at which they are due, taking into account the implementing provisions to be specified by the Department.

In this case, Cloudflare, Google and Cisco were ordered, by order RR/25/00020, to pay a periodic penalty payment of 100,000 euros per day of non-compliance.

Under order C/25/00022, C/25/00023, C/25/00024 and C/25/00026, this periodic penalty payment shall only become due upon expiry of the 3-month period set for the implementation of the DNS blocking measures.

This periodic penalty payment shall only be calculated, in the event of non-compliance with the DNS blocking measures, for the days on which the matches for which DAZN holds related rights are broadcast live.

No periodic penalty payment may be claimed in the event of under-blocking resulting from an exceptional geolocation error, it being for the third-party opponents to establish such exceptional error.

The periodic penalty payment shall cease to have effect, for each third-party opponent, once it reaches 20,000,000 euros.

XI. Redress

Title 1/1 of Book XVII of the CEL provides for several means of redress against this decision:

A. Challenging the decision before the Department

Article XVII.34/3, paragraph 3 of the CEL states that:

Any interested party, any legal entity referred to in article 17, paragraph 2, of the Judicial Code or any public institution pursuing the same ends as the legal entities referred to in article 17, paragraph 2, of the Judicial Code, may request the Department to modify the implementation of the order containing the interim measures, in particular if it considers that these implementing provisions unjustifiably infringe fundamental rights and freedoms, or to adapt them in order to guarantee their effectiveness. The motivated request is sent to the Department by registered mail.

In the event of a request as referred to in paragraph 1, the procedure referred to in paragraph 2, (6), is suspended, provided that both procedures have the same object. The Department informs the clerk's office of the President of the Business Court by e-mail of the requests referred to in paragraph 1.

B. Challenging the decision before the President of the Business Court

Article XVII.34/3, paragraph 2, subparagraph 6 of the CEL states that:

Within thirty days of the publication referred to in paragraph 5, any interested party, any legal entity referred to in article 17, paragraph 2, of the Judicial Code, as well as any public institution pursuing the same ends as the legal entities referred to in article 17, paragraph 2, of the Judicial Code, may challenge the Department's decision. The challenge is brought exclusively before the judge who gave the order containing the interim measures, the implementation of which has been specified or adapted by the Department, by summons to the legal entity to which the Department belongs and to the beneficiary who filed the original request.

Done at Brussels, 07 September 2026.

Department for Combating Infringements of Copyright and Related Rights Committed Online and the
Illegal Exploitation of Online Games of Chance