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Brands warn that the current Parliament's position on the DSA allows that "*what is illegal offline remains legal online*". They call on meaningful changes in plenary to fight counterfeits online.

The Together Against Counterfeiting (TAC) Alliance deeply regrets that Members of the European Parliament's IMCO Committee failed to take into account the reality of how counterfeit products are sold online today and will be sold tomorrow, as well as the risks they pose to consumers and businesses. As such, the Digital Services Act (DSA) text leaves the door wide open for counterfeiters to continue deceiving and endangering consumers online.

The TAC Alliance urges policymakers to address this worrying situation as part of the Parliament's plenary session in January and upcoming trilogue negotiations. Failure to do so would allow practices illegal offline to remain legal online.

We more particularly call on the following:

- Broaden the scope of the Know Your Business Customer (KYBC) obligation to all online platforms that facilitate the initiation of transactions between traders and end-users, such as advertising platforms, social media networks, live-streaming platforms, or classified websites. These platforms play an increasing role in the growth of counterfeits' sales online, and as it is the case in the physical world, online traders' identity should be verified wherever they operate;
- Introduce a best effort requirement for hosting providers to prevent the reappearance of previously notified illegal goods linked to already identified traders through the KYBC obligation;
- Other measures we support include allowing individual brand owners to qualify as trusted flaggers, as they have a demonstrated track record in accurately reporting illegal content and are the best placed to assess the validity of their rights.

Should these elements not be considered, the future framework will only represent a missed opportunity for Europe to lead the world by setting a high global standard for consumer protection and ensuring safety and trust in the online environment.

The Together Against Counterfeiting (TAC) Alliance brings together almost 100 companies from all industrial sectors, with the support of over 20 trade associations and NGOs. Our purpose is to raise awareness about the impact of the worrying growth of counterfeiting and push for the adoption of immediate, horizontal and ambitious legislative solutions at European level.

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