Although, the European Court did not find a violation of Article 10 of the Convention of Mr. Blue and others v. France. The judgment to this case definitively confirmed that copyright enforcement, restrictions or the use of copyright protected works and electronic databases on copyright law which might interfere with the right of freedom of expression and information.

For the first time in a judgment on the merits, the European Court of Human Rights has upheld that a copyright order based on a Community measure can interfere with the right of freedom of expression and information. In the case of Szima v. Hungary, the Court held that the Hungarian authorities to block internet access to Google Sites amounted to a violation of Article 10 (ECtHR 8 November 2012).

In a particular important wide margin of appreciation, the Court of human rights in this case concerned a sanction of the person who had editorial control over a police trade union magazine. The European Court explicitly refers to the reasoning by the Hungarian authorities (Republikauniunurki eisakto eirikow tis Poilisik broneis tis Ellniuri) that the applicants had reproduced and represented the pictures without authorisation by the copyright holders, hence infringing the rights of intellectual property of others. The European Court refers to the reasoning by the Paris Court of Appeal “Que les photographies litigieuses ont été publiées au sein d’un magazine d’information et donc sa portée était principalement et exclusivement réservée au public et ne devait donc pas être considérée comme un acte de communication à caractère public” (§ 71). The Court explicitly recognises the applicability of Article 10 in this case: “La Cour rappelle que l’article 10 de la Convention a vocation à s’appliquer à la communication au moyen de l’Internet (..), quel que soit le type de support utilisée” (ECtHR 5th section, 10 January 2013, case of Szima v. Hungary, Appl. nr. 36769/08).
Secondly, the Court's judgment is a clear illustration of the difference between, on the one hand, expression and carreraed carrying out in the name of public debate or in the name of general interest, for society, and on the other hand, "commercial speech". Speech, images, pictures and content which are merely money driven, do not enjoy the added value of the protection granted by Article 10 of the Convention. In the Court's view, the margin of appreciation must be related to the added value, the purpose of the protected expression (i.e., a well reasoned approach is generally applicable) to the Contracting States. Wherever there is no such added value, the Court may adopt a "strict scrutiny" view, meaning that the national authority must show strong reasons for the interference. Where the interference by the authorities takes the form of a criminal conviction or a very high award of damages, both, "commercial speech", with a sort of earning capacity, and "non-commercial speech", with a sort of earning capacity, might be troubled when sanctions risk to have a chilling effect on the freedom of expression and information in a democracy. In such cases interferences with the right of freedom of expression and information, based on copyright law, will indeed need to undergo a more careful balancing test between Article 10 and Article 1 of the First Protocol.