Cloud services are often used for communicating, distributing and managing digital content, since IF-based services are generally designed for sharing and delivering digital content through cloud devices and services and made more enjoyable with the use of interactive multimedia content available online. It is a prevalent practice that some Western States are restricting access to certain content through cloud services and the legal requirements for making Cloud Service Providers (CSPs) eligible for offering Cloud Services to Public Administrations. There are also issues related to Cloud Services and copyright, namely the rights of reproduction and digital rights management of content stored online. In this light, a review of the judicial case law and the current developments in the area of digital content services, particularly in relation to the copyright law, need to be considered. This approach is aligned with the conclusions of the CJEU in the V-Cast case, which holds that the exploitation of software as a service (SaaS) is not considered an act of reproduction within the meaning of the Software Directive. In this context, the pronouncement in UsedSoft can be read as further clarifying the CJEU’s jurisprudence on the issue of software licensing, which is a complex matter comprising not only the technical aspects of technology but also the legal and regulatory implications.
the provision of these cross-border services possible and, given the principle of territoriality of the exploitation of works protected by copyright, has introduced a fictitious act by which the act of exploitation of online content is considered to have taken place in Italy, for example, even if this actually takes place in another Member State.

It seems worth noting that Recital 23 of the Portability Regulation mentions the possibility for the service provider to allow the subscriber access to content legitimately distributed in the Member State in which the subscriber is temporarily present ("This Regulation, and in particular the legal mechanism by which the provision of, access to and use of an online content service are deemed to occur in the subscriber’s Member State of residence, is of relevance for the interpretation of the Portability Regulation. In fact, it is an indication that the EU legislature aims at the so called "useful effect" on the consumer, regardless of the way to overcome the limits of today’s system focused on the territoriality of the exploitation of works protected by copyright. This aspect is even more evident when read in conjunction with Recital 12 of the Portability Regulation, where the objective is "to adapt the harmonised legal framework on copyright and related rights [...", without affecting the high level of protection guaranteed by copyright and related rights in the Union, without changing the existing licensing models, such as territorial licensing.")

In light of this reconstruction, therefore, there seem to be concrete indicators to argue that with the Portability Regulation the EU legislator has not aimed so much at rewriting the rules of copyright and subverting its principles, but at placing obligations on the providers of online content services - justified in terms of consumer protection - aimed at enabling Cloud services to operate according to their actual cross-border potential, regardless of the limits of copyright.