

Kluwer Copyright Blog

Commission sends reasoned opinions to 13 Member States for failure to transpose CDSM Directive into national law

Sara Moran · Thursday, May 26th, 2022

Last week, the European Commission sent [reasoned opinions](#) to 13 Member States (Belgium, Bulgaria, Cyprus, Denmark, Greece, France, Latvia, Poland, Portugal, Slovenia, Slovakia, Finland and Sweden) for failure to notify the Commission of transposition measures on copyright and related rights in the Digital Single Market ([Directive \(EU\) 2019/790](#)) (CDSM Directive)



Photo by [Sara Kurfeß](#) on Unsplash

The CDSM Directive was published in May 2019 (see [here](#) and [here](#) for an overview), following a controversial legislative process at EU level. The Directive entered into force in June 2019 and had to be transposed by Member States by 7 June 2021. National implementation has also proved to be a contentious process, with very few Member States meeting this deadline. In addition, an [action for annulment](#) under Art. 263 TFEU was filed by the Polish Government in relation to aspects of Article 17 of the CDSM Directive. Detailed information on the implementation process in the Member States can be found on [CREATE's resource page](#).

The 13 Member States now have two months to remedy the situation and adopt national transposing measures. Otherwise, the Commission may decide to refer these Member States to the Court of Justice of the European Union, which has the power to impose financial sanctions.

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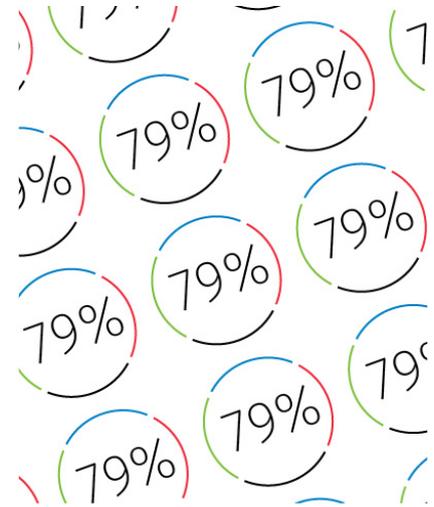
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