



**Hogan  
Lovells**

## New EU Regulation on Geo-blocking: impacts all online retailers selling within the EU

---

As part of the EU Commission's strategy for a Digital Single Market (DSM), the EU Commission wants to make it easier for online shoppers to buy goods and services (e.g. hotel bookings, car rentals, music festivals or leisure park tickets) from other EU countries.

Under new EU rules on geo-blocking, which come into force on 3 December 2018, online traders will have to treat online customers from another EU country in the same way as a local customer, e.g. by allowing them to benefit from the same domestic prices and terms. Blocking or rerouting customers from another Member State will be banned.

The Regulation 2018/302 that goes back to Commission proposal published on 25 May 2016 (COM(2016) 289). It will take immediate effect on national level. No implementation is required.

## Why do businesses need to take note?

In principle, any online traders offering goods or services within the EU will be affected, although there are certain exemptions including in particular for copyright works and audio-visual services. Even B2B trade is covered if the receiving party is an end-user.

Businesses with country-specific versions of a website will need to consider whether any differences in pricing or terms and conditions can be justified under the new rules. Any practices relating to any type of website blocking or rerouting, depending on the customer's (1) nationality, (2) place of residence or (3) place of establishment, will need to be reviewed.

We have tracked the progress of the EU proposal for an anti-geoblocking regulation very closely, and are advising various clients on the impact of the proposed Regulation on their business. For further detail, please visit our blog [Global Media & Communication Watch](#).

To discuss how we can help with your online sales strategy or whether differences in terms or pricing are justified under the new Regulation, contact:



**Nils Rauer**

Partner, Frankfurt  
T +49 69 962 36 371  
nils.rauer@hoganlovells.com



**Oliver Wilson**

Senior Associate, London  
T +44 20 7296 5347  
oliver.wilson@hoganlovells.com

[www.hoganlovells.com](http://www.hoganlovells.com)

"Hogan Lovells" or the "firm" is an international legal practice that includes Hogan Lovells International LLP, Hogan Lovells US LLP and their affiliated businesses.

The word "partner" is used to describe a partner or member of Hogan Lovells International LLP, Hogan Lovells US LLP or any of their affiliated entities or any employee or consultant with equivalent standing. Certain individuals, who are designated as partners, but who are not members of Hogan Lovells International LLP, do not hold qualifications equivalent to members.

For more information about Hogan Lovells, the partners and their qualifications, see [www.hoganlovells.com](http://www.hoganlovells.com).

Where case studies are included, results achieved do not guarantee similar outcomes for other clients. Attorney advertising. Images of people may feature current or former lawyers and employees at Hogan Lovells or models not connected with the firm.

© Hogan Lovells 2018. All rights reserved.

For further information on the Digital Single Market and its practical impact, please visit:

[www.dsmwatch.com](http://www.dsmwatch.com)

