



Request for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 14 June 2024 – Autorità per le Garanzie nelle Comunicazioni (AGCOM) v Google Ireland Limited

(Case C-421/24, AGCOM)

(C/2024/5218)

Language of the case: Italian

Referring court

Consiglio di Stato

Parties to the main proceedings

Applicant: Autorità per le Garanzie nelle Comunicazioni (AGCOM)

Defendant: Google Ireland Limited

Questions referred

1. Under Article 1(5) of Directive 2000/31/EC, (1) is the liability regime for hosting providers laid down in Article 14 of that directive applicable to activities relating to the online advertising of games or betting with monetary winnings and to the advertising of gambling?

In the event that the Court of Justice answers the first question in the affirmative (that is to say by holding that Directive 2000/31/EC does also apply to the liability of hosting providers for the advertising of games or betting with monetary winnings and to advertising of gambling), the Court of Justice is requested, pursuant to Article 267 TFEU, to rule additionally on the following question:

2. Is the liability regime laid down in Article 14 of Directive 2000/31/EC applicable to a hosting provider such as Google in relation to content published by the owners of YouTube channels with whom Google has concluded the commercial partnership agreement described above?

(1) Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ 2000 L 178, p. 1).