

99109017014002, 99109017014002

Complaints about unsolicited e-mails

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/112975545/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99109017014002, 99109017014002
Leistungsbezeichnung I	Complaints about unsolicited e-mails
Leistungsbezeichnung II	Complaints about unsolicited e-mails
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Telekommunikation (109)
Verrichtungskennung	Meldung (014)
SDG-Informationsbereich	Ausübung der Rechte der Betroffenen im Zusammenhang mit dem Schutz personenbezogener Daten
Lagen Portalverbund	

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	30.10.2020
Fachlich freigegeben durch	Ministry for Energy, Infrastructure and Digitalization Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=BGB+%C2%A7+823&psml=bsbawueprod.psml&max=true https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=BGB+%C2%A7+1004&psml=bsbawueprod.psml&max=true https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=UWG+%C2%A7+1&psml=bsbawueprod.psml&max=true https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=UWG+%C2%A7+3&psml=bsbawueprod.psml&max=true https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=UWG+%C2%A7+7&psml=bsbawueprod.psml&max=true https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=UWG+%C2%A7+8&psml=bsbawueprod.psml&max=true https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=UKlaG+%C2%A7+2&psml=bsbawueprod.psml&max=true https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=UKlaG+%C2%A7+3&psml=bsbawueprod.psml&max=true https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=UKlaG+%C2%A7+13&psml=bsbawueprod.psml&max=true https://www.eco.de/wp-content/uploads/dlm_uploads/2017/03/Beschwerdeordnung_eco-Beschwerdestelle.pdf https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=BGB+%C2%A7+823&psml=bsbawueprod.psml&max=true https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=BGB+%C2%A7+1004&psml=bsbawueprod.psml&max=true https://www.landesrecht-bw.de/jportal/?quelle=jlink&query=BGB+%C2%A7+1004&psml=bsbawueprod.psml&max=true

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https://www.eco.de/wp-content/uploads/dlm_uploads/2017/03/Beschwerdeordnung_eco-Beschwerdestelle.pdf

Teaser

Spam mails are unsolicited and/or unsolicited electronic advertising messages sent to you in which services and/or products are advertised.

Volltext

Spam mails are unsolicited and/or unsolicited electronic advertising messages sent to you in which services and/or products are advertised. They represent an infringement of your personal rights or, if sent to companies, an infringement of their business operations. Anyone who receives spam e-mails can demand that the sender refrain from sending them (civil-law injunctive relief). A distinction is made between two types of spam mails: a) general spam mails, i.e. advertising e-mails and newsletters to which you have not subscribed, and b) special spam e-mails, i.e. e-mails with illegal content or which refer to illegal content (e.g. child pornography or incitement of the masses).

The Internet Complaints Office accepts complaints about spam e-mails. Note The information provided

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applies to both types of spam mails listed here. Spam e-mails also violate the Unfair Competition Act (UWG). This results in an independent cease-and-desist claim for the competitor of the sender of a spam mail. You can assert this cease-and-desist claim yourself or turn to a legally capable association for the promotion of commercial or independent professional interests. This association can enforce the right to cease and desist.

Erforderliche Unterlagen

the spam mail with its metadata (original header in MSG or EML format)

Voraussetzungen

Persons entitled to complain are: a) private individuals who receive spam e-mails or b) Companies whose commercial activities are impaired or disturbed by a spam e-mail.

In the case of complaints about general spam mails, the e-mail must be in German, have been sent unsolicited and contain advertising.

Note An e-mail contains advertising if it promotes products and/or services. Unsolicited means that you receive the e-mail without your consent.

Kosten

none

Verfahrensablauf

You can send your complaint by e-mail to the Internet Complaints Office. Please use the following e-mail addresses depending on the type of spam mail:

- for all spam mails sent without your request: allgemeiner-spam@internet-beschwerdestelle.de
- for all spam mails that also contain or refer to illegal content: besonderer-spam@internet-beschwerdestelle.de.

The complaint department needs clues about the sender or the beneficiaries of the spam mail. This information in the sender field of the spam mail is not sufficient for this purpose. You must therefore forward the e-mail with the header (original header) to the Internet Complaints Board.

The complaints office will examine the subject of the complaint. As far as it is possible for the complaints

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office, it will take the following steps:

- It shall request the sender to comply with the legal requirements for sending advertising e-mails in the future.
- If the sender does not comply, the complaint department will require an affidavit from you stating that you did not request the e-mail and you have no business relationship with the advertising company.
- It forwards the findings and the spam e-mail to the Wettbewerbszentrale or the Verbraucherzentrale Bundesverband. The latter can assert claims for injunctive relief.
- It shall request the e-mail provider to take measures to prevent further spam actions.
- It draws the attention of the host provider whose website is being advertised by means of spam to the spam action. The host provider can then take appropriate action (e.g. terminate the contract).
- If the spam mail contains indications of telephone number misuse, it reports this to the Federal Network Agency.

Note The complaints office does not inform you about the status of the procedure and its outcome. The reason for this is the large number of complaints received. Exceptions are possible.

Bearbeitungsdauer

Frist

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

- Spam mails are unsolicited and/or unsolicited electronic advertising messages sent to you in which services and/or products are advertised.
- They represent an infringement of your personal rights or, if sent to companies, an infringement of their business operations. Anyone who receives spam e-mails can demand that the sender refrain from

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	sending them (civil-law injunctive relief).
Ansprechpunkt	
Zuständige Stelle	You can send your complaint by e-mail to the Internet Complaints Office. Please use the following e-mail addresses depending on the type of spam mail: • for all spam mails sent without your request: allgemeiner-spam@internet-beschwerdestelle.de • for all spam mails that also contain or refer to illegal content: besonderer-spam@internet-beschwerdestelle.de
Formulare	
Ursprungsportal	Beschwerden über unerwünschte E-Mails, Complaints about unsolicited e-mails