

99109017014002, 99109017014002

Complaints about unsolicited e-mails

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/231809012/L100039>

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	Rheinland-Pfalz
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
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	Verbraucherschutz (1150300)

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	30.10.2020
Fachlich freigegen durch	Ministry of 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 e-mails are unsolicited and/or unwanted electronic advertising messages sent to you in which services and/or products are advertised.

Volltext

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

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

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both types of spam mails listed here. Spam mails also violate the Unfair Competition Act (UWG). This gives rise to an independent right to injunctive relief for competitors of the sender of a spam e-mail. You can assert this injunctive relief yourself or contact a legally competent association for the promotion of commercial or independent professional interests. This association can enforce the injunctive relief.

Erforderliche Unterlagen

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

Voraussetzungen

The following are entitled to complain a) private individuals who receive spam e-mails or b) companies whose commercial activities are impaired or disrupted by a spam e-mail.

In the case of complaints about general spam emails, the email must be in German, 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

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

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

The complaints office requires information about the sender or the recipients of the spam mail. This information in the sender field of the spam mail is not sufficient. You must therefore forward the e-mail with the header (original header) to the Internet Complaints Office.

The complaints office will check the subject of the

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complaint. As far as possible, the complaints office will take the following steps:

- It requests the sender to comply with the legal requirements for sending advertising emails in future.
- If the sender does not comply, the Complaints Office will require you to provide an affidavit stating that you did not request the e-mail and you have no business relationship with the advertising company.
- It will forward the information obtained and the spam e-mail to the Wettbewerbszentrale or the Federation of German Consumer Organizations. The latter can assert claims for injunctive relief.
- It requests the e-mail provider to take measures to prevent further spam campaigns.
- It draws the attention of the host provider whose website is being advertised by means of spam to the spam campaign. The provider can then take appropriate steps (e.g. contract termination).
- If the spam mail contains indications of number misuse, it will report this to the Federal Network Agency.

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

Bearbeitungsdauer

Frist

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

- Spam e-mails are unsolicited and/or unwanted electronic advertising messages sent to you in which services and/or products are advertised.
- They constitute an infringement of your personal rights or, if sent to companies, an infringement of commercial operations. Anyone who receives spam e-mails can demand that the sender does not send

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	them any spam e-mails (civil injunctive relief).
Ansprechpunkt	
Zuständige Stelle	Please send your complaint by e-mail to the Internet Complaints Office. Please use the following e-mail addresses, depending on the type of spam e-mail: • for all spam e-mails that were sent to you 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