

99109017014002, 99109017014002

Complaints about unsolicited e-mails

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/109310493/L100041>

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	Brandenburg
Freigabestatus Katalog	unbestimmter Freigabestatus
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)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	30.10.2020
Fachlich freigegeben durch	Ministry for Energy, Infrastructure and Digitalisation 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
Teaser	Spam e-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 unwanted electronic advertising messages sent to you in which services

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and/or products are advertised. They represent an encroachment on your personal rights or, if sent to companies, an encroachment on their business operations. Anyone who receives spam mails can demand that the sender refrain from sending spam mails to him or her (claim for injunctive relief under civil law). There are 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 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 mails. Note The information provided applies to both types of spam mails listed here. Furthermore, spam mails violate the law against unfair competition (UWG). This results in an independent injunctive relief for the competitor of the sender of a spam mail. You can assert this injunctive relief yourself or turn to a legally capable association for the promotion of commercial or independent professional interests. The latter can enforce the right to cease and desist.

Erforderliche Unterlagen

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

Voraussetzungen

The persons entitled to complain are: a) private individuals who receive spam mails or b) companies which are impaired or disturbed in their commercial activities 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:

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- 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 complaints office 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 possible, the Complaints Office will take the following steps:

- It shall request the sender to comply with the legal requirements for the sending of advertising e-mails in the future.
- If the sender does not comply, the Complaints Office requires 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 mail to the Wettbewerbszentrale or the Verbraucherzentrale Bundesverband. The latter can assert claims for injunctive relief.
- It requests 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 will report 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

Modul	Sachverhalt
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 mails can demand that the sender refrain from sending spam mails to them (civil law 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