**SAMPLE 3**

**(Notice and Takedown: Letter to the Customer)**

[Hosting Provider heading]

[Customer’s address]

[City, date]

**Notice of illegal content on [website/application]**

Dear Mr. […] / Dear Ms. […]

[Sender of notice; anonymized if necessary] has informed us that content is being made available via your [website/application], [*select applicable version(s)*]

* that violates the rights of third parties, specifically [copyrights, trademark rights, privacy rights];
* that meets the definition of one or more crimes, particularly in the area of [pornography, violent images, racism, libel].

The corresponding letter from the sender of the complaint can be found [anonymized if necessary] in the enclosure. [If the DSA is used, the letter from the sender must potentially be anonymized, see CoC Hosting, Sections 2 and 6.3(a)].

As a Hosting Provider, we supply you with an infrastructure and associated services that enable you to store and process content and make it publicly available to third parties. Please note that when using our services, you may only deliver lawful content. You alone are liable for all content delivered. Furthermore, please note that you must reimburse us for expenses we incur in defending against third-party claims and for any additional losses. We reserve the right to request that you provide security as a precaution to cover this loss.

We have examined the content objected to by the aforementioned sender. Our review indicates that the sender's claims appear to be true. Therefore, we have temporarily blocked access to your [website/application] as specified in the Hosting Code of Conduct of Swico and in our General Terms and Conditions, and we ask that you remove the content in question immediately. Furthermore, we reserve the right to make a report to the National Cyber Security Centre (NCSC) or to the appropriate law enforcement agencies.

[If the identity of the sender of the notice has been communicated to the customer:] If you do not acknowledge these claims, please resolve the matter directly with the above-mentioned sender of the complaint. You will find the sender's contact information in the letter forwarded as an enclosure hereto. Access to your [website/application] will remain blocked until the content has been removed or until the matter has been resolved between you and the sender and/or by the courts or the relevant public authorities.

**[If the identity of the sender of the notice has not been disclosed to the customer:]** If you **do not** acknowledge the allegations, you may submit a statement, which will be forwarded to the sender of the complaint in anonymized form. Any statement can be sent to [contact details of the responsible hosting provider]. If your statement leads to a change in our assessment, we will inform you accordingly. If you believe our assessment is obviously incorrect, you are free to have the legality of the content determined by a court.
Access to your [website/application] will remain blocked until the content is deleted or the matter between you and the sender and/or the courts or authorities has been resolved.

Sincerely,

[Signature]

[First name, surname]