**SAMPLE 4**

**(Notice and Takedown: Letter to the Sender of the Notice)**

[Provider heading]

[Address of sender of notice]

[City, date]

**Your complaint regarding content on [website/application]**

Dear Mr. […] / Dear Ms. […]

We are writing in reference to your notification dated […], in which you claim that illegal content is being made available to the public via [website/application].

First of all, please note that the customer who makes the content in question available is exclusively liable for the content hosted by us. As a Hosting Provider, we merely make storage space and various associated services available to our customers. We have no influence on the content of any website or application hosted by us. Moreover, we are under no duty to review the content that we host and, given the size of our customer base, we would not be in a position to do this either.

We have reviewed the content you objected to and forwarded the complaint to the customer responsible for the relevant content [in anonymized form]. [If the DSA is used, the sender's letter must potentially be anonymized, see CoC Hosting, Sections 2 and 6.3(a)] As the review has shown that there is a high probability of illegal content, we have blocked access to [website/application] as a precautionary measure.

[If the identity of the sender of the notice has been communicated to the customer:] In our letter to our customer, we have asked the customer to remove the content in question or, if the customer does not acknowledge your claims, to contact you directly in order to resolve the matter. This course of action is consistent with the Notice and Takedown Procedure specified in the Hosting Code of Conduct of Swico.

[If the identity of the sender of the notice **was not** disclosed to the customer:] We have asked the customer to remove the content in question or, if he does not accept your allegations, to contact us to clarify the matter with a possible statement, which will be forwarded to you in anonymized form. This corresponds to the notice-and-takedown procedure provided for in Swico's Code of Conduct Hosting.

Thus, we consider this matter closed. Access to [website/application] will remain blocked until the content has been removed by the customer or until the matter has been resolved between you and the customer or, if necessary, by the courts or the relevant public authorities.

If you wish to take action against the customer despite the aforementioned block but do not yet know the customer's identity, you can find it via the publicly accessible Who-is databases (e.g., [www.whois.ch](http://www.whois.ch)) or contact the appropriate law enforcement agencies. Please note that, for data protection reasons, we may not disclose customer data except with the customer's consent or based on an administrative or court order.

Sincerely,

[Signature]

[First name, surname]