

Notice and Takedown regulations MKB Webhoster - 1 January 2015

These are the Notice and Takedown regulations (hereafter to be mentioned as Regulations) of MKB Webhoster. These Regulations describe the manner in which we deal with notices concerning requests to remove information (Takedown)

These Regulations are exclusively applicable to all information offered by our clients on their Dutch websites.

Minimum requests for notices –

A Notice has to at least contain the following information:

- a) A request substantiated with sufficient facts. Such Notice must clearly describe why the content is unlawful or criminal and why the information should be removed by us;
- b) The contact data of the reporter;
- c) In case a Notice concerns intellectual property rights, it has to be (sufficiently) proven that the reporter is the person entitled. Such requirement can be met by providing trade mark, model or patent registrations and/or other pieces of evidence from which can be concluded that the reporter is the person entitled; The relevant data needed to assess the Notice, which includes the Internet locations at which the information can be found;
- d) (In case happened) A report of the

attempt to come to a solution with the client yourself and the client's reaction to such attempt;

- e) Safeguard from us (here MKB Webhoster) against all possible claims by our clients or by third parties which in some kind of way result from the adjudication or the decline and the meeting with the request which was written in the Notice

Procedure, inquiry and assessment -

Unless impossible within all reason, we will decide whether a Notice will be approved or not within 5 working days. In such a case the reporter will be informed of the delay and the new to be expected decision date.

Information which is the subject of a Notice and unequivocally concerns criminal and/or unlawful information which will most likely cause serious harm to the reporter will be removed by us within 48 hours at the most.

Information of which the unlawful nature cannot be seen at first glance, will (if necessary with the aid of a legal expert) be subject to an assessment, in which the interests of both the client and the reporter will be considered as much as possible.

The outcome of this balancing of interests will be announced together with our motivation to both the reporter and

the client. In case we decide to not remove the information, we will (still) request our client to remove the information on a voluntary basis. In case at our request the client does not remove the information, the client is requested by us to contact the reporter.

In case the client desires not to contact the reporter and the reporter has requested us to provide the contact data of the client, we can revert to providing the reporter with the name and address information of the client. Here again a balancing of interests will take place in which (if necessary with the aid of a legal expert) the privacy of the client and the interests of the reporter will be weighed against each other.

Options for Objection – Both clients and reporters have the option to present their objections to us by e-mail or in writing.

The term we use for raising objections is two days and comes into force at the moment we announce our decision.

We will make a decision on objections within five working days. Unfounded objections will not be treated by us.

Alterations in these Regulations – We hereby point out that from time to time these Regulations are subject to alterations. We expect most of these alterations to be of secondary importance. We will nevertheless

publish all these alterations on this page. Alterations which are more significant will be announced by us in a more noticeable manner. The applicable version of these Regulations will be indicated at the top of the page by indicating the date of commencement.

Other and final stipulations – Questions and remarks with regards to these Regulations or with regards to the way we treat a Notice can always be made known to us by contacting us through our website.