

99109017014002, 99109017014002

# Complaints about unsolicited e-mails

Heruntergeladen am 28.06.2025

<https://fimportal.de/xzufi-services/112975545/L100027>

| 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            | Mecklenburg-Vorpommern                                                                     |
| Freigabestatus Katalog    | unbestimmter Freigabestatus                                                                |
| Freigabestatus Bibliothek | unbestimmter Freigabestatus                                                                |
| 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       |                                                                                            |

| Modul                         | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| Einheitlicher Ansprechpartner | Nein                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Fachlich freigegeben am       | 30.10.2020                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Fachlich freigegeben durch    | Ministry for Energy, Infrastructure and Digitalization<br>Mecklenburg-Western Pomerania                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Handlungsgrundlage            | <a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=BGB+%C2%A7+823&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=BGB+%C2%A7+823&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=BGB+%C2%A7+1004&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=BGB+%C2%A7+1004&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UWG+%C2%A7+1&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UWG+%C2%A7+1&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UWG+%C2%A7+3&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UWG+%C2%A7+3&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UWG+%C2%A7+7&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UWG+%C2%A7+7&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UWG+%C2%A7+8&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UWG+%C2%A7+8&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UKlaG+%C2%A7+2&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UKlaG+%C2%A7+2&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UKlaG+%C2%A7+3&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UKlaG+%C2%A7+3&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UKlaG+%C2%A7+13&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=UKlaG+%C2%A7+13&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.eco.de/wp-content/uploads/dlm_uploads/2017/03/Beschwerdeordnung_eco-Beschwerdestelle.pdf">https://www.eco.de/wp-content/uploads/dlm_uploads/2017/03/Beschwerdeordnung_eco-Beschwerdestelle.pdf</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=BGB+%C2%A7+823&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=BGB+%C2%A7+823&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=BGB+%C2%A7+1004&amp;psml=bsbawueprod.psml&amp;max=true">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q uery=BGB+%C2%A7+1004&amp;psml=bsbawueprod.psml&amp;max=true</a><br><a href="https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q">https://www.landesrecht-bw.de/jportal/?quelle=jlink&amp;q</a> |

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[https://www.eco.de/wp-content/uploads/dlm\\_uploads/2017/03/Beschwerdeordnung\\_eco-Beschwerdestelle.pdf](https://www.eco.de/wp-content/uploads/dlm_uploads/2017/03/Beschwerdeordnung_eco-Beschwerdestelle.pdf)

**Teaser**

Spam 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 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 e-mails can demand that the sender refrain from sending them (civil-law injunctive relief). A distinction is made between 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 e-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 e-mails. Note The information provided

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|                          | <p>applies to both types of spam mails listed here. Spam e-mails also violate the Unfair Competition Act (UWG). This results in an independent cease-and-desist claim for the competitor of the sender of a spam mail. You can assert this cease-and-desist claim yourself or turn to a legally capable association for the promotion of commercial or independent professional interests. This association can enforce the right to cease and desist.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Erforderliche Unterlagen | <p>the spam mail with its metadata (original header in MSG or EML format)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Voraussetzungen          | <p>Persons entitled to complain are: a) private individuals who receive spam e-mails or b) Companies whose commercial activities are impaired or disturbed by a spam e-mail.</p> <p>In the case of complaints about general spam mails, the e-mail must be in German, have been sent unsolicited and contain advertising.</p> <p>Note An e-mail contains advertising if it promotes products and/or services. Unsolicited means that you receive the e-mail without your consent.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Kosten                   | <p>none</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Verfahrensablauf         | <p>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:</p> <ul style="list-style-type: none"> <li>• for all spam mails sent without your request: <a href="mailto:allgemeiner-spam@internet-beschwerdestelle.de">allgemeiner-spam@internet-beschwerdestelle.de</a></li> <li>• for all spam mails that also contain or refer to illegal content: <a href="mailto:besonderer-spam@internet-beschwerdestelle.de">besonderer-spam@internet-beschwerdestelle.de</a>.</li> </ul> <p>The complaint department 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.</p> <p>The complaints office will examine the subject of the complaint. As far as it is possible for the complaints</p> |

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office, it will take the following steps:

- It shall request the sender to comply with the legal requirements for sending advertising e-mails in the future.
- If the sender does not comply, the complaint department will require 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 e-mail to the Wettbewerbszentrale or the Verbraucherzentrale Bundesverband. The latter can assert claims for injunctive relief.
- It shall request 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 reports 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

## 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 e-mails can demand that the sender refrain from

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|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                   | sending them (civil-law injunctive relief).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Ansprechpunkt     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Zuständige Stelle | <p>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:</p> <ul style="list-style-type: none"> <li>• for all spam mails sent without your request: <a href="mailto:allgemeiner-spam@internet-beschwerdestelle.de">allgemeiner-spam@internet-beschwerdestelle.de</a></li> <li>• for all spam mails that also contain or refer to illegal content: <a href="mailto:besonderer-spam@internet-beschwerdestelle.de">besonderer-spam@internet-beschwerdestelle.de</a></li> </ul> |
| Formulare         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Ursprungsportal   | Beschwerden über unerwünschte E-Mails, Complaints about unsolicited e-mails                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |