

# Notice-and-Take-Down procedure Antagonist B.V.

Version 20090401

## Artikel 1. Defintions

1. Intermediary: Antagonist B.V. established at Enschede in the Netherlands and registered at the Dutch Chamber of Commerce (#09136441).
2. Report: the reporting by a Notifier of (alleged) unlawful content on the Internet to an Intermediary with the objective of having this content removed from the Internet.
3. Reporter: a person or organization that files a Report.
4. Client: a person or organization that has placed (contested) content on the Internet and is a customer of Intermediary.

## Artikel 2. Notice-and-Take-Down procedure

1. Upon receiving a Report by means of the report form, the Intermediary will send a confirmation of receipt to the Reporter as soon as possible. The Intermediary will check the details in so far as this is possible. If the information provided by the reporting party via the complaints form is incorrect or incomplete, the Intermediary will ensure that the Reporter provides the missing details.
2. If the information is not or no longer online or if it is hosted by a different party, the Intermediary will notify the Reporter about the party in question. The Report will then be regarded as having been settled.
3. If the Reporter has not contacted the Client before, the Intermediary will pass the complaint on to the Client, specifying that a response must be forthcoming within two working days and inform the Reporter that the complaint has been forwarded. The Intermediary will pass the Client's response on to the Reporter. The Reporter can then inform the Intermediary whether or not it agrees with the response. If yes, the complaint will be regarded as having been settled. The Intermediary will then pass this information on to the Client. If the Client fails to respond within two working days, the Intermediary will undertake the following steps.
4. If the Reporter has requested that the material be removed but the Client does not prove willing to remove or modify the information of its own accord, the Intermediary will make its own assessment of the situation:
  - 4.a. If the Intermediary believes the complaint is founded, it will remove or block the material in question and duly inform both Client and Reporter. The Intermediary will provide the Client with a motivation of its decision to remove the material. The Report will then be regarded as having been settled.
  - 4.b. If the Intermediary believes the Report is unfounded, it will provide the Reporter with a motivated report of its findings. The Report will then be regarded as having been settled.
5. If the Reporter has asked the Client to provide identification and the Client refuses to make itself known to the Reporter, the Intermediary will make its own assessment:

- 5.a. If the Intermediary regards the Report as being founded and believes the Reporter has a legitimate reason to request the Client's identification, the Intermediary will provide the Reporter with the Client's name and address details (business location) and inform the Client that it has done so. The Report will then be regarded as having been settled.
  - 5.b. If the Intermediary regards the Report as being unfounded or believes the Reporter does not have a legitimate reason to request the Client's identification, it will provide the Reporter with a motivated notification of its decision. The Report will then be regarded as having been settled.
6. In the event of an emergency Report, the Intermediary will undertake the above steps within one working day. The Reporter must motivate any such emergency Report. The Intermediary will then determine whether or not to process the Report on the basis of this motivation within one working day.