

Notice & Take Down Policy

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Notice & takedown policy

alpha.one respects your rights and expects that you respect the rights of others. In the unfortunate event that alpha.one finds or is notified of unlawful files or content being distributed through its Services, we will follow the procedures described in this Notice and Take Down Policy.

By using our website and or alpha.one's platforms, you agree to be bound by our Notice and Take Down Policy below.

Code of Conduct

alpha.one subscribes to the Dutch Notice and Take Down Code of Conduct ("Code") of the Platform Internet Security (Platform Internetveiligheid). This Code of Conduct establishes procedures for internet intermediaries like alpha.one to deal with reports of (alleged) unlawful content, directed at removal of disputed content ("Report" or "Reports"). This Notice and Take Down Policy ("NTD Policy") describes the procedures and time limits alpha.one applies in dealing with such Reports.

Report requirements

Any person or organization that makes a Report ("Notifier") has the duty to ensure that it is correct and complete.

alpha.one should be able to verify that Reports following an investigation regarding a criminal offense have originated from an inspection or investigation service, or – in the case of a formal legal order – from the Public Prosecutor's Office. A Report of any other nature than the foregoing should include at least the following information:

1. Notifier's contact details, name, function, organization, address, email address);
2. all information alpha.one needs in order to evaluate the lawfulness of the disputed content, including its location (URL);
3. motivation as to the unlawfulness of the content, or why it is in conflict with alpha.one's platform specific Terms & Conditions, NTD or [Privacy Policy](#);
4. motivation of the reason(s) why alpha.one is the most appropriate intermediary to deal with the matter.

Indemnity

Notifier will provide alpha.one with an explicit indemnity against 1) claims from the user whose content is at dispute ("Content Provider") relating to any actions alpha.one has taken in relation to handling the Report, and 2) any claims from Notifier in relation to content uploaded to alpha.one's platforms.



Urgency

Notifier might request alpha.one to deal with the report as a matter of urgency. In that case, the Report should substantiate all reasons for urgency. alpha.one determines at its own discretion whether the report should be dealt with as a matter of urgency on the basis of the foregoing explanation.

Evaluation

alpha.one shall evaluate the Report and classify it into one of three categories:

1. punishable content reported by an inspection or investigation service, or – in the case of a formal legal order – by the Public Prosecutor's Office;
2. unequivocally unlawful (onmiskkenbaar onrechtmatig) content and/or punishable content reported by other sources than the authorities listed under 1); and
3. all other content, falling neither under category 1) or 2).

Measures

alpha.one's categorization of the Report determines which measures are taken to address the Report.

- In the event that alpha.one determines that the content concerned is unequivocally unlawful or punishable, in other words falls under the above-mentioned categories 1) and 2), alpha.one ensures that the content concerned is immediately removed;
- In the event that alpha.one determines that the content concerned is not unequivocally unlawful or punishable, in other words falls under the above-mentioned category 3), the content concerned shall not be removed. alpha.one will inform Notifier accordingly;
- In the event that alpha.one is not or insufficiently able to judge whether the content concerned is unequivocally unlawful or punishable, alpha.one will inform Content Provider about the Report with the request to (i) allow alpha.one to remove the content or (ii) to contact Notifier. If Notifier and Content Provider are unable to reach an agreement, Notifier can make an official report to the police if a criminal offense might be concerned. If it concerns content that is alleged to be unlawful under civil law, Notifier can bring the dispute with Content Provider before a Dutch court of law. Should Content Provider be unwilling to sufficiently identify himself to Notifier, alpha.one has the right to (i) provide Notifier with the Content Provider's name, email address and IP-address or (ii) to remove the content concerned.

Period

Categorization and appropriate measures will preferably take place as soon as possible, yet ultimately 10 days after receiving the Report.



Due caution

In the event that content is to be removed, alpha.one shall exercise due caution to ensure that no more than the necessary content, in regards to the Report, is removed.

Questions?

For questions about this NTD Policy, please contact alpha.one by sending an email to legal@alpha.one.

