

Notice and Take Down Policy

Rapid Transfer respects your rights and expects that you respect the rights of others. In the unfortunate event that Rapid Transfer finds or is notified of unlawful files or content being distributed through its Service, we will follow the procedures described in this Notice and Take Down Policy. By using our website or file transfer service, you agree to be bound by our Notice and Take Down Policy below.

Version: August, 2014

Code of Conduct

Rapid Transfer subscribes to the Dutch Notice and Take Down Code of Conduct (“Code”) of the Platform Internet Security. This Code of Conduct establishes procedures for internet intermediaries like Rapid Transfer 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 Rapid Transfer 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.

Rapid Transfer should be able to verify that Reports following an investigation regarding a criminal offence 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, organisation, address, email address);
2. all information Rapid Transfer 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

Rapid Transfer's Terms of Service, NTD or Privacy Policy;

4. motivation of the reason(s) why Rapid Transfer is the most appropriate intermediary to deal with the matter.

Indemnity

Notifier will provide Rapid Transfer with an explicit indemnity against 1) claims from the user who's content is at dispute ("Content Provider")

relating to any actions Rapid Transfer has taken in relation to handling the Report, and

2) any claims from Notifier in relation to content sent

through our Service.

Urgency

Notifier might request Rapid Transfer to deal with the report as a matter of urgency. In that case, the Report should substantiate all reasons for

urgency. Rapid Transfer 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

Rapid Transfer 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 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

Rapid Transfer's categorisation of the Report determines which measures are taken to address the Report.

- a. In the event that Rapid Transfer determines that the content concerned is unequivocally unlawful or punishable, in other words falls under the above mentioned categories 1) and 2), Rapid Transfer ensures that the content concerned is immediately removed;
- b. In the event that Rapid Transfer 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. Rapid Transfer will inform Notifier accordingly;
- c. In the event that Rapid Transfer is not or insufficiently able to judge whether the content concerned is unequivocally unlawful or punishable, Rapid Transfer will inform Content Provider about the Report with the request to (i) allow Rapid Transfer 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 offence 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 an Ontario court of law. Should Content Provider be unwilling to sufficiently identify himself to Notifier, Rapid Transfer 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

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

Due caution

In the events that content is to be removed, Rapid Transfer shall exercise due caution to ensure that no more than the necessary content, in regards of the Report, is removed.

Questions?

For questions about this NTD Policy, please contact Rapid Transfer by sending an email to us. We speak English