

UOOU-04463/20

The inspection was initiated on the basis of 19 complaints about sending commercial messages. It contained loan offers and secure storage services and linked to the website of the controlled person. The inspection found that the subject commercial messages were sent from freemail addresses that were established to obviously fictitious persons. Websites or online stores on these sites operated to which the commercial communications referred were up to date sending commercial messages operated by a controlled person. The one in the frame repeatedly stated in her statement that she did not send the commercial message and that she someone is trying to do harm by doing so. The company Seznam.cz, at which freemail addresses were registered, she said it was sending through third party and that the accounts only served as recipients of any responses from entities that received the spam. Even so, this is how email addresses are used violation of the conditions of Seznam.cz. Therefore, these accounts have been blocked for further possible use. During the inspection, the Authority then found that the aforementioned website for whose benefit the subject matter was commercial messages disseminated, they are no longer functional. The inspectors stated that i despite the fact that the actual sender of commercial messages has not been identified, he is a spreader of these commercial communications by the controlled person, as it was for his benefit commercial messages are disseminated without the prior consent of the addressees. It was further a violation of § 7 paragraph 4 lit. a), b) and c) of Act No. 480/2004 Coll., since the messages in question were not clearly and distinctly marked as commercial communications. Nor did they contain an indication or designation of the person on whose behalf this communication was made does, nor the option to unsubscribe from further sending. The controlled person filed within the statutory period of objection to the control protocol. She stated here that she is not

disseminator of the commercial messages in question, and that someone wants to harm the company. The objections were forwarded

to the President of the Office for processing, who rejected them in their entirety. Outside

another stated that the controlled person's claim that someone is trying to harm him is not

backed by nothing. On the contrary, the Office registers other similar complaints against other companies,

which are connected by the same person of executive or the same registered office of the company and

it is thus a targeted promotion of the goods and services of both the inspected and others

similar companies. Administrative proceedings have been initiated in this matter.

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