

BIT Transparency Report 2013

In 2012, BIT issued their first Transparency Report with the aim of providing insight into the amount of BIT's personal data retrievals and the amount of notice and takedown requests that have been received and processed by BIT in that year. In this report, we publish that information for the year 2013.

We publish this information because we think it's important, especially given the recent developments in the field of privacy, to provide our clients and other interested parties with openness. To enable trends to be identified, we have included the 2012 figures in this report as well.

The numbers of tap commands and complaints about copyright infringements are new in this Transparency Report when compared to the first edition.

Supply of personal data

The table below shows the number of requests we have received for the provision of personal data of customers of BIT to law enforcements. The number of cases that were in compliance with this request is indicated as well.

	2012	2013
Received requests	1	1
Requests where information has been disclosed	1	1

Reports of data protection infringements

BIT is legally required to report any event of infringement of the protection of personal data they have stored. The same as in 2012, BIT has found no reason to report any such event in 2013.

	2012	2013
Reports of data protection infringement	0	0

Tapping orders

The previous Transparency Report did not contain the amount of tapping orders due to uncertainties concerning confidentiality. Now that there is more clarity, we can publish these numbers in this year's edition.

	2012	2013
Amount of tapping orders	0	0

Malware

The table below shows how many complaints BIT received because of the (alleged) hosting of malware and how they were processed.

	2012	2013
Processed takedown requests	8	29
Rejected takedown requests	4	0
Total	12	29

Takedown requests for alleged copyright infringement

The 2012 Transparency Report does not feature the number of notice and takedown requests for alleged copyright infringement that have been received and processed, because the recording of the (handling) of such complaints was incomplete for that year. The procedure for handling notice and takedown requests for alleged copyright infringement has been changed, so the figures for 2013 are available now. They can be found in the table below.

	2013
Unprocessed complaints	1135
Complaints rejected by BIT	5
Reported complaints	4
Total	1144

The large number of unprocessed complaints is filed by a small number of parties that automatically file complaints on behalf of the film and music industry. Since they do not comply with our notice and takedown procedure, we have not processed these complaints. It is also possible that there are repetitions of previous complaints amongst the 1135 reports.

The complaints that have been rejected were complaints concerning material that could not be confirmed as undeniably unlawful.

Phishing

The table below contains information about the amount of complaints concerning phishing-sites BIT has received and how they were processed.

	2012	2013
Processed Takedown requests	8	22
Rejected Takedown requests	1	2
Total	9	24

Conclusions and comments

The number of searches for personal data remains low. Last year's explanation that BIT is a corporate ISP and does not (directly) do business with clients remains applicable here.

This is the first year that we have provided insights into the number of received and executed tapping orders. The corporate ISP explanation remains plausible for the low numbers.

Also new in this Transparency Report are the numbers of complaints of alleged copyright infringement. These amounts are considerably higher than for other types of complaints. The number of large (mostly foreign) film and music companies hiring other firms to perform automated searches for such violations is what is causing this difference. The automatic reports following these searches do not conform to our notice and takedown procedure, leaving only a very small number of these complaints to process.

The increase in the number of phishing complaints is partly due to a client's service being abused to provide DNS names to externally hosted phishing-sites. After consulting with the client, this service can be halted. Another cause for the increase is that financial institutions in particular are putting more effort into taking their websites offline as fast as they can when they register any phishing activities for login information and are therefore actively looking for phishing-sites related to their services.

The increase in the number of reported cases of malware hosting can be explained by the fact that, over the last year, BIT has registered for services that report malware-hosting sites. This provided a better insight into which of the sites/servers in BIT's network were spreading malware. In addition, there are a number of parties offering unsolicited, but not unwanted, similar services.