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## **Consequences of Forwarding Spam Emails**

With the increasing use of the Internet and email communications, receiving an excessive number of spam emails has become part of the daily routine. A spam email may include an advertisement, a joke, news, a political message or a protest about something. Most people delete spam emails without even reading them. However, sometimes people forward such emails to their contacts if they think the content is important, interesting or funny.

By forwarding a spam email, which might also be forwarded by the recipient of the forward, it may be possible to reach millions of people and influence their views. Where a spam email includes defamatory information about a particular company, after just one day that company could face significant damage to its reputation among customers, thus losing market share.

Under Turkish law the defamation of a company is considered to be an act of unfair competition punishable by damages and even criminal penalties. However, prior to the enactment of the Law on the Regulation of Online Publications and the Combat of Crimes Committed Through Such Publications (5651), it was hard to establish defamation through spam emails. As well as introducing regulations regarding the administration of content, hosts and multiple-user providers, the law established legal grounds on which to fight defamatory acts in spam emails. The law made it possible to bring criminal prosecutions against those who create and forward spam emails, as well as filing compensation claims against them.

In addition, the fight against spam email has been facilitated by the fact that technological developments allow regulators to reach the source of the illegal spam. In Turkey, two separate companies have taken legal action over spam emails which included false information defaming their commercial activities and resulted in significant market share losses and damage to their reputation. Although these companies limited their legal action to the creators of the spam emails, it would also be possible to include people who forwarded spam emails bearing illegal content in legal actions as, by forwarding the spam email, they are committing the same illegal act.