Categories		India		US					UK					South Korea											Canada	Chile			
Framework		Vertical		Vertical					Horizontal			Vertical		Vertical											Vertical	Vertical			
Type of claim or issues covered		Non-Patent; Non-Copyright;	Copyright	Non-IP, Non-Criminal	Copyright				All except privacy and data protection			Defamation	Online Copyright Infringment	Copyright					Non-IP (privacy, defamation, illegal information, etc)	Non-IP (illegal information)	Public Official Election	Obscene information	Child Pornography	IP	Copyright	Copyright			
Legal Instrument (providing Conditional Immunity or creating Additional Liability for Restriction of Content)		Section 79, Information Technology Act 2008	Ss.52(1)(b) and (c), The Copyright Act 2012 [2]	Section 230, Communications Decency Act 2012	Section 512, Digital Millennium Copyright Act 1996				Council Directive 2000/31/EC (Enacted in UK legislation as EC Directive Regulations 2002) [7]			Defamation Act, Section 5(2)+ Schedule attached to Defamation (Operators of Websites) Rules, 2013	Digital Economy Act 2010 [9]	Art.102 (safe harbor), Art.103 (NTD), Art.104 (special types of OSPs), Articles 133-2 & 133-3 (gradual response), Copyright Act					Art.44-2 (NTD) & Art.44-7 (NTD), ICNA (Information and Communications Network Act)	Art.21, KCCA (Korea Communications Commissions Act)	Art.82-4, Public Official Election Act	Art 22-3, Telecommunications Business Act	Art 17, Act on the Protection of Children and Juveniles against Sexual Abuse	Art 20 and 20-2, Act on Consumer Protection in Electronic Commerce	Section 31.1, Copyright Modernization Act 2012 [5]	Intellectual Property Law No. 17.336 (1970) + Law No. 20.435 (2010)			
Differentiation between intermediaries		No	No	No	Yes				Yes			No	No	Yes					No	No	No	Yes. Only applies to special types of OSPs.	Yes. Special types of OSPs have more obligations.	Yes	Yes	Yes.			
Types of intermediaries (based on actions) eligible for exemption from liability		**Transmitting, Hosting, Temporarily Storing**	**ISPs, Cable/DTH Providers, Information intermediaries**	**Interactive computer services**	**Transitory Network Communications**	**Caching**	**Hosting**	**Information Location Services**	**Mere Conduits**	**Caching**	**Hosting**	**Publisher [8[**	**Internet Service Providers**	**Mere Conduits**	**Caching**	**Hosting**	**Information Location tools**	**Special Types of OSPs (Webhard, P2P)**	**All intermediaries**	**N/A**	**N/A**	**N/A**	**All intermediaries**	**Mail order brokers (e.g. eBay)**	**ISPs, Hosts, Caching, (Information Location Tools - injunctions only)**	**Transitory Network Communications**	**Caching**	**Hosting**	**Information Location Services**
Provisions that provide Conditional Immunity	*General Obligation to Monitor*	No	No	No	No	No	No	No	No			No	No	No	No	No	No	Yes. Art.104 [12]	Yes. Art.44-2(3).	No	N/A	Yes [15]	Yes [16]	No	No	No	No	No	No
	Immunity from Voluntary Takedown	No	No	Yes	Yes	Yes	Yes	Yes	Not provided.			Yes.	N/A	Not provided.	Not provided.	Not provided.	Not provided.	Not provided.	No. Art.44-3. Voluntary takedown is allowed without immunity.	N/A	N/A	N/A	Yes	Not provided.	N/A	N/A	N/A	N/A	N/A
	Broad Immunity	No	No [3]	Yes	Yes	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No. Subject to court's discretion.	N/A	N/A	N/A	Yes	No. Only damages.	No	No	No	No	No
	Notice & Takedown (NTD)	Yes	Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	Yes. In Schedule 1 attached to the Rules	No	N/A	Yes	Yes	Yes	Yes	Yes, Art.44-2	N/A	N/A	N/A	N/A	N/A	N/A	No	No	No	No
	Notice & Notice (NTN)	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	N/A	N/A	N/A	N/A	N/A	Yes	Yes	Yes	Yes	Yes
Additional Liability (AL) for restriction of content not related to immunity	*Executive Orders (EC)*	Yes [1]	No	No	No	No	No	No	No	No	No	No	Yes [10]	Yes. Art.133-2 and 133-3.	-	-	-	-	Yes. Art.44-7	Yes. Art.21	Yes. Art.82-4	N/A	N/A	N/A	No	No	No	No	No
	Private Complaints (PC)	No	No	No	No	No	No	No	No	No	No	No	Yes [11]	N/A	N/A	N/A	N/A	Yes. Art.104	No	No	Yes. Art.82-4	N/A	Yes	N/A	No	No	No	No	No
Procedural criteria																													
NTD & NTN & PC	Knowledge interpreted as actual or constructive	Yes. Actual Knowledge by affected person; and self obtained knowledge by intermediary	Yes. Actual Knowledge.	N/A	N/A	Yes. Actual Knowledge of removal of source / originating site	Yes. Actual and Constructive Knowledge (specific and identifiable)	Yes. Actual and Constructive Knowledge (specific and identifiable)	N/A	Yes. Actual Knowledge of removal/disablement of initial source	Yes. Constructive knowledge for damages. Actual knowledge for other than damages. (Article 19)	Yes. Actual knowledge	Yes. Actual knowledge.	N/A	No	Yes. Actual Knowledge.	Yes. Actual Knowledge.	Yes. Actual Knowledge.	Yes. Actual knowledge.	Yes. Actual knowledge.	Yes. Actual knowledge.	N/A	Yes. Actual knowledge.	N/A	Yes. Actual Knowledge.	Yes. Actual Knowledge (specific and identifiable)	Yes. Actual Knowledge (specific and identifiable)	Yes. Actual Knowledge (specific and identifiable)	Yes. Actual Knowledge (specific and identifiable)
NTD & NTN & PC	Prescribed persons with locus standi to bring forward notice	Yes. Affected person	Yes. Affected Person.	N/A	N/A	Yes. Person authorized to act on behalf of the rightsholder.	Yes. Person authorized to act on behalf of the rightsholder.	Yes. Person authorized to act on behalf of the rightsholder.	N/A	Not provided.	Not provided.	Yes. Affected person.	Yes Rightsholder.	N/A	Yes. Rightsholder.	Yes. Rightsholder.	Yes. Rightsholder.	Yes. Rightsholder.	Rightsholder under Art.44-2. KCC (Korea Communications Commission) & central administrative agencies under Art.44-7.	KCSC (Korea Communications Standards Commission)	Candidate or Election Commission	N/A	N/A	N/A	Yes. Copyright holder	Yes. Person authorised to act on behalf of the rightsholder.	Yes. Person authorised to act on behalf of the rightsholder.	Yes. Person authorised to act on behalf of the rightsholder.	Yes. Person authorised to act on behalf of the rightsholder.
NTD & NTN & PC	Notices funneled via an executive body	No	No	N/A	N/A	No	No	No	N/A	Not provided.	Not provided.	No	Yes. Secretary of State can seek blocking of access to internet and other technical measures.	N/A	No	No	No	No	Yes. Art.44-7.	Yes. KCSC (Korea Communications Standards Commission).	Yes. Election Commission.	N/A	N/A	N/A	N/A	No	No	No	No
NTD & NTN & PC	Notices funneled via a judicial body	No	Yes. The complainant needs to produce order from the court.	N/A	N/A	No	No	No	N/A	Not provided.	Not provided.	N/A	Blocking injunction throgh court order and Secy	N/A	No	No	No	No	No	No	No	N/A	N/A	N/A	N/A	Yes	Yes	Yes	Yes
NTD & NTN & PC	Required to take action upon receipt of notice	Yes. Acknowledge receipt within 36 hours.	Yes. Has to take measures to refrain from facilitating such access within 36 hours.	N/A	N/A	Yes. Expeditously.	Yes	Yes	No	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes	N/A	Yes	Yes	Yes	Yes	Yes
NTN & NTD & AL	Graduated Response Scheme	N/A	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes. 'Initial obligations' and 'obligations to limit Internet access'	Yes. Art.133-2 & 133-3.					No	No	Yes. Art.256(3) [14]	N/A	N/A	Yes [17]	N/A	N/A	N/A	N/A	N/A
NTN & NTD & AL	Requirement for termination of user account for violations	Yes	No	N/A	N/A	Yes [4]			N/A	N/A	N/A	N/A	No	Yes. Subject to intermediary's policy. [13]					N/A	Breach of sound communication ethics.	Not provided.	N/A	N/A	N/A	No	No [19]			No
NTD	Time frame for removal of contested content	No	21 days or order from court, whichever is earlier.	N/A	N/A	Remove expeditiously.	Remove expeditiously.	Remove expeditiously.	N/A	Not provided. Just expeditiously.	Not provided. Just expeditiously	48 hours after receiving notice, if operator cannot contact poster, if poster gives consent for removal.	N/A	N/A	"Immediately"	"Immediately"	"Immediately"	"Immediately"	"Immediately"	"Immediately"	"Immediately"	N/A	"Immediately"	N/A	N/A	Block.	Remove or block expeditiously.	Remove or block expeditiously.	Remove or block expeditiously.
NTN & NTD & AL	Time frame for forwarding notice from complainant	NA	Not provided.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	48 hours after receiving notice. Poster gets a 5 day deadline to respond	1 Month after receiving CIR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	As soon as feasible	5 days	5 days	5 days	5 days
NTD	Prescribed level of proof for takedown	No	No	N/A	N/A	Yes. Only mere identification of the copyrighted work.	Yes. Only mere identification of the copyrighted work.	Yes. Only mere identification of the copyrighted work.	N/A	Not provided.	Not provided.	Serious harm threshold, truth, honest opinion and public interest threshold also established.	For denial of access to internet once the minimum threshold of Copyright infringment Reports have been filed, the factors under Section 17(3) must be fulfilled	N/A	Yes. Only mere identification of the copyrighted work.	Yes. Only mere identification of the copyrighted work.	Yes. Only mere identification of the copyrighted work.	Yes. Only mere identification of the copyrighted work.	Yes. Only mere identification of infringing information for Art.44-2. Review of KCSC (Korea communications Standards Commission) for Art.44-7.	Breach of sound communication ethics.	Information in violation of the Act.	N/A	Pornography involving children as defined to be below 19 years of age. Art 2, Act on the Protection of Children and Juveniles against Sexual Abuse.	N/A	N/A	Identification of infringed rights, rightsholder, form of infringement, infringing material, location	Identification of infringed rights, rightsholder, form of infringement, infringing material, location	Identification of infringed rights, rightsholder, form of infringement, infringing material, location	Identification of infringed rights, rightsholder, form of infringement, infringing material, location
NTN & NTD & AL	Requirement to give a reasoned decision	No	Yes	N/A	N/A	No	No	No	N/A	Not provided.	Not provided.	All details of complaint notices are forwarded with all relevant details of complaint to posters prior to takedown.	Yes	N/A	No	No	No	No	No	No	No	N/A	Child Pornography	N/A	No	No [18]	No	No	No
NTN & NTD & AL	Requirement to publish content policy	Yes	N/A	N/A	No				NA	NA	NA	No	No	N/A	No	No	No	No	Yes, Art.44-2	No	No	N/A	Yes. Only special types of OSPs.	Yes. Must state that they are not sellers.	No	Yes	Yes*	Yes*	No
NTD & NTN & PC	Signature of complainant	Yes	Not provided.	N/A	N/A	Yes	Yes	Yes	N/A	Not provided.	Not provided.	Yes	Yes	N/A	Yes	Yes	Yes	Yes	Not provided by the law, subject to intermediary's policy.	Not provided.	Yes	N/A	N/A	N/A	Yes	N/A	N/A	N/A	N/A
NTD & NTN	Requirement to designate agent for handling notices	Yes. Grievance officer.	No	N/A	N/A	No	Yes. Designated Agent.	No	N/A	Not provided.	Not provided.	Not provided.	N/A	N/A	Yes	Yes	Yes	Yes	Not provided by the law, subject to intermediary's policy.	Not provided.	No	N/A	N/A	N/A	No	No.	No.	Yes	Yes
NTD & NTN	Registration of the agent with government	No	No	N/A	N/A	NA	Yes	N/A	N/A	Not provided.	Not provided.	N/A	N/A	N/A	No	No	No	No	Not provided by the law, subject to intermediary's policy.	Not provided.	No	N/A	N/A	N/A	No	N/A	N/A	No.	No.
NTD	Inform user of takedown	No	No	N/A	N/A	Yes. After takedown.	Yes. After takedown.	Yes. After takedown.	N/A	Not provided.	Not provided.	Yes. Consent taken or court decides.	User informed of notice, and is given all relevant details, such as details of alleged infringment, evidence gathered	N/A	No	Yes. After takedown.	Yes. After takedown.	Yes. After takedown.	Yes. After takedown.	Not provided.	Not provided.	N/A	N/A	N/A	N/A, but if notice is not forwarded explanation has to be provided to complainant	No [19]	N/A	N/A	N/A
NTD	Uploader/creator of content is given opportunity to be heard	No	No	N/A	N/A	No	No	No	N/A	Not provided.	Not provided.	Yes. Consent or court decides	Yes, user is given grounds for appeal and also provided legal advice for current and future situations	N/A	No	No	No	No	Not provided by the law, subject to intermediary's policy.	Not provided.	Not provided.	N/A	N/A	N/A	N/A	No	No	No	No
NTD	Counter notice and putback procedure including appeal to higher authority	No	In case the complainant fails to produce orders of the competent court having jurisdiction, the content may be restored.	N/A	N/A	Yes	Yes	Yes	N/A	N/A	N/A	N/A	Yes. User is informed of grounds of appeal as per Section 3. Moreover, the "obligations code" must have a due process for grounds of appeal as per section 13	N/A	Yes	Yes	Yes	Yes	Not provided by the law, subject to intermediary's policy.	Yes	Yes	N/A	N/A	N/A	N/A	Yes	Yes	Yes	Yes
NTD	Time delay before putback	N/A	21 days	N/A	N/A	Yes. 10 to 14 days	Yes. 10 to 14 days	Yes. 10 to 14 days	N/A	Not provided.	Not provided.	N/A	N/A	N/A	7 to 14 days	7 to 14 days	7 to 14 days	7 to 14 days	Not provided by the law, subject to intermediary's policy.	15 days	Not provided.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
All	Requirement to publicly disclose data of takedowns or terminations	No	No	N/A	N/A	No	No	No	N/A	Not provided.	Not provided.	N/A	N/A	N/A	No	No	No	No	No	Yes	Not provided.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
NTD & PC	Requirement to retain removed/restricted information	Yes. 90 days.	Not provided	N/A	N/A	No	No	No	N/A	Not provided.	Not provided.	N/A	N/A	N/A	No	No	No	No	No	Yes	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
NTD & NTN & PC	Mechanism to deal with frivolous complaints	No	No	N/A	N/A	Yes. Damages, including costs and attorneys' fees.	Yes. Damages, including costs and attorneys' fees.	Yes. Damages, including costs and attorneys' fees.	N/A	Not provided. National liability laws will apply.	Not provided. National liability laws will apply.	No	N/A. But, a cetain objective threshold minimum number of CIR's against same subscriber for ISP to be obligated to take action	N/A	Yes. Damages.	Yes. Damages.	Yes. Damages.	Yes. Damages.	No	No	No	N/A	N/A	N/A	N/A	Yes [20]			
Criteria around user information																													
All	Logging of identification details	No	No	N/A	No	No	No	No	N/A	N/A	N/A	No	Yes	No	No	No	No	No	No	No	No	No	No	No	6 months extendable to 1 year if proceedings commence. [6]	Yes	No	No	No
	Logging of information accessed	No	No	N/A	No	No	No	No	N/A	N/A	N/A	No	Yes	No	No	No	No	No	No	No	No	No	No	No	N/A	No	No	No	No
All	Sharing user information with private parties through requests or court orders	No	No	N/A	No	Yes. With copyright owners through subpoenas.	Yes. With individuals via court subpoenas.	Yes. With individuals via court subpoenas.	Yes. With competent public authorities.	Yes. With competent public authorities.	Yes. With competent public authorities.	No, unless consent is given by poster. Yes also Norwich Pharmacal actions.	Yes. See Section 3 i.e. Section 124A (8)(c) of Communications Act, 2003	Yes. Art.103-3. Rightsholders may make requests to Minister of Culture, Sports and Tourism.					Yes. Art.44-6. Rightsholders may make requests to KCSC (Korea Communications Standards Commission).	No	No	No	No	Yes. Must publish sellers' information.	Under very strict situations and must be determined by courts	No	Yes. With copyright owners through subpoenas.	Yes. With copyright owners through subpoenas.	Yes. With copyright owners through subpoenas.
All	Sharing user information with law enforcement and or in the interest of national security	Yes with government agencies	No	No	No	No	No	No	Yes. With competent public authorities.	Yes. With competent public authorities.	Yes. With competent public authorities.	N/A	N/A	No	No	No	No	No	No	No	No	Yes. Art.83	No	No	N/A	N/A	N/A	N/A	N/A
All	Co-operation obligations including providing assistance for interception by government or its agents	No	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	No	No	No	No	No	No	No	No	No	No	No	No	N/A	N/A	N/A	N/A	N/A