FROM THE IUSTORIA BLOG

Someone Is Lying About You Online: What to Do First

> *A defamatory Facebook post, a made-up review, a photo used without consent. How to secure evidence before it vanishes, get a platform to remove content, and when a court or the police make sense.*

IUSTORIA TEAM

5 November 2026 · 10 min read

An acquaintance gets in touch: “Have you seen what they're writing about you?” A post with a hundred comments is up in a local Facebook group. Overnight, your company profile has picked up five one-star reviews from people who have never set foot in your business. Or a photo is going round that you never agreed to. The first reaction is nearly always the same: reply, explain, threaten to sue. Yet that is exactly how a good starting position most often gets ruined.

The internet has two features that determine how to proceed. Content spreads fast, so hours matter. And it disappears just as fast, so anyone who has not saved it will later have nothing to prove. That is why we recommend a fixed order: evidence, assessment, platform, author, court, and only in some cases the police.

Evidence first, reaction second

Before you write to anyone, save everything that has been published about you. An author who receives a demand letter often deletes the post. That ends the interference, but without a record you will then be unable to prove that it happened at all, how long it lasted and how many people saw it.

A court can use a screenshot as evidence, but the other side will be keen to challenge it. For an online post, take the screenshot in a way that will hold up:

- the whole screen, including the address bar with the full address (URL) and the system clock showing the date,
- the author's name or nickname and a link to their profile,
- the date of the post, the number of reactions and shares, and the comments below it,
- for a longer discussion, every part in sequence, not just the worst sentence.

Besides the screenshots, save the whole page, by printing it to PDF or as a file, and for public pages have a copy made in a public web archive such as the Wayback Machine. Write down who saw the post and who drew your attention to it. They are witnesses too.

If the matter is serious and likely to end up in court, have the content of the page certified by a notary (Section 79(2) of the Czech Notarial Code) or by a court bailiff (*soudní exekutor*; Section 77 of the Czech Enforcement Code) while it is still visible. A notarial deed (*notářský zápis*) is a public document, and the court proceeds from it unless the contrary is proven (Section 6(1) of the Notarial Code and Section 134 of the Czech Code of Civil Procedure): at the certified time, the page looked as the notary described it. The deed does not prove who is really behind the profile. How courts assess screenshots, and what to do when the other side claims it never wrote anything, is covered in our article “I Have a Screenshot.” When Messages and Emails Hold Up in Court.

Do not answer defamation in kind. In a public row it is easy to write something that will later be turned against you, and on most networks every further reply makes the post visible again. Evidence first, then a calm assessment, and only then the steps that lead to removal.

Defamation, or just an unpleasant opinion?

The Czech Civil Code protects a person's personality, in particular their standing, honour and privacy (Section 81). A person whose personality rights have been affected may demand that the unlawful interference be stopped or that its consequences be removed (Section 82). A legal entity enjoys the same protection against anyone who interferes with its reputation without a legal ground (Section 135(2)).

Not every unpleasant text is unlawful, however. In its judgment (*nález*) of 11 November 2005, file no. I. ÚS 453/03, the Constitutional Court distinguished between value judgments and statements of fact. In its view, what is protected is "only a value judgment, not statements of fact", which the critic must prove (Part IV.A of the reasoning). Where value judgments are concerned, not even exaggeration and harsh hyperbole in themselves make a statement impermissible. The judgment concerned criticism of a public figure, but the distinction between fact and opinion is the starting question in every defamation dispute.

In practice it looks like this. A review saying "the food was cold and the staff were unfriendly" assesses the reviewer's own experience, and there is little to be done about it. The sentence "the kitchen cooks with spoiled ingredients" asserts a fact, which the author must be able to substantiate. And a review from someone who has never been to your business pretends to an experience they do not have. If a competitor is behind fake reviews, it may be unfair competition in the form of disparagement, that is, stating or spreading untrue information about another competitor that is capable of causing it harm (Section 2984(1) of the Civil Code).

Photographs and videos enjoy special protection. A person's likeness may be captured in a way that makes them identifiable, and disseminated, only with their consent (Sections 84 and 85(1)). Consent is not required, for example, for reasonable news reporting or where a person appears publicly in a matter of public interest (Sections 88(2) and 89); even then, however, the use must not conflict with their legitimate interests (Section 90). Nor may anyone disseminate recordings of another person's private life without a legal ground (Section 86). How the Supreme Court assessed the mere sharing of a meme featuring a photo of a real person is discussed in our article "I Only Shared It." What the Supreme Court Said About a Meme with Someone Else's Photo. Since January 2026, disseminating pornographic content that depicts or otherwise exploits a person without their consent, including fabricated footage, has been a separate criminal offence (Section 191a of the Czech Criminal Code).

Notifying the platform: the fastest route to removal

Often you do not know the author, or do not want to deal with them. The fastest route then runs through the platform operator. The Digital Services Act (Regulation (EU) 2022/2065, known as the DSA) requires providers of hosting services, including social networks, maps with reviews and discussion forums, to put in place an easy-to-access electronic mechanism through which anyone can notify content they consider to be illegal (Article 16(1)).

The notice should contain four elements (Article 16(2)):

- a substantiated explanation of why the content is illegal,

- its exact location, typically the URL of each post or comment,
- the name and email address of the person submitting the notice,
- a statement that the person submitting the notice believes in good faith that the information in it is accurate and complete.

A notice is deemed to give the provider knowledge of the content if it allows the provider to identify the illegality without a detailed legal examination (Article 16(3)). From that point on, the provider must act expeditiously, or it loses the benefit of not being liable for its users' content (Article 6(1)). So do not just write “it's a lie”. Write which statement is untrue and how you know, and attach proof. And choose the form for reporting a breach of the law, not merely a breach of the community rules.

The provider must confirm receipt, notify you of its decision without undue delay and inform you of the possibilities for redress (Article 16(4) and (5)). If it does not remove the content, you can, within six months of being informed of the decision, lodge a complaint free of charge through the online platform's internal complaint-handling system (Article 20(1) and (2)), turn to a certified out-of-court dispute settlement body and also go to court at any stage (Article 21(1)). Small platforms that are not very large online platforms need not provide either an internal complaint-handling system or out-of-court dispute settlement (Article 19); there, what remains is a demand to the author and the courts.

A demand to the author and the road to court

You know the author and the content is still there? The next step is a written demand. Ask for something specific: remove the post by a set date, stop spreading anything similar and, where appropriate, apologise through the same channel the defamation spread through. The demand also matters procedurally. A plaintiff who succeeds with an action for performance is entitled to reimbursement of the costs of proceedings only if they sent the defendant a demand for performance at least 7 days before filing the action (Section 142a(1) of the Code of Civil Procedure). Bear in mind that the author may publish the demand themselves. Keep it factual, so that it can stand up to the scrutiny of strangers too.

If the demand does not work, a lawsuit remains. A person can demand that the author stop the interference and remove its consequences (Section 82 of the Civil Code). For non-pecuniary harm, they are entitled to appropriate satisfaction, which takes the form of money if no other means, typically an apology, ensures real and sufficiently effective redress (Sections 2951(2) and 2956). At first instance, disputes over the protection of a person's personality are heard by the district court (Section 9(1) of the Code of Civil Procedure), while matters concerning the protection of a legal entity's name and reputation and unfair competition disputes go to the regional court (Section 9(2)(h) and (i)). The court fee for an action to protect personality or the reputation of a legal entity without a claim for compensation for non-pecuniary harm is CZK 2,000 (item 4 of the schedule of fees to the Czech Court Fees Act). If you also claim money, the fee is governed by item 3: up to CZK 200,000 it is CZK 2,000, and on a higher amount 1%.

For companies, a great deal changed in 2025. For a long time, the rule was that a legal entity could get neither an apology nor money for an interference with its reputation, only an injunction and removal of the consequences. In its plenary judgment of 15 January 2025, file no. Pl. ÚS 26/24, however, the Constitutional Court held that effective protection of the reputation of legal entities requires the same remedies as for unfair competition under Section 2988 of the Civil Code to be applied by analogy, including appropriate satisfaction. The Grand Chamber of the Supreme Court followed up with its judgment of 18 June 2025, file no. 31 Cdo 1145/2025, and abandoned the earlier contrary view (paragraph 26). At the same time, it recalled the condition: an injunction and removal of the consequences can be sought on account of the interference alone, but satisfaction only if non-pecuniary harm "actually arose (in a causal link with the wrongdoer's culpable unlawful conduct)" (paragraph 28). A company must therefore prove the harm, not merely assert it.

As regards a person's right to honour, standing and privacy, only the right to redress for harm becomes time-barred (Section 612 of the Civil Code); the demand that the author stop the interference and remove its consequences does not. The limitation period is three years (Section 629(1)) and starts to run as soon as you learn, or should and could have learned, of the harm and of who is liable for it (Sections 619 and 620(1)).

If the defamation is spreading quickly and proceedings would take months, you can apply for an interim measure by which the court orders the author to remove the post and stop spreading it (Section 76(1)(e) of the Code of Civil Procedure). The court decides without hearing the other side, and the applicant must prove the need for an interim arrangement (Section 75c); this is where the evidence from day one pays off. Expect a security deposit of CZK 10,000, or CZK 50,000 in a dispute between two businesses arising from their business activities, typically with a competitor (Section 75b), and liability for damage if the interim measure ends other than by the action being granted or by the other side satisfying your claim (Section 77a(1)); for details, see our article Interim Measures: A Fast Weapon with Liability Attached.

Before you write to the author or report the post, save it: a screenshot with the URL and the time, the whole page and, if court is a possibility, a notarial deed. A deleted post can no longer be certified.
In your notice to the platform, give the URL of each post, which specific statement is untrue and how you will prove it. A general complaint about "lies" is easy to reject.
Are you a company that wants an apology or money? Keep records of the impact from day one: cancelled orders, questions from customers, a drop in enquiries. Without them, the court will not award satisfaction.

When to go to the police

Defamation (*pomluva*) is a criminal offence, but a narrowly defined one. It is committed by anyone who communicates untrue information about another person that is capable of seriously jeopardising their standing among their fellow citizens, in particular by harming them in their employment, disrupting their family relationships or causing them other serious harm. Committed online, it carries up to two years' imprisonment (Section 184(1) and (2) of the Criminal Code). Criminal liability, however, applies only in socially harmful cases where liability

under another law is not sufficient (Section 12(2)). A dispute over a review or a row in an online discussion therefore usually belongs before a civil court. Moreover, criminal proceedings do not in themselves remove content from the internet, and how they unfold is out of your hands.

A gross insult or ridicule may be a minor offence against civil coexistence (*přestupek proti občanskému soužití*) punishable by a fine of up to CZK 10,000 (Section 7(1)(a) and (4) of Act No. 251/2016 Coll.). Proceedings can be opened only with the consent of the person who was wronged (Section 7(7)), and the offence becomes time-barred after one year (Section 30(a) of Act No. 250/2016 Coll.).

Go to the police straight away when it is about more than words: threats (Section 353 of the Criminal Code), long-term harassment by messages and following (stalking, *nebezpečné pronásledování*, Section 354) or dissemination of pornographic content featuring your likeness (Section 191a). For these offences, a court can order the disclosure of telecommunications traffic data (Section 88a of the Czech Code of Criminal Procedure); for defamation alone, the law does not provide this option.

At a glance

Question	Answer	Provision
How to secure evidence	Screenshot with URL and date, saved page, in serious cases a notarial deed of the state of the page	Section 134, Code of Civil Procedure; Sections 6 and 79(2), Notarial Code
Opinion or defamation	A value judgment with a factual basis is usually permissible; the author must prove any facts asserted	Sections 81 and 82, Civil Code; judgment I. ÚS 453/03
Photo without consent	A likeness may be captured and disseminated only with consent, with exceptions for reasonable news reporting and public appearances	Sections 84, 85, 88, 89 and 90, Civil Code
Removal from a platform	Notice with explanation, URL, name, email and statement	Article 16, DSA
Platform does not comply	Complaint within 6 months of the decision, out-of-court settlement, court; small platforms need not offer the first two	Articles 19, 20 and 21, DSA
What you can sue for	Injunction, removal of consequences, apology, money	Sections 82, 2951(2) and 2956, Civil Code
Company	Also an apology or money, but only where harm is proven	Section 135(2), Civil Code; 31 Cdo 1145/2025
Criminal law	Online defamation up to two years, only in serious cases	Sections 184 and 12(2), Criminal Code

Is someone spreading untruths about you or your company? We will assess whether it is an opinion you have to put up with or an interference you can defend yourself against, prepare the notice to the platform and the demand to the author and, if necessary, file an action or an application for an interim measure as part of our dispute resolution practice. Get in touch.

Conclusion

Most of the defamation we see can be stopped without going to court: with a well-documented notice to the platform or a factual demand to the author. Both, however, depend on what you saved in the first few hours. A lawsuit and an interim measure come into play when these steps fail or when the interference is causing harm fast. A criminal complaint makes sense mainly where threats, stalking or intimate images are involved.

Sources

- Regulation (EU) 2022/2065 of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act), Articles 6, 16, 19, 20 and 21.
- Act No. 89/2012 Coll., the Civil Code, Sections 81, 82, 84, 85, 86, 88, 89, 90, 135, 612, 619, 620, 629, 2951, 2956, 2984 and 2988.
- Act No. 99/1963 Coll., the Code of Civil Procedure, Sections 9, 75b, 75c, 76, 77a, 134 and 142a (as in force on 1 November 2026).
- Act No. 358/1992 Coll., the Notarial Code, Sections 6 and 79.
- Act No. 120/2001 Coll., the Enforcement Code, Section 77.
- Act No. 549/1991 Coll., on Court Fees, schedule of fees, items 3 and 4.
- Act No. 40/2009 Coll., the Criminal Code, Sections 12, 184, 191a, 353 and 354.
- Act No. 141/1961 Coll., the Code of Criminal Procedure, Section 88a.
- Act No. 251/2016 Coll., on Certain Minor Offences, Section 7; Act No. 250/2016 Coll., on Liability for Minor Offences and Proceedings Concerning Them, Section 30.
- Constitutional Court judgment of 11 November 2005, file no. I. ÚS 453/03.
- Constitutional Court plenary judgment of 15 January 2025, file no. Pl. ÚS 26/24.
- Supreme Court Grand Chamber judgment of 18 June 2025, file no. 31 Cdo 1145/2025.

This article is for information only and does not constitute legal advice. It describes the law as at the date of publication; whether a particular statement is an untrue assertion of fact or a permissible opinion always depends on its wording and context.

Someone Is Lying About You Online: What to Do First

IUSTORIA team · Published 5 November 2026

https://www.iustoria.cz/en/blog/someone-is-lying-about-me-online-first-steps/

This text is protected by copyright. Sharing the document whole and unaltered is welcome; reuse of parts in other texts requires attribution. © IUSTORIA, advokátní kancelář, s.r.o.