

Berlin, 24 July 2020

Berlin Commissioner for **Data Protection and** Freedom of Information

Friedrichstr. 219 10969 Berlin

Visitors' entrance: Puttkamer Str. 16-18

The building is fully accessible to disabled members of the public.

#### Contact us

Phone: +49 (0)30 13889-0 Fax: +49 (0)30 215 50 50

Use our encrypted contact form for registering data protection complaints: www.datenschutz-berlin.de/beschwerde.html

For all other enquiries, please send an e-mail to: mailbox@privacy.de

Fingerprint of our PGP-Key:

D3C9 AEEA B403 7F96 7EF6 C77F B607 1D0F B27C 29A7

## Office hours

Daily from 10 am to 3 pm, Thursdays from 10 am to 6 pm (or by appointment)

### How to find us

The underground line U6 to Kochstraße / Bus number M29 and 248

# Visit our Website

https://privacy.de

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CR 101043 DD 131153

FD 140759

Noisli Ltd. c/o Factory Works GmbH Lohmülenstraße 65 12435 Berlin Germany

# Reprimand

Dear Sir or Madam,

We hereby reprimand Noisli Ltd. for an infringement of the General Data Protection Regulation (GDPR).

#### **Justification:**

Our decision is based on the following considerations:

I.

We have established the following facts:

The complainant requested by e-mail of 13 June 2019 that his personal data be deleted from your system. Initially, he had received no reply to this request. You stated that the request had inadvertently not been processed. In the meantime, the complainant's data have been completely deleted.

We evaluate the legal situation as follows: Your company has violated the General Data Protection Regulation.

Pursuant to Art. 12(3) of the GDPR, the controller must provide the data subject with information on the measures taken upon request pursuant to Art. 15 to 22 GDPR without delay, but at the latest within one month of receipt of the request. This period may exceptionally be extended by a further two months if both the request is cumulatively complex and there is a large number of applications. The GDPR does not provide for a routine and blanket extension of the deadline without examining the individual case.



In the present case, the complainant exercised his right of deletion under Art. 17 GDPR by e-mail of 13 June 2019. It was only on 22 May 2020 that you confirmed the deletion of the data. This meant that the deletion and confirmation were delayed.

III.

As a result, we have decided not to take any further supervisory measures due to the violation, and instead to issue a reprimand.

The reprimand is based on Art. 58(2) b GDPR.

Taking into account the specific circumstances of the facts of the case, we consider a reprimand to be appropriate after completion of our investigation. This is the first time we have established a violation on your part. In response to our inquiry, you showed understanding and announced that you would comply with data protection regulations and remedy the conduct for which you had been reprimanded.

In the safe expectation that you will comply with the data protection regulations in the future, we consider the matter closed.

Kind regards,