



Berliner Beauftragte
für Datenschutz
und Informationsfreiheit

Berlin, 19 February 2020

521.10846
631.137
IMI CR 73122
DD 102720
FD 110629

Final Decision

To
Sandbox Interactive GmbH
Pappelallee 78-79
10437 Berlin

Reprimand

Complainant: Mr.

Your letter dated 12th March 2019 and 16th October 2019

Dear Mr. ,

We are hereby issuing a reprimand to your company regarding a violation of the General Data Protection Regulation (GDPR) when processing personal data within your scope of responsibility.

Justification:

Our decision is based on the considerations stated below:

I.

We have established the facts as follows:

On 9th April 2016, the complainant purchased the computer game 'Albion Online' from your company, and created a user account. On 24th January 2019 he addressed an email to you with instructions to delete his account in full. The complainant made his request via the support area of the account management section after logging in using his saved registration data.

On 27th January 2019, he was asked to provide additional information, as your company wanted to ensure that the complainant was in fact the owner of the account.

In response to our request for your comments, you explained that a verification of identity was required to prevent an irreparable deletion of a player account, and that the damage would be extensive if the deletion was unauthorised.

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>

Following our statement that, under Art. 12 (6) GDPR, the controller may only request additional information should reasonable doubt arise regarding the identity of the natural person when asserting the rights of the respective data subject, you deleted the complainant's data and notified him of this fact.

In this specific case, you provided no grounds as to why you raised doubts regarding the complainant's identity.

You have modified your processes for deleting player accounts accordingly.

II.

The reprimand is based on Art. 58 (2) lit. b GDPR, as an infringement occurred against the provisions of the GDPR within your scope of responsibility.

In accordance with Art. 12 (3) sentence 1 GDPR, the controller must inform the data subject of the measures generally taken immediately following receipt of the request, and in any event within one month after receipt of such request pursuant to Art. 15-22 GDPR. The controller shall therefore provide information, confirm the erasure of data or acknowledge the objection, or at least state why this is not possible within the time period specified. Where necessary, the deadline may exceptionally be extended by a further two months in view of the complexity and number of requests. However, the GDPR does not stipulate an automatic or standard extension of the deadline without an examination of the specific case.

In this case, the complainant submitted a request to erase his personal data on January 24th, 2019. On 27th January 2019 he was then asked to provide additional information, as your company sought to ascertain that the complainant was the owner of the account. No deletion of data was carried out due to the request for further information to establish the complainant's identity.

In accordance with Art. 12 (6) GDPR, the controller may only request additional information which is necessary to confirm the identity of the data subject if reasonable doubts exist as to the identity of the natural person. Here, the principle of data minimisation must be observed pursuant to Art. (5) 1 p. 1 lit. c GDPR.

The complainant sent the request to erase his data via the support area of the account management section after logging in using his saved registration data.

The request for additional data did not represent data minimisation for identification purposes within the meaning of Art. 5 (1) p. 1 lit. c GDPR. The request for such extensive data was unnecessary, and made it more difficult for the data subject to exercise the right to erasure.

The response received on 1st October 2019 to the plaintiff's request dated 24th January 2019 to erase his data is, in our opinion, belated. This is a violation of Art. 12 (3) GDPR and Art. 12 (6) GDPR.

In view of the specific circumstances based on the facts and having concluded our investigation, we consider a reprimand is appropriate. We have established a violation on your part in the first instance. In response to our presentation of the facts, you acknowledged your actions and have stated that you will comply with the relevant data protection regulations and cease the conduct forming the subject matter of the complaint. You have modified your deletion processes accordingly.

We are confident that you will comply with the data protection regulations in future, and now consider the matter closed.

Best regards,