

# Summary Final Decision Art 60

## Complaint

### No liability of the processor

#### Background information

Date of final decision:	16 May 2019
LSA:	FR
CSAs:	AT, BE, DE-Hamburg, DE-Lower Saxony, DE-Bavaria (private sector), DK, EL, ES, IT, NO, PT, SK,
Legal Reference:	Art 6 Lawfulness of processing
Decision:	No liability of the processor
Key words:	Data breach, Lawfulness of processing, Security of processing

#### Summary of the Decision

##### Origin of the case

The case opened after a complaint was lodged regarding fraudulent use of information relating to a room booked on a booking website. The complainant had booked a hotel room on a booking website. Shortly after, the complainant was contacted by several hotels from different cities claiming to have received a hotel reservation through the booking website.

##### Findings

After the investigation, the LSA considers likely that the hotel where the complainant planned to stay had suffered a data breach. The LSA notes that the processor has used the procedure to modify the hotel's password, for it to keep on accessing the processor's services.

##### Decision

The LSA concluded that the processor's liability in this case couldn't be established.

##### Comments

The LSA initiated an Article 56 GDPR proceeding for the booking website.