

# Summary Final Decision Art 60

## Complaint

### Rejection of complaint

EDPBI:HU:OSS:D:2020:117

## Background information

Date of final decision:	25 June 2020
Date of broadcast:	02 July 2020
LSA:	HU
CSAs:	BE, CZ, DE (BE, HB, HE, NI), DK, EE, ES, FR, IT, NO, PT, RO, SE, SK
Legal Reference:	Right to erasure (Article 17) Right to object (Article 21)
Decision:	Rejection of complaint
Key words:	Exercise of the rights of the data subjects, marketing

## Summary of the Decision

### Origin of the case

The complainant lodged a complaint against the controller with one of the CSAs after receiving unsolicited marketing messages. The complainant requested to unsubscribe on several occasions without success.

### Findings

The LSA requested that the complainant make a statement within eight days in order to disclose his identity to the controller in the course of the procedure, warning that without disclosing his identity the investigation could not be conducted. The LSA also requested a copy of the erasure request addressed to the controller, as well as copies of any other communications and correspondence with the controller and the controller's response to the erasure request.

The LSA repeated this request a number of months later as there was no response from the complainant.

In the absence of a response, the LSA examined the documents made available to it by the CSA. It was not possible to establish from the screenshots enclosed when the complainant unsubscribed from the

controller's newsletter or on how many occasions. The documents were not dated and email addresses were not visible or available.

The screenshots of the electronic newsletters of the controller do not reveal the addressee nor the email address that they were sent to.

### Decision

As the complainant's request remains unverified, no decision establishing an infringement can be made. The LSA has rejected the complaint without an investigation of merit.