



REPUBLIC OF ESTONIA
DATA PROTECTION INSPECTORATE

██████████
Management board member

Your: 12.11.2021

Our: 28.02.2022 nr 2.1.-1/21/3286

Notice of termination of the proceeding in regard to the protection of personal data

The proceeding of the Estonian Data Protection Inspectorate concerned the claim of a Lithuania citizen ██████████ (complainant) in regard to the fact that the ██████████ violated the requirements of GDPR.

Given the above, we initiated a supervision proceeding on the basis of clause 56 (3) 8) of the Personal Data Protection Act.

During the proceeding, ██████████ stated the following:

Our position is that in the case that was detailed in the inquiry, which includes a breach in security regarding the processing of personal data, ██████████ is not at fault. ██████████ has not processed the personal data of ██████████ in their system in relation to the described case because the services described in the case were not ordered in the systems of ██████████ nor according to ██████████'s guidelines. The ██████████ application does not allow the commencement of ordering the services described in the inquiry and the application does not have the functionality to do such things. The ██████████ is a tool for authentication and electronic signing which is meant for signing documents electronically and logging in to different environments. We stress that ██████████ does not and has never taken payments from ██████████ users.

It is true that on 23 March 2021 we requested on the ██████████ website that users update the Android system components of their phones in the Google Play Store. The reason for this was that Google had released a broken update for Google Chrome and Android System WebView which was causing errors in different applications, including the ██████████ application. The problem was also confirmed by Google themselves. Google then released an update which fixed the issues that were caused by the previous update and the new update was required for not only the seamless operation of ██████████ but also other applications. More information regarding Google's problem can be found [here](#).

Through the ██████████ website, we directed the users of the service to apply the fixed update in order for the service to function properly once again. Please note that there were no links, QR-codes, or telephone numbers in the message we published on the ██████████ website. We simply requested our clients to update their Google Chrome and Android System WebView in the Google Play Store. The message reads as follows:

■■■■ application started crashing? Please update Google Chrome and Android System WebView in Google Play Store. Google released a broken update that causes applications to crash and they have now also released fix for it. If that does not help, please call our helpline or contact us through the e-mail form.

In the message, ■■■■ did not request clients to scan a single QR-code, and furthermore, the short number 1394 is not used by us nor is it under our control.

Therefore, ■■■■ does not know where the person could have received the QR-code for scanning or what exactly could have happened. ■■■■ does not have any connections to the case besides requesting on our website that ■■■■ users update their Android components, as was described above.

■■■■ has no knowledge of the services provided by ■■■■ or the details connected to the order that was described in the inquiry. Furthermore, ■■■■ does not have a contractual or any other kind of relationship with ■■■■.

Based on the above, the Estonian Data Protection Inspectorate did not identify any violation of the GDPR. For this reason, we are terminating the supervision proceedings.

This decision may be challenged within 30 days by submitting one of the two:

- A challenge to the Director General of the Estonian Data Protection Inspectorate pursuant to the Administrative Procedure Act¹, or
- An appeal to an administrative court under the Code of Administrative Court Procedure² (in this case, the challenge in the same matter can no longer be reviewed).

Respectfully

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Lawyer

Authorised by the Director General

¹ <https://www.riigiteataja.ee/en/eli/527032019002/consolide>

² <https://www.riigiteataja.ee/en/eli/512122019007/consolide>