



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

Directorate D - Twin Transition, Economic & Social Affairs
SG.D.1 - Digital Transition, Industry & Single Market

Brussels
SG.D.1

By registered letter with acknowledgment of receipt

Mr Maximilian Henning
Viktoriastrasse 50a,
64293 Darmstadt, Germany

Advance copy by email:

ask+request-11654-edec0955@asktheeu.org

Dear Mr Maximilian Henning,

Subject: Your application for access to documents – GESTDEM 2022/4355

We refer to your e-mail of 28 July 2022 in which you make a request for access to documents, registered on 29 July 2022 under the above-mentioned reference number.

You request access to *“All minutes, agendas, summaries, notes or memos issued before or after; documents prepared for, issued in preparation for, or exchanged during; as well as all correspondence including attachments by either of the meeting parties related to*

- *the 11.07.2022 meeting between Werner Stengg, Penelope Papandropoulos and Netflix International B.V.*
- *the 11.07.2022 meeting between Michele Piergiovanni and Cisco Systems Inc.*
- *the 12.07.2022 meeting between Werner Stengg and Johnson & Johnson (J&J)*
- *the 13.07.2022 meeting between Werner Stengg and Hanover Communications International”*

Your application concerns the following documents:

- **ChairePcEn_Research_210122** (hereafter “document 1”);
- **Email Hanover REV1**, (hereafter “document 2”);
- **Email JJ REV1**, (hereafter “document 3”);
- **Email Netflix REV1**, (hereafter “document 4”);
- **Meeting with JJ**, (hereafter “document 5”);
- **Meeting with Netflix_july REV1**, (hereafter “document 6”);
- **Meeting with Paramount**, (hereafter “document 7”);
- **Open Connect White Paper**, (hereafter “document 8”).

With regard to the documents listed above, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual

outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- handwritten signatures/abbreviated signatures of natural persons.

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

Please note that documents 1 and 8 originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

The documents 5,6 and 7 were drawn up for internal use under the responsibility of the relevant officials of the European Commission. It solely reflects the author's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers. It does not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Unit C.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Brussels, or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

(e-signed)
Elisa Roller
Director

Annex: ChairePcEn_Research_210122
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