



Berliner Beauftragte
für Datenschutz
und Informationsfreiheit

Berlin, 24 July 2020

521.12199
632.255
A56ID 81767
CR 101043
DD 131153
FD 140759

Noisli Ltd.
c/o Factory Works GmbH
Lohmühlenstraße 65
12435 Berlin
Germany

Reprimand

Dear Sir or Madam,

We hereby reprimand Noisli Ltd. for an infringement of the General Data Protection Regulation (GDPR).

Justification:

Our decision is based on the following considerations:

I.

We have established the following facts:

The complainant requested by e-mail of 13 June 2019 that his personal data be deleted from your system. Initially, he had received no reply to this request. You stated that the request had inadvertently not been processed. In the meantime, the complainant's data have been completely deleted.

II.

We evaluate the legal situation as follows: Your company has violated the General Data Protection Regulation.

Pursuant to Art. 12(3) of the GDPR, the controller must provide the data subject with information on the measures taken upon request pursuant to Art. 15 to 22 GDPR without delay, but at the latest within one month of receipt of the request. This period may exceptionally be extended by a further two months if both the request is cumulatively complex and there is a large number of applications. The GDPR does not provide for a routine and blanket extension of the deadline without examining the individual case.

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

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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>

In the present case, the complainant exercised his right of deletion under Art. 17 GDPR by e-mail of 13 June 2019. It was only on 22 May 2020 that you confirmed the deletion of the data. This meant that the deletion and confirmation were delayed.

III.

As a result, we have decided not to take any further supervisory measures due to the violation, and instead to issue a reprimand.

The reprimand is based on Art. 58(2) b GDPR.

Taking into account the specific circumstances of the facts of the case, we consider a reprimand to be appropriate after completion of our investigation. This is the first time we have established a violation on your part. In response to our inquiry, you showed understanding and announced that you would comply with data protection regulations and remedy the conduct for which you had been reprimanded.

In the safe expectation that you will comply with the data protection regulations in the future, we consider the matter closed.

Kind regards,