



**Bayerisches Landesamt für  
Datenschutzaufsicht**  
Promenade 18 | 91522 Ansbach  
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**UNOFFICIAL TRANSLATION**

**Your contact person**

[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED] [REDACTED]

Your sign/letter of  
04/05/2021

Our reference number  
LDA-1085.2-5489/21-VW

Ansbach, 04/12/2023

## Data protection complaint pursuant to Art. 77 General Data Protection Regulation (GDPR)

Your complaint against [REDACTED] – Final decision

[REDACTED]

We come back to your data protection complaint, conducted with us under the reference above, against [REDACTED] ([REDACTED]) (controller).

### 1. Summary of your complaint

In your complaint, you have asserted a breach of your right of access by the controller. You indicated that on 29/03/2021, you sent a request for information to the controller and that you had not received a reply by 04/05/2021. Your complaint was accompanied by a document dated 29/03/2021, in which you request information from the controller.

### 2. Handling of your complaint

By e-mail of 10/05/2021, we confirmed receipt of your complaint and pointed out that your complaint is a so-called cross-border processing pursuant to Art. 4 No. 23 GDPR, as the main establishment of the controller is located in France. We further pointed out that for this reason, a joint processing of your complaint will take place by the lead data protection supervisory authority and the data protection supervisory authorities of all other Member States affected by this processing in the European Economic Area (EEA). Finally, we informed that, according to our findings, the French Data Protection Authority (Commission Nationale de l'Informatique et des

Libertés – CNIL) is lead supervisory authority and that we forward your complaint to it and to the other supervisory authorities concerned.

By e-mail of 21/06/2023 we informed you about the feedback received by the CNIL in the meantime. The CNIL had asked the controller to comment in writing. The controller proved that on 07/05/2021 a request for information dated 05/05/2021 had been received from you, which was answered on 25/05/2021. The relevant documents were attached to our e-mail dated 21/06/2023. We gave you the opportunity to comment on this by 21/07/2023. We have not received any feedback from you.

### **3. Legal evaluation and outcome**

In the light of the above, your complaint is dismissed pursuant to Art. 60 (8) GDPR. There is no breach of data protection by the controller, in particular the provisions of Art. 12 (3), Art. 15 GDPR. In particular, the data controller responded to your request for information within the time limit provided by law.

We hope to have made our decision comprehensible to you. If you do not agree with this, the administrative legal process is open to you. Please refer to the following instructions on appeal.

We hereby conclude the procedure under the above reference number and remain

Sincerely,



This letter has been sent by machine and is valid without signature.

### **Legal notice**

With reference to Articles 77 and 78 of the GDPR, we would like to point out that you may file a lawsuit against this decision at the

**Bayerisches Verwaltungsgericht Ansbach in 91522 Ansbach,**

**Promenade 24 – 28, 91522 Ansbach**

### **Information on the legal notice**

The lawsuit may be lodged in writing, for minutes or electronically in a form authorised to substitute the written form. The filing of an appeal by simple e-mail is not allowed and has no legal effects!

As of 01/01/2022, the group of persons referred to in § 55d VwGO (in particular lawyers) must in principle file legal proceedings electronically.

In proceedings before the administrative courts, a procedural fee is due as a result of the action being brought.