

Summary Final Decision Art 60

Complaint

Infringement of the GDPR

Background information

Date of final Decision	7 August 2019
LSA:	UK
CSAs:	AT
Legal Reference:	Right to erasure (Article 17)
Decision:	Violation identified; No regulatory action.
Key words:	Right to erasure, Marketing

Summary of the Decision

Origin of the case

The complainant stated that he asked the controller not to send him marketing emails, yet he continued to receive them.

Findings

The UK SA found that the controller did not comply with its data protection obligations.

The controller stated that the complainant send his request to unsubscribe to a 'no-reply' email address, instead of using the 'unsubscribe' button. However, the email address was not clearly recognisable as a 'no-reply' email address.

Decision

The UK SA took note of the actions taken by the controller, including a change to its processes so that the email address from which marketing communications are sent is now monitored. No regulatory action was taken.