

From: Complaints Department <ne_pas_repondre@cnil.fr>

Sent: Friday 24 May 2024 10:32

TO: [REDACTED]

Subject: Your complaint no. [REDACTED]

Dear Sir

You have lodged a complaint with the CNIL against [REDACTED] concerning the difficulties encountered in exercising your right to erasure.

First of all, I would like to apologise for the delay in processing your complaint. The Commission receives a large number of complaints, which has an impact on the time taken to process them. Furthermore, as indicated in previous exchanges, as [REDACTED] provides services throughout Europe, the processing of your complaint required cooperation between the CNIL and its European counterparts, in accordance with the rules set out in the General Data Protection Regulation (GDPR). Accordingly, in application of the procedures for cooperation between authorities introduced by the GDPR, the CNIL forwarded your case to the Dutch data protection authority, which is responsible for investigating complaints against [REDACTED] lodged with the Commission. This cooperation mechanism has also had an impact on the time taken to process your complaint.

According to the investigations carried out by the Dutch Data Protection Authority and the feedback provided by [REDACTED] to this authority, you made a request for deletion after deactivation of your account, as fraudulent behaviour on your part was detected by [REDACTED]

Following this request, [REDACTED] deleted some of your personal data, but retained some of it, including your account identifiers for :

- to prevent the repetition of fraud on the basis of the legitimate interest provided for in Article 6(1)(f),
- tax purposes as permitted by Article 17(3)(b) of the GDPR and the defence of legal claims as permitted by Article 17(3)(e) of the GDPR.

On the basis of these elements, the Dutch Data Protection Authority has not found any breach of the data protection regulations, so that the complaints must be rejected in accordance with Article 60(8) of the RGP D.

We therefore inform you that this case is closed.

Yours sincerely



Legal Officer [REDACTED]

Do not reply to this message using this e-mail address.

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To contact the CNIL, you can use the means indicated on our website in the "Contact" section (<https://www.cnil.fr/fr/vous-souhaitez-contacter-la-cnil>).

Subject to the applicant's right to bring an action, CNIL decisions may be appealed to the Conseil d'État within two months of their notification, increased :

- *one month for residents of Guadeloupe, French Guiana, Martinique, Réunion, Saint-Barthélemy, Saint-Martin, Mayotte, Saint-Pierre-et-Miquelon, French Polynesia, the Wallis and Futuna Islands, New Caledonia and the French Southern and Antarctic Territories;*
- *two months for people living abroad.*