



Our reference: LDA-1085.1-6349/24-F

IMI Art. 56: 669863

IMI draft decision: 772187

Controller: [REDACTED]

On the basis of the draft decision of the Estonian Data Protection Inspectorate (EDPI) No. 772187, the Data Protection Authority of Bavaria for the Private Sector (BayLDA) pursuant to Article 60(8) of the GDPR issues the following

### **Final Decision:**

The complaint is rejected.

#### **Justification:**

The complaint was received by the BayLDA on 9 July 2024 and was forwarded via IMI to the EDPI as the lead data protection supervisory authority for the controller.

In May 2025 the EDPI submitted the draft decision no. 772187 to the concerned supervisory authorities with the following contents:

#### **Draft decision**

##### **Notice of termination of proceedings**

1. The Estonian Data Protection Inspectorate (the EDPI) has received a complaint against [REDACTED] (hereinafter: [REDACTED]) from the Bavarian SA via IMI A56 669863. The complainant claimed that [REDACTED] had not complied with his request for erasure under article 17 of the GDPR.
2. The EDPI established that according to the national e-business registry [REDACTED] has been declared bankrupt.
3. The EDPI sent an inquiry to [REDACTED]'s trustee in bankruptcy to establish whether personal data previously in possession of [REDACTED] had been transferred to the trustee.
4. In the response to the inquiry, the trustee confirmed that they did not gain access to the personal data held by [REDACTED].
5. Based on the fact that [REDACTED] has been declared bankrupt and has ceased to exist as a legal entity and the fact that no personal data had been handed over to [REDACTED]'s trustee in bankruptcy, the EDPI has concluded that there is no entity that could be considered a data controller for the personal data processing referred to in the complaint.
6. Based on these findings, the EDPI has shared its assessment with the Bavarian SA via IMI A61MA 711987 to close the proceedings.
7. The EDPI therefore rejects the complaint based on article 60(8) GDPR.

As the concerned supervisory authorities (including BayLDA) did not object to this draft decision, the BayLDA hereby adopts this draft decision as final decision in accordance with Article 60(8) of the GDPR.

Ansbach, 05.06.2025