

In the matter of the General Data Protection Regulation

DPC Complaint Reference: [REDACTED]

IMI Complaint Reference Number: [REDACTED]

In the matter of a complaint, lodged by [REDACTED] with Agencia Española de Protección de Datos (Spain DPA) pursuant to Article 77 of the General Data Protection Regulation, concerning Yahoo International Limited (formerly Yahoo EMEA Limited)

Record of Amicable Resolution of the complaint and its consequent withdrawal pursuant to Section 109(3) of the Data Protection Act, 2018

Further to the requirements of EDPB Guidelines 06/2022 on the practical implementation of amicable settlements Version 2.0 (adopted on 12 May 2022)

**RECORD OF AMICABLE RESOLUTION FOR THE
PURPOSE OF EDPB GUIDELINES 06/2022 ON THE
PRACTICAL IMPLEMENTATION OF AMICABLE
SETTLEMENTS VERSION 2.0, ADOPTED 12 MAY 2022**

Dated the 15th day of August 2025



Data Protection Commission
6 Pembroke Row
Dublin 2, Ireland

Background

1. On 15 March 2022, [REDACTED] (“the **Data Subject**”) lodged a complaint pursuant to Article 77 GDPR with the Agencia Española de Protección de Datos (“the **Recipient SA**”) concerning Yahoo EMEA Limited (“the **Respondent**”).
2. In circumstances where the Data Protection Commission (“the **DPC**”) was deemed to be the competent authority for the purpose of Article 56(1) GDPR, the Recipient SA transferred the complaint to the DPC on 13 May 2022.

The Complaint

3. The details of the complaint were as follows:
 - a. On 6 September 2021, the Data Subject’s legal representative submitted a delisting request pursuant to Article 17 GDPR to the Respondent. The relevant URL detailed the Data Subject’s previous criminal conviction, since spent.
 - b. The Respondent informed the Data Subject that the relevant URL had been accepted for delisting. However, the Data Subject’s legal representative found that the relevant URL continued to be returned in a search conducted against the Data Subject’s name.
 - c. Accordingly, the Data Subject lodged a complaint with the Recipient SA, which was subsequently transmitted to the DPC.

Action taken by the DPC

4. The DPC, pursuant to Section 109(4) of the Data Protection Act, 2018 (“the **2018 Act**”), is required, as a preliminary matter, to assess the likelihood of the parties to the complaint reaching, within a reasonable time, an amicable resolution of the subject-matter of the complaint. Where the DPC considers that there is a reasonable likelihood of such an amicable resolution being concluded between the parties, it is empowered, by Section 109(2) of the 2018 Act, to take such steps as it considers appropriate to arrange or facilitate such an amicable resolution.
5. Following a preliminary examination of the material referred to it by the Recipient SA, the DPC considered that there was a reasonable likelihood of the parties concerned reaching, within a reasonable time, an amicable resolution of the subject matter of the complaint. The DPC’s experience is that complaints of this nature are particularly suitable for amicable resolution in circumstances where there is an obvious solution to the dispute, if the respondent is willing to engage in the process. In this regard, the DPC had regard to:
 - a. The relationship between the Data Subject and Respondent (being, in this case, an individual consumer and a service provider); and

- b. The nature of the complaint (in this case, an unsuccessful attempt by the Data Subject to exercise their data subject rights).
- 6. While not relevant to the assessment that the DPC is required to carry out pursuant to Section 109(4) of the 2018 Act, the DPC also had regard to EDPB Guidelines 06/2022 on the practical implementation of amicable settlements Version 2.0, adopted on 12 May 2022 (“**Document 06/2022**”), and considered that:
 - a. the possible conclusion of the complaint by way of amicable resolution would not hamper the ability of the supervisory authorities to maintain the high level of protection that the GDPR seeks to create; and that
 - b. such a conclusion, in this case, would likely carry advantages for the Data Subject, whose rights under the GDPR would be vindicated swiftly, as well as for the controller, who would be provided the opportunity to bring its behaviour into compliance with the GDPR.

Amicable Resolution

- 7. The DPC engaged with both the Data Subject (via the Recipient SA) and Respondent in relation to the subject-matter of the complaint. The Respondent emphasised that it had not, at any time, refused to delist the URL. The Respondent asserted that following receipt of the request, it had delisted the relevant URL and informed the Data Subject of same on 14 September 2021.
- 8. The Respondent explained that delisting can only be actioned against specific URLs and search terms. The Respondent further explained that the search term requested on the subsequent occasion, was slightly different to that submitted as part of the original request and that delisting can only be actioned against specific URLs and search terms. The Respondent confirmed it had delisted both the original URL and the subsequent URLs.
- 9. The Recipient SA raised a concern with the DPC that the article, which was the cause of concern, continued to be returned when a search was conducted on the Data Subject’s name with slight spelling variations. In its response, the Respondent explained that it could not act on requests relating to search domains outside of the EMEA region. The Respondent outlined that it considers misspellings or typographical errors as outside the scope of dereferencing.
- 10. The DPC continued to engage with both the Respondent and the Recipient SA in relation to the relevant issue. Subsequently, on 30 January 2025, the DPC informed the Data Subject via the Recipient SA that the relevant URL, having been delisted by the Respondent, was no longer returning against the submitted spelling variations of the Data Subject’s name. When doing so, the DPC noted that, as the URLs which were the subject matter of the complaint have now been delisted, the dispute between the Data Subject and Respondent appeared to have been resolved. In the circumstances, the DPC asked the Data Subject to notify it, within a specified timeframe, if they were not satisfied with the outcome, so that the DPC could take further

action. The DPC did not receive any further communication from the Data Subject and, accordingly, the complaint has been deemed to have been amicably resolved.

11. In circumstances where the subject-matter of the complaint has been amicably resolved, in full, the complaint, by virtue of Section 109(3) of the 2018 Act, is deemed by the DPC to have been withdrawn by the Data Subject.
12. On 22 May 2025, and in light of the aforementioned, the DPC wrote to the Recipient SA noting that the DPC considered the complaint to have been amicably resolved and withdrawn in accordance with section 109(3) of the Act and that it would conclude the case and inform the Respondent.

Confirmation of Outcome

13. For the purpose of Document 06/2022, the DPC confirms that:

- a. The complaint, in its entirety, has been amicably resolved between the parties concerned;
- b. The agreed resolution is such that the object of the complaint no longer exists; and
- c. Having consulted with the supervisory authorities concerned on the information set out above, as required by Document 06/2022 the DPC has now closed off its file in this matter.

14. If dissatisfied with the outcome recorded herein, the parties have the right to an effective remedy by way of an application for judicial review, by the Irish High Court, of the process applied by the DPC in the context of the within complaint.

Signed for and on behalf of the DPC:



Deputy Commissioner
Data Protection Commission