

Paris, on October 20th, 2025

Madam, Sir,

I am following up on the email exchanges that took place between the services of the French data protection authority (*Commission nationale de l'informatique et des libertés* or « CNIL ») and [REDACTED] Data Protection Officer, as part of the investigation of [REDACTED] complaint forwarded by the Hamburg data protection authority (*Der Hamburgische Beauftragte für Datenschutz und Informationsfreiheit*), in application of the mechanism for cooperation between European authorities in accordance with Articles 56 et seq. of the General Data Protection Regulation (GDPR).

In support of his complaint, [REDACTED] stated that he wanted to exercise his right to erasure in order to have his customer account and personal data deleted. However, the complainant added that no email address dedicated to data protection issues was provided by the data controller on its website [REDACTED] especially on the "Help" section nor via the chatbot.

In this regard, [REDACTED] added that the chatbot had asked him to provide his email address in order to follow up on his request, but that despite providing this information, he had not been given any contact details for exercising his rights. However, by consulting the "Help" section available on the aforementioned website, he was able to obtain a telephone number. Nevertheless, the person he spoke to, told the complainant that he could only put him in touch with the data protection team if he provided his email address, which the complainant refused to do. Indeed, as [REDACTED] did not obtain any contact details during his exchange with the chatbot, even though he had provided his email address, he refused to provide this information again.

[REDACTED] then contacted the email addresses he had found online [REDACTED] and [REDACTED] by emails on November 25th, 2023, and March 22nd, 2024, in order to exercise his right to erasure. However, the complainant reportedly received automatic replies informing him that these emails had not been delivered. As a result, his request could not be followed up.

As part of the investigation of this complaint, the CNIL contacted [REDACTED] [REDACTED]

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First of all, with regard to the non-delivery of the emails sent by the complainant, [REDACTED] [REDACTED] stated that [REDACTED] sent his request to the following addresses: [REDACTED] and [REDACTED] on November 25th, 2023. However, the company added that these addresses are "no reply" addresses meaning that the messages were not received, and that a non-receipt message was sent to inform the complainant that his emails had not been delivered.

Secondly, with regard to the collection of email addresses for the purpose of contacting the data protection team by phone, the data controller stated that the email address was necessary to identify the account to which the data subject's personal data are linked. Indeed, the email address is the identification key of [REDACTED] accounts. Furthermore, [REDACTED] added that such collection helped to verify the identity of the person exercising his/her rights and enabled the data subject to be contacted again following his/her request.

I remind you that, in accordance with the provisions of Article 5(1.c) of the GDPR, the data controller shall only collect data that are adequate, relevant, and limited to what is necessary.

In this case, collecting an email address in order to process a request to exercise rights could be justified, even if it was not necessary to put the data subject in contact with the team responsible for data protection issues.

Thirdly, with regard to facilitating the rights of data subjects, [REDACTED] indicated that there are two ways for data subjects to exercise their rights, either by sending an email to [REDACTED] or by clicking on the "*contact the data protection officer*" button on the chatbot.

With regard to the email address [REDACTED] I notice that this address is now publicly available in the privacy policy on the [REDACTED] website under the heading "*How to exercise my rights*". Therefore, there is now a dedicated email address for contacting the Data protection officer (DPO). This address is also available on the government website www.data.gouv.fr in open data format in the file listing the contact details of DPOs.

For all intents and purposes, with regard to facilitating the rights of data subjects, I note that [REDACTED] informed our Commission that this address may have significant organizational limitations due to its public nature. Indeed, requests to exercise rights would be mixed with requests for after-sales services and prospecting or even phishing emails. This would make it difficult to monitor, manage, and track incoming requests by category of right exercised.

In this extent, the data controller has set up a chatbot dedicated to GDPR requests on the website [REDACTED] to facilitate the exercise of individuals' rights and the processing and follow-up of requests.

Fourthly, regarding the reasons why the chatbot did not grant [REDACTED] request, [REDACTED] stated that the aforementioned chatbot was asynchronous and that some messages were predefined automatic messages similar to a form. The company added that a path is offered depending on the right exercised by the data subject and that a "*Notify the Data Protection Officer*" button remains available if the individual wishes to contact the DPO.

The company specified that in order for the data subjects to exercise their right to erasure, they would need to describe the purpose of their request, provide their email address in order to identify the account concerned by the request, and confirm their surname, first name, and one of their last three orders. If the data subject has not made a purchase on the [REDACTED] website, he/she is asked to provide his/her postal address.

Once the data subject has provided this information, he/she is asked to confirm his/her request. Only once it has been confirmed by the data subject, the request is recorded and taken into account by the chatbot. Without confirmation by the data subject, the request is not taken into consideration.

In this case, the complainant reportedly initiated a conversation with the chatbot on March 22nd, 2024, to obtain the DPO's email address and thus exercise his right to erasure. However, the company stated that [REDACTED] had not followed the procedure described above, in particular by failing to provide all the information required and to validate his request, which meant that his requests for erasure and communication of the email address of the DPO were unsuccessful. Furthermore, the controller added that the complainant did not click on the "*Notify the Data Protection Officer*" button dedicated to direct contact with the DPO.

Finally, with regard to the complainant's request for erasure, I notice that the data controller provided the French SA with the response it had sent to the complainant, in which it granted his request for the erasure of his personal data and the deletion of his account. Besides, the controller provided a screenshot in support of its statement, which now confirms that the complainant's personal data is no longer stored in its database.

Therefore, given the answers provided and the measures implemented by [REDACTED] [REDACTED] [REDACTED] to remedy the situation, and since I have no doubt that [REDACTED] [REDACTED] will take appropriate measures to ensure that an email address is not collected to only put the data subject in contact with the team responsible for data protection issues, I hereby inform you, in agreement with the other European data protection authorities concerned, that I am closing this complaint.

I would nevertheless like to point out that the CNIL reserves the right, in the event of further complaints, to make use of all the powers conferred on it by the GDPR and the amended Act of 6 January 1978.

Yours sincerely,

For the President of the CNIL and by delegation,

[REDACTED]

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

- 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.