

Selection of data protection case law



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CJEU rulings 2021 re: data protection

Case	Type	Date	Parties	Object
C-658/19	J	25/02/2021	COM/ ES	Directive (EU) 2016/680: Non-transposition; € 15 Mio fine
C-746/18	J	02/03/2021	H.K.	Directive 2002/58: Art. 15; Data retention Estonia
C-645/19	J	15/06/2021	Facebook Ireland u.a.	GDPR: Art. 55 (1), Art. 56 - 58 and Art. 60 - 66; Cooperation between DPA's
C-597/19	J	17/06/2021	M.I.C.M.	GDPR: Art. 6 Abs. 1 Sub. 1 lit. f; Directive 2002/58: Art. 15; Storage of addresses for IP violations
C-439/19	J	22/06/2021	Latvijas Republikas Saeima	GDPR; Art. 5, 6 and 10; (Art. 85, 86, 87); public access to personal data relating to penalty points imposed for road traffic offences

CJEU rulings 2021/2022 re: data protection

Case	Type	Date	Parties	Object
C-102/20	J	25/11/2021	StWL Städtische Werke Lauf a.d. Pegnitz	Directive 2002/58: Art. 13; Advertising messages – Inbox advertising
C-175/20	J	24/02/2022	Valsts ieņēmumu dienests	GDPR: Art. 6 (1) lit c und (3); Access by tax authorities to client info of providers of Internet advertising services
C-245/20	J	24/03/2022	Autoriteit Persoonsgegevens	GDPR: Art. 55 (3); DPA powers as regards courts “acting in their judicial capacity”
C-319/20	J	28/04/2022	Facebook Ireland /Bundesverband der Verbraucherzentralen und Verbraucherverbände - Verbraucherzentrale Bundesverband e.V.	GDPR; Art. 80 (1) (2) and Art. 84 (1); Representative action brought by a consumer protection association in the absence of a mandate and independently of the infringement of specific rights of a data subject; unfair commercial practices
T-528/20 (appeal: C-755/21 P)	J (under appeal)	29/09/2021	Kočner / Europol	<i>Europol Reg: damage allegedly suffered by the applicant as a result of Europol’s disclosure of personal data and Europol’s inclusion of his name on the ‘Mafia lists’.</i>

Pending data protection cases 2022

Case	Type	Date	Parties	Object
C-793/19 C-794/19	OP	18/11/2021	Germany / SpaceNet AG, Telekom Deutschland	Directive 2002/58: Art. 15, German data retention law
C-817/19	OP	27/01/2022	Ligue des droits humains	GDPR: Art. 2 (2) lit. d, Art. 23 PNR -Directive; Charter
C-339/20 C-397/20	OP	18/11/2021	VD, SR	Directive 2003/6; Regulation No 596/2014 (Directive 2002/58): Data retention in the context of an investigation into insider dealing or market manipulation and abuse
C-420/20	OP	07/04/2022	TU, RE /Google LLC	GDPR: Art. 17 and image thumbnails

Pending data protection cases 2022

Case	Type	Date	Parties	Object
C-601/20	PR	13/11/2020	Sovim	GDPR: Art. 5, 15, Art. 44 - 50 EU money laundering rules; register of beneficial owners
C-701/20	PR	22/12/2020	Avis Autovermietung Gesellschaft mbH / Verein für Konsumenteninformation	GDPR; Art. 80 (1)(2), Art. 84 (1); Representative action brought by a consumer protection association in the absence of a mandate and independently of the infringement of specific rights of a data subject; unfair commercial practices
C-34/21	PR	20/01/2021	Hauptpersonalrat der Lehrerinnen und Lehrer beim Hessischen Kultusministerium	GDPR: Art. 88 (1) (2) Employees and data protection
C-77/21	OP	31/03/2022	Digi	GDPR: Art. 5 (1) lit b Purpose limitation and testing data; parallel storage of data
C-129/21	OP	28/04/2022	Proximus	Directive 2002/58/EG; GDPR; Art. 24, Art. 5, Art. 6, Art. 7, Art. 17, Art. 24, Art. 95 Erasure from Directories and directory enquiry services

Pending data protection cases 2022

Case	Type	Date	Parties	Object
C-132/21	PR	03/03/2021	Nemzeti Adatvédelmi és Információszabadság Hatóság	GDPR: Art. 51 (1), Art. 52 (1), Art. 77 (1), Art. 79 (1); relationship between findings of a DPA and a court; independence of DPA
C-154/21	OP	09/06/2022	Österreichische Post	GDPR; Art. 15 (1)lit. c Access to categories of recipients
C-180/21	OP	19/05/2022	Inspektor v Inspektorata kam Visshia sadeben savet	GDPR: Art. 88 (1), (2) Directive (EU) 2016/680 Public prosecution investigation file in civil proceedings
C-204/21	Action	01/04/2021	COM / Poland	GDPR: Art. 6 (1) lit. c, e, Art. 6 (3) Art. 9 (1) Publication of information regarding judges membership of a professional body or association, the functions performed by him or her within non-commercial foundations, and his or her membership of a political party
C-205/21	PR	31/03/2021	Ministerstvo na vatreshnite raboti, Glavna direktsia za borba s organiziranata prestapnost	Directive (EU) 2016/680 taking of photographs for the file, taking of fingerprints, and taking of samples in order to create a DNA profile

Pending data protection cases 2022

Case	Type	Date	Parties	Object
C-252/21	PR	22/04/2021	Meta Platforms u.a. / Bundeskartellamt	GDPR: Art. 6, 9, 51 Relation DPA and Cartel Office; consent
C-268/21	PR	23/04/2021	Norra Stockholm Bygg	GDPR; Art. 6 (3) (4) Requirements of nat. law
C-300/21	PR	12/05/2021	UI/ Österreichische Post AG	GDPR: Art. 82 Requirements for damages
C-306/21	PR	12/05/2021	Koalitsia „Demokraticzna Bulgaria - Obedinenie“	GDPR: Art. 2 (2) lit. a prohibition of video recordings in polling stations
C-340/21	PR	02/06/2021	Natsionalna agentsia za prihodite	GDPR: Art. 5(2), 24, 32 and 82 technical and organisational measures implemented by the controller
C-350/21	PR	04/06/2021	Spetsializirana prokuratura	Directive 2002/58/EG; Data retention Bulgaria
C-446/21	PR	20/07/2021	Maximilian Schrems / Facebook Ireland Ltd	GDPR; Art. 5, 6, 9 aggregating and analysing data for the purposes of personalised advertising
C-453/21	PR	21/07/2021	X-FAB Dresden	GDPR; Art. 38 (3) S. 2 DPO and chair of works council; Employee law; relation BDSG /GDPR; dismissal of the data protection officer by the controller

Pending data protection cases 2022

Case	Type	Date	Parties	Object
C-481/21	PR	04/08/2021	Bundesrepublik Deutschland	Directive (EU) 2016/680 Art. 15 (3), Art. 14; BKAG, BDSG, judicial review
C-487/21	PR	09/08/2021	F.F., Österreichische Datenschutzbehörde und CRIF	GDPR; Art 15 (3) Meaning of „copy“
C-560/21	PR	13/09/2021	KISA	GDPR; Art. 38 (3) Employee law; relation BDSG /GDPR; dismissal of the data protection officer by the controller
C-579/21	PR	22/09/2021	Pankki S	Finnish DP law; employee law
C-118/22	PR	17/02/2022	Direktor na Glavna direktsia „Natsionalna politsia“ pri MVR - Sofia	Directive (EU) 2016/680: Art. 5 in conjunction with Art. 13(2)(b) and (3)

Contact & questions



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