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Company

The inspection was carried out on the basis of a complaint about the unauthorized use of electronic contacts by one of the partners in his new company, by sending "unsolicited" commercial messages to contacts obtained in the course of activities for the previous, already defunct, company. The inspection found that the inspected company processed personal data without a legal title, i.e. in violation of Article 6, paragraph 1 of Regulation (EU) 2016/679, as it did not have any legal title according to Article 6, paragraph 1 letter a) – f) of Regulation (EU) 2016/679 and at the same time violated the obligation according to § 7 paragraph 3 of Act No. 480/2004 Coll., on certain information society services. The inspection showed that after the dissolution of the company, one of the partners founded your company with the same object of business. Furthermore, this company was shown to have reached out to former customers of the original company, which was already defunct. However, she was not authorized to dispose of customer addresses. There were a total of 27 e-mail addresses. The inspection established that the inspected company processed personal data without a legal title, i.e. in violation of Article 6, paragraph 1 of Regulation (EU) 2016/679 and at the same time violated the obligation according to § 7, paragraph 3 of Act No. 480/2004 Coll., about some information society services.

Additional information:

Personal data may be processed for the purpose of direct marketing, typically for the purpose of sending commercial messages, only on the basis of one of the legal reasons listed in Article 6, paragraph 1 of Regulation (EU) 2016/679 [point a) and f)]. The regulation for the dissemination of commercial communications contained in Act No. 480/2004 Coll., on certain services of the information society, aims to limit harassment by unsolicited commercial communications. You can also find information on how to properly disseminate commercial messages on the ÚOOÚ website.

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