

**Registration number IMY-  
2023-3161**

Case 164549 Complaint, LDA-  
521.13778 / 631.298

**Date of decision**  
2024-04-22

# Decision pursuant to Article 60 under the General Data Protection Regulation — Klarna Bank AB.

## Decision of the Swedish Authority for Privacy Protection (IMY)

The Swedish Authority for Privacy Protection (IMY) finds that Klarna Bank AB has now complied with the complainant's request for deletion (erasure). Against this background, the Swedish Authority for Privacy Protection finds no reason to take any further action in the case

The case is closed.

## Report on the supervisor

The Swedish Authority for Privacy Protection (IMY) has initiated supervision against Klarna Bank AB (Klarna or the company) in response to a complaint lodged on 2 December 2020. The complaint has been submitted to IMY, as the lead supervisory authority for the company's activities under Article 56 of the of the General Data Protection Regulation (GDPR)<sup>1</sup>. The transmission has been made by the supervisory authority of the country where the complainant lodged his complaint (Germany, Berlin) where the complainant has lodged their complaint in accordance with the GDPR's provisions on cooperation in cross-border processing.

The investigation in the case has been carried out through written correspondence. Since this is a complaint relating to cross-border processing, IMY has used the mechanisms for cooperation and consistency contained in Chapter VII GDPR. The supervisory authorities concerned has been the data protection authorities in Denmark, Germany, Hungary, Finland, Italy, Norway, Poland and Austria.

### What the complainant has stated

The complaint shows, in essence, the following: The applicant has approached Klarna and asked it to stop sending SMS messages to it concerning someone else's invoice from Klarna. The complainant has never been a customer of Klarna. On 11 November 2020, Klarna replied to the applicant that it could not erase the applicant's telephone number because another customer had indicated the applicant's telephone number as

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<sup>1</sup>Regulation (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

its own. Klarna was not in a position to investigate which customer indicated the applicant's telephone number as his own and could not therefore delete it either. Klarna instead asked complainants to block Klarna's number, in order to avoid receiving SMS messages from Klarna regarding the other customer's invoices.

#### **What Klarna has stated**

Klarna states, in essence, as follows. The reply from Klarna sent on 11 November 2020 was in relation to the complainant's request of 9 November 2020 not to receive communications from Klarna. Klarna's reply shows that another customer has probably indicated the phone number as their own and that the customer service employee cannot change another customer's data. The complainant has been asked to block the number from which the reminders were sent.

The only request for deletion received by Klarna from the complainant is a request for deletion made on 29 September 2021. In connection with that request, Klarna carried out an investigation and concluded that another customer had incorrectly indicated the complainant's telephone number on 4 October 2021, Klarna corrected the second customer's number so that the complainant's number was deleted according to the request.

Klarna wishes to point out that the telephone number stored at the company has been indicated by another customer as its own phone number. Klarna's terms and conditions state that a customer must always provide their own personal data. Klarna wishes to point out that the company has developed its products since the time of the complaint, which has resulted in that the events described above can no longer take place because verification with SMS code is now required.

## **Justification of the decision**

### **Assessment of the Swedish Authority for Privacy Protection (IMY)**

It is apparent from the investigation in the case that the complainant contacted Klarna on 9 November 2020 and requested the company to delete the applicant's telephone number so that it would not receive SMS messages with reminders of unpaid invoices at Klarna which did not concern the complainant. The right to erasure derives from Article 17 of the GDPR. The provision provides that the data subject shall have the right to have his or her personal data erased from the controller without undue delay and that the controller shall be obliged to erase personal data without undue delay if they are no longer necessary for the purposes for which they have been collected or otherwise processed.

It is apparent from the investigation in the case that, at the time when the complainant contacted it on 9 November 2020, Klarna could not find the customer who incorrectly indicated the complainant's telephone number as his own and could not therefore delete the complainant's number. However, it appears from the investigation in the case that, on 29 September 2021, the complainant again requested erasure and that, on that occasion, Klarna had the opportunity to correct the other customer's telephone number so that the complainant's telephone number could be deleted as requested. Klarna has further stated that the company has developed its products since the time of the complaint, which has resulted in that the events described above can no longer take place because verification by SMS code is now required.

IMY finds no reason to call into question the fact that Klarna deleted the complainant's telephone number. IMY notes that Klarna has now satisfied the complainant's right to erasure. In the light of the above, IMY finds no reason to take any further action in this case.

The case should therefore be closed.

## How to appeal

If you want to appeal the decision, you should write to the Authority for Privacy Protection. Indicate in the letter which decision you appeal and the change you request. The appeal must have been received by the Authority for Privacy Protection no later than three weeks from the day you received the decision. If the appeal has been received at the right time, the Authority for Privacy Protection will forward it to the Administrative Court in Stockholm for review.

You can e-mail the appeal to the Authority for Privacy Protection if it does not contain any privacy-sensitive personal data or information that may be covered by confidentiality. The authority's contact information is shown in the first page of the decision.