



Privacy in Bavaria

News for the Bavarian public sector

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EDPB, Guidelines 3/2025 on the interplay between the DSA and the GDPR

Public consultation ongoing.

https://www.edpb.europa.eu/our-work-tools/documents/public-consultations/2025/guidelines-32025-interplay-between-dsa-and-gdpr_en

European Court of Justice, judgement of 4 September 2025, C-655/23

No preventive legal remedy against the further unlawful processing of personal data under Union law; possibility to provide for such a remedy under national law; non-material damage: proof of "negative feelings"; liability and amount of damages.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62023CJ0655>

European Court of Justice, judgement of 4 September 2025, C-413/23 P

Clarification of the notion of personal data in connection with the transmission of pseudonymised data to third parties.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62023CJ0413>

Cologne Administrative Court, judgement of 17 July 2025, 13 K 1419/23

Rejection of joint controllership for Facebook fanpages.

https://nrwe.justiz.nrw.de/ovgs/vg_koeln/j2025/13_K_1419_23_Urteil_20250717.html

Press release of the Federal Commissioner for Data Protection and Freedom of Information on the appeal that has recently been lodged:

https://www.bfdi.bund.de/SharedDocs/Pressemitteilungen/DE/2025/12_Fanpage-Verfahren-Berufung.html

Federal Court of Justice, judgement of 13 May 2025, VI ZR 186/22

Art. 82 GDPR: A purely hypothetical risk of misuse of personal data by an unauthorised third party due to inadequate protective measures (in this case: unencrypted transmission of personal data by fax) cannot lead to compensation pursuant to Art. 82 (1) GDPR.

<https://juris.bundesgerichtshof.de/cgi-bin/rechtsprechung/document.py?Gericht=bgh&Art=en&nr=142620>

Munich Higher Regional Court, judgement of 6 June 2025, 36 U 4233/23 e

Art. 82 GDPR: Claims following a scraping incident.

<https://www.gesetze-bayern.de/Content/Document/Y-300-Z-GRURRS-B-2025-N-15491>

Federal Finance Court, judgement of 6 May 2025, IX R 2/23

Type of action and time limit for bringing an action for asserting a right of access under Art. 15 GDPR.

<https://www.bundesfinanzhof.de/de/entscheidung/entscheidungen-online/detail/STRE202520164>

Stuttgart Higher Labour Court, judgement of 14 January 2025, 15 Sa 22/24

Data protection requirements in "occupational integration management" (i. e. cases where employers are required to assess possibilities to overcome an incapacity to work, to prevent renewed incapacity to work and to retain the workplace).

<https://www.landesrecht-bw.de/bsbw/document/NJRE001614198>

Event: The Bavarian Data Protection Commissioner will be represented at the "public authorities day" of the Professional Association of Data Protection Officers in Germany [Berufsverband der Datenschutzbeauftragten Deutschlands e. V.] on 24 October 2025 in Munich (venue: Aschheim). | <https://www.bvdnet.de/de/konferenzen/herbstkonferenz-datenschutz>
