

ADVISTA AS  
Nydalsveien 36  
  
0484 OSLO

*Exempt from public disclosure:  
Offl. § 13, jf. personopplysningsloven  
§ 24 første ledd 2. punktum*

Your reference

Our reference  
22/00194-19

Date  
05.06.2023

### **'Sui Generis' Decision - Advista AS**

On 12 January 2022, the Spanish Agency for Data Protection (“Agencia Española de Protección de Datos”, “Spanish SA”) shared with the Norwegian Data Protection Authority (“Datatilsynet”, “us”, “our”) a complaint lodged by [REDACTED] (the “complainant”) against Advista AS (“Advista”). The latter is a Norwegian company that, in 2021, used to operate the website [teloos.es](http://teloos.es).

The complainant argued that Advista failed to respond to an erasure request they submitted under Article 17 of the General Data Protection Regulation (“GDPR”). The request concerned the complainant’s name, surnames and postal address, which in 2021 were available on [teloos.es](http://teloos.es).

Further to our inquiry, Advista informed us that the website [teloos.es](http://teloos.es) has since been closed and that the data it included have been deleted. Advista also told us that they have no record of having received an erasure request from the complainant. However, Advista claimed that it may be that such request was not received due to the fact that the process that led to the closure of the website started in 2021, and it is thus possible that the complainant submitted their request through a form or an email address that were no longer in use at the time of the request. In any event, the complainant’s personal data have been deleted as a result of the closure of the website [teloos.es](http://teloos.es).

Taking into account that the closure of the website has essentially mooted the issues raised in the complaint and that supervisory authorities “should seek an amicable settlement with the controller”, on 24 February 2023, the Spanish SA wrote a letter to the complainant to inform them about the closure of the website [teloos.es](http://teloos.es) and to invite them to express any objections they may have against the closure of the present case. The letter also informed the complainant that if they will not respond to the letter within three weeks upon receiving it, we will consider that the matter has been resolved to the complainant’s satisfaction and we will close the present case.

In light of the above, and given that the complainant has not responded to the above-mentioned letter within the set deadline, we consider that the subject matter of the complaint has been investigated to the extent appropriate in accordance with Article 57(1)(f) GDPR, and that the matter may be deemed to be resolved to the complainant's satisfaction. We have therefore decided to close the present case in accordance with Article 60(7) GDPR and the requirements of Internal EDPB Document 06/2021 on the practical implementation of amicable settlements (adopted on 18 November 2021).

Kind regards

Tobias Judin  
Head of International

Luca Tosoni  
Specialist Director

*This letter has electronic approval and is therefore not signed*

Copy to: Agencia Española de Protección de Datos