

Germany

Federal Data Protection Commissioner Releases Leaflet on Digital Language Assistants

Due to an increasing number of internet companies offering their customers digital language assistants through apps (for example in smartphones, desktop speakers or toys), the German Federal Data Protection Authority has released a [new \(customer-oriented\) two-page leaflet](#) on this topic to deal with four major questions: What are digital language assistants? How do they function? Which privacy concerns do they raise? How to deal with them in a privacy-friendly way? According to the leaflet, the goal of language assistants is to allow for quicker access to information and easier handling of many technical devices. However, the problem is that they present a risk to privacy by constantly sending data to the internet. The leaflet warns producers of language assistants to, inter alia, uphold their obligations in relation to privacy by having design and privacy tools by default.

Voßhoff Welcomes Federal Supreme Court Ruling on Dynamic IP Addresses

Andrea Voßhoff, the Federal Data Protection Commissioner, has [welcomed the Federal Supreme Court \(Bundesgerichtshof\) ruling from 16 May 2017](#), which states that dynamic IP addresses constitute personal data. The ruling is based on a preliminary ruling by the European Court of Justice. In the underlying case, a German politician sued the Federal Republic of Germany for storage of his IP addresses. The Federal Supreme Court also ruled that website providers or other providers of online services have the right to store IP addresses insofar as this is necessary to guarantee the proper functioning of their service. The constitutional right to privacy, however, must be complied with in this respect, which the court stated is now a task for the legislator.

UK

ICO Opens Formal Investigation Into Use of Data Analytics in Political Campaigns

Elizabeth Denham, the Information Commissioner, [announced on 17 May 2017](#) that the ICO will begin a formal investigation to assess political groups' compliance with data protection laws when using data analytics. Whilst the ICO understands the important role of advanced data analysis tools in shaping political campaigns and gaining votes, it warns that this must be done in accordance with the law relating to data protection and electronic marketing. Elizabeth Denham stated that this investigation will take a closer look at the practices which were used during the Brexit Referendum campaign and potentially other campaigns. This investigation is a high priority for the ICO and an update will be provided later in the year.

Firm Fined £100,000 by ICO for Sending 3.3 Million Spam Text Messages

On 16 May 2017, [the ICO fined Onecom Limited](#) (a telecommunications company) for breaching Regulation 22 of [the Privacy and Electronic Communications \(EC Directive\) Regulations 2003 \(SI 2003/2426\) \(PECR\)](#) following 1,050 complaints. Onecom Limited sent 3.3 million text messages between 1 October 2015 and 31 March 2016 without obtaining consent from the recipients. In addition, Onecom Limited was unable to provide evidence to the ICO explaining the source of the data used to send the text messages to the complainants. This penalty comes days after [the ICO's record fine](#) was reached regarding automated marketing calls.

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