



noyb – European Center for Digital Rights
Goldschlagstraße 172/4/3/2
1140 Vienna
Austria

Austrian Data Protection Authority (DSB)
Barichgasse 40-42
1030 Vienna
Austria

By email [REDACTED]

Vienna, December 9, 2025

noyb case number: **C-103-01**

Complainant:

[REDACTED] born on [REDACTED]

TikTok username: [REDACTED]

represented by:

noyb – European Center for Digital Rights
Goldschlagstraße 172/4/3/2, 1140 Vienna

Respondent:

TikTok Technology Limited
The Sorting Office, Ropemaker Place,
Dublin D02 HD23
Ireland

Re:

Articles 12 and 15 of the GDPR

COMPLAINT

1. REPRESENTATION

1. *noyb* – European Center for Digital Rights is a non-profit organization (ZVR: 1354838270) dedicated to protecting the rights and freedoms of data subjects and based at Goldschlagstraße 172/4/3/2, 1140 Vienna, Austria (hereinafter: "*noyb*"). (**Appendix 1**).
2. *noyb* is the representative of the complainant pursuant to Article 80(1) GDPR (**Appendix 2**).

2. FACTS

2.1. Respondent ("TikTok")

3. The respondent operates a social media platform on which users can interact with each other via short videos (the "platform"). According to its website¹, its mission is to "[...] *inspire creativity and bring joy*." According to Google on Google Play, the TikTok app for Android smartphones has been downloaded more than a billion times.²

2.2. Complainant

4. The complainant is an occasional user of the platform. In order to use and interact on the platform, the complainant had to create an account and provide his personal data. According to the respondent's privacy policy, TikTok collects and processes personal data such as identity and contact information (e.g., email address, name, username), profile data (e.g., interests), user content, messages and contacts, and other connections (under "*What information we collect*"³).
5. On August 20, 2024, the complainant downloaded a copy of his data using TikTok's in-app feature. This copy contained data on his activities (including a file named "Off TikTok Activity"), app settings, and profile information (**Appendix 3**). The copy of his data did not contain any explanations about the data processed or specific details about the recipients or sources of the data (for example, "admin8888" was listed as the source for a significant portion of the activities in the file titled "Off TikTok data"). Since the information provided was incomplete, the complainant contacted TikTok.
6. On September 9, 2024, the complainant sent a letter to TikTok (**Appendix 4**) requesting clarification of its privacy policy and requesting access to his personal data in accordance with Article 15 of the GDPR.
7. On October 9, 2024, the respondent informed the complainant that it would respond to his request for information by December 9, 2024 (**Appendix 5**). In the letter, the respondent also addressed the questions raised in the complainant's letter of September 9, 2024, regarding the respondent's privacy policy.

¹ See here: <https://www.tiktok.com/about?lang=en>

² Business Insider. "TikTok was bigger than Instagram last year after surpassing 1 billion downloads." <https://www.businessinsider.com/tiktok-hit-1-billion-downloads-surpassing-instagram-in-2018-2019-2> Accessed September 8, 2025

³ The original page can be found here: <https://web.archive.org/web/20240813125023/https://www.tiktok.com/legal/page/eea/privacy-policy/en>

8. On December 9, 2024, the complainant received another letter and a data package from TikTok. This additional delivery (**Appendix 6**) contained further information that was not included in the copy (which he had downloaded on August 20, 2024, using TikTok's in-app function). The letter (**Appendix 7**) contained a list of the categories in the data package received, as well as further explanations on the processing of the complainant's personal data.
9. However, this data package and the glossary were also incomplete and did not provide the data subject with fully comprehensible information. For example, data categories such as "params_pii" and "header" contained vague descriptions and a sequence of numbers as an example. This does not provide the data subject with meaningful information about the meaning of this data category, what data is being processed, and for what purpose the data is being processed (**Appendix 6**, see "Appendix 1.B. User Data.xlsx").
10. However, this over-delivery appears to be an isolated case. Another data subject [REDACTED] contacted the respondent after receiving incomplete information via the in-app download function. In this case, the respondent's response merely referred to its privacy policy by email (**Screenshot 1**) and did not provide any additional information.

----- Forwarded message -----
From: Privacy [REDACTED]
Date: Mon, 11 Nov 2024 at 13:31
Subject: Re: Privacy Report follow-up case number: [REDACTED]
To: <[REDACTED]>

Hello,

Thanks for getting back to us.

In relation to data transfers, we remind you that the data categories listed in the section "What Information We Collect" of our Privacy Policy (<https://www.tiktok.com/legal/page/eea/privacy-policy/en>) is shared with service providers, partners, and other 3rd party entities, as described in the sections "How We Share Your Information" and "Our Global Operations and Data Transfers" of our Privacy Policy (<https://www.tiktok.com/legal/page/eea/privacy-policy/en>).

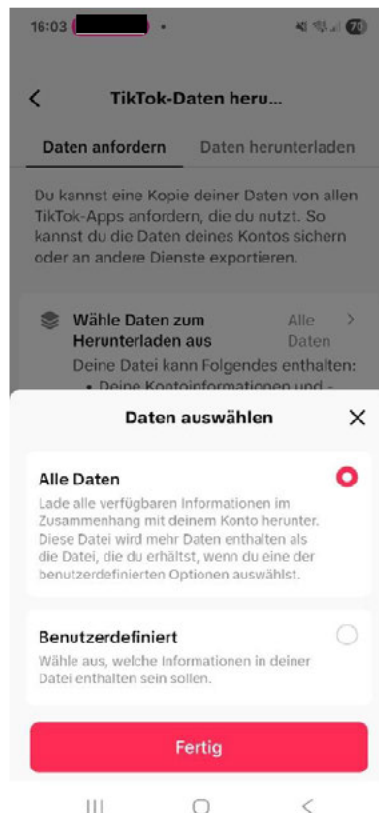
Due to the nature of our global operations, said 3rd parties can be located outside one's country of residence. These entities have committed to processing information in compliance with applicable privacy laws and to implementing appropriate security measures to protect users' information.

Screenshot 1: Excerpt from the email received by [REDACTED]

11. In the case of [REDACTED] the data was therefore incomplete, but still more detailed than in the case of an average data subject.
12. It is important to note that the respondent does not clarify that the copy downloaded from the app contains only the "most relevant" data of the data subject. It was only in the letter

received on December 9 that it was stated that the in-app function for downloading user data only provides the "most relevant" data: *"This tool [the TikTok in-app function] provides our users with the personal data that is most relevant to them."* (Appendix 7, page 1)

13. This information is also not available on the respondent's website (see *"Requesting Your Data"*)⁴ or in the app settings, through which the complainant can download a copy of their data. In fact, the wording in the app suggests that the data subject is downloading "all data," as evidenced by the use of phrases such as *"Download all available information related to your account"* and the heading *"All data"*:



Screenshot 2: The in-app function for downloading data on TikTok

14. No normal data subject would assume that this refers to downloading the "most relevant data."
15. However, despite the additional information provided by TikTok in the data package and in the letter, the complainant still did not receive all the information to which they are entitled under Article 15(1) GDPR.
16. In particular, the respondent did not provide sufficient information about the recipients of personal data (Article 15(1)(c) GDPR) and the sources of personal data (Article 15(1)(g) GDPR).

⁴ As can be seen from the following link from the Wayback Machine:
<https://web.archive.org/web/20240809064148/https://support.tiktok.com/en/account-and-privacy/personalized-ads-and-data/requesting-your-data>

3. LEAD AUTHORITY

17. According to its privacy policy for users in the EEA and Switzerland, the respondent is based in Ireland, at The Sorting Office, Ropemaker Place, Dublin 2, Dublin, D02 HD23. Therefore, the lead authority in this case is likely to be the Irish Data Protection Commission (*DPC*).
18. However, in accordance with Article 77(1) GDPR, this complaint is being lodged with the DPO.

4. COMPLAINT REASONS

4.1. Violation of Articles 12 and 15 due to lack of information on the scope of the download

19. As can be seen from the facts in paragraphs 5 to 14, TikTok structurally attempted to mislead data subjects into believing that the download tool contained "*all data*," when it is clear from the facts and the subsequent delivery that TikTok only provides (in its own opinion) "*relevant*" data.
20. The complainant was already misled by this false statement in a first step – which constitutes a clear violation of Articles 12(1) and 5(1)(a) (see principles of transparency and fairness) in conjunction with Article 15 GDPR.

4.2. Violation of Articles 12 and 15 due to lack of explanation of the downloaded data

21. According to Article 12(1) GDPR, the controller is obliged to provide the information to the data subject "*in a concise, transparent, intelligible and easily accessible form*". The right of access cannot be effectively enforced if the data subject cannot understand how the controller processes their data or what the consequences of this processing are.⁵
22. In cases where the data is provided in the form of "raw data," the EDPB states that the data "*may need to be explained in order to be understandable to the data subject*."⁶ For information to be "understandable" to the data subject, it should be understandable to an average member of the target audience.⁷ In this case, the average TikTok user would not be able to understand the information chain, especially since the average TikTok user is not a computer scientist or understands the structure of TikTok's internal databases.
23. On December 9, 2024, the respondent submitted a data package (Appendix 6) containing information about the data in the in-app download function. In particular, the "*User Data*" table contained information about the various interactions of the data subject with the

⁵ ECJ, C-372/12 *Nowak*, December 20, 2017, paragraph 44

⁶ EDSA, "Guidelines 01/2022 on data subject rights – Right of access," March 28, 2023 (version 2.1), page 4 (available at https://www.edpb.europa.eu/system/files/202304/edpb_guidelines_202201_data_subject_rights_access_v2_en.pdf)

⁷ Article 29 Data Protection Working Party, "Guidelines on transparency under Regulation 2016/679" (revised in April 2018), paragraph 9 (available at https://www.edpb.europa.eu/system/files/2023-09/wp260rev01_en.pdf)

TikTok app. Some of the data categories in this table can be explained logically (e.g., the type of smartphone, in this case "Samsung"), but most of the data is not understandable to the average data subject, as the information in these categories consists of long chains of numbers and information.

24. An example of this is the information in the "Header" column of the data export, which is structured as follows:

```
{ "_log_type": " ", "_event_size": " ", "_topic": " ", "ab_sdk_version":
  " ", "app_version_minor": " ", "carrier_region": "
  ", "client_port": " ", "cpu_abi": "
  ", "custom_apk_last_update_time": " ", "custom_build_serial": "
  ", "custom_dark_mode_setting_value": " ", "custom_event_sampling_version": "
  ", "custom_filter_warn": " ", "custom_google_aid": "
  ", "custom_is_foldable": " ", "custom_is_kids_mode": "
  ", "custom_is_non_personalized": " ", "custom_mc": "
  ", "custom_priority_region": " ", "custom_screen_height_dp": "
  ", "custom_screen_inches": " ", "custom_screen_inches_v2": "
  ", "custom_screen_width_dp": " ", "custom_sim_serial_number": "
  ", "custom_sys_region": " ", "custom_timezone_name": " ", "custom_udid": "
  ", "custom_user_mode": " ", "custom_user_period": "
  ", "custom_web_ua": " ", "data_center": " ", "data_type": "
  ", "debug_flag": " ", "density_dpi": " ", "device_brand": "
  ", "device_manufacturer": " ", "display_name": " ", "event_id": "
  ", "event_priority": " ", "log_type": " ", "manifest_version_code": "
  ", "mcc_mnc": " ", "not_request_sender": " ", "os_api": "
  ", "platform": " ", "push_sdk": " ", "region": "
  ", "release_build": " ", "rnd": " ", "rom": "
  ", "rom_version": " ", "seq_id": " ", "sig_hash": "
  ", "sim_region": " ", "trace_id": " ", "tz_name": "
  ", "tz_offset": " ", "update_version_code": " ", "user_agent": "
  ", "user_is_login": " ", "version_code": " " } (Appendix 6,
```

see "Appendix 1.B. User data.xlsx")

25. This information was supplemented by a glossary intended to provide explanations of the data categories. However, the glossary is incomplete and does not fulfill the information requirements under Article 12 of the GDPR. For example, the explanation for the "header" category reads:

*"Data is sent via a 'data packet' [...]. The 'header' contains basic information about the data reported to TikTok's systems, such as the time [...]. An example of the information string contained in this information category is provided here as an example" (see **Appendix 6**, "Appendix 1.A. Glossary.pdf, p. 8).*

26. The example listed in the table is as follows:

```
{ " "_log_type": " ", ..., "user_is_login": " ", "version_code": "
  " " }" (see Appendix 6, "Appendix 1.A. Glossary.pdf, p. 8).
```

27. The wording of the glossary is vague, does not explain what a "data packet" is or what it contains, and includes a non-exhaustive list by inserting "such as." The explanation is limited to a general overview and does not include any explanations of what the information string contains.
28. In contrast, the data and explanations in other tables are better explained. For example, under "Appendix 1D – Derived Data," the glossary contains the following explanation of derived gender: "*Your derived gender. The value '2' means that your derived gender is female*" (Appendix 6, "Appendix 1.A. Glossary.pdf", p. 10). Although this is a much simpler data category, it clearly explains what the number in the data package stands for. This is not the case for the "Header" category, for example.
29. The violation of Article 12(1) GDPR results from the violations of Article 15 outlined above. The information contained in the respondent's letter (and thus also in its privacy policy) does not comply with the WP29 requirements, which stipulate clear and understandable language. Information should be specific and unambiguous, avoiding abstract terms and restrictions such as "may" or "could."⁸ Overall, the respondent is not fulfilling its obligation to facilitate the exercise of the data subject's rights under the GDPR.
30. This case clearly falls under the situations in which the raw data provided must be explained more clearly and with greater transparency. For information to be "understandable" to the data subject, it should be understandable to an average member of the target group. Since the controller is aware of the data subjects from whom it collects data, it is the respondent's responsibility to provide information in a manner that is understandable to an average TikTok user.⁹ In this case, the average TikTok user would not be able to understand the information, especially since the average TikTok user has no background in computer programming or computer science.
31. In summary, the respondent violated Article 12(1) GDPR by failing to comply with its information obligations.

4.3. Violation of the right of access (Article 15 GDPR)

4.3.1. No complete "copy" of the data

32. Article 15(3) GDPR requires the controller to provide "*a copy of the personal data undergoing processing*." The right also arises directly from Article 8(2) of the Charter.
33. According to the EDPB guidelines, one of the purposes of the right of access is to enable the data subject *to inform themselves about and verify the lawfulness of the processing*.¹⁰ Without a complete copy of the data processing, the data subject cannot effectively exercise their

⁸ Article 29 Data Protection Working Party, "Guidelines on transparency under Regulation 2016/679" (revised in April 2018), paragraph 13 (available at https://www.edpb.europa.eu/system/files/2023-09/wp260rev01_en.pdf)

⁹ Article 29 Data Protection Working Party, "Guidelines on transparency under Regulation 2016/679" (revised in April 2018), paragraph 9 (available at https://www.edpb.europa.eu/system/files/2023-09/wp260rev01_en.pdf)

¹⁰ EDSA, Guidelines 01/2022 on data subjects' rights – Right of access, March 28, 2023 (version 2.1), paragraph 10 (available at https://www.edsa.europa.eu/system/files/202304/edsa_guidelines_202201_data_subject_rights_access_v2_en.pdf)

rights under the GDPR. This also applies if the information about the recipients and sources of personal data is incomplete.

34. The EDPB also confirmed that controllers are obliged to provide the data subject with a complete copy, unless the data subject has expressly requested otherwise.¹¹ A summary of the data is not sufficient.¹² It also noted that if the controller refuses a request on the grounds that the rights and freedoms of others would be affected, it must be able to demonstrate that such an effect would occur.¹³
35. In this regard, the DSB has repeatedly emphasized that the controller must provide the data subject with relevant information, which means that general statements do not satisfy the requirement to provide a complete copy of the data subject's data.¹⁴
36. Although the complainant made it clear that he wanted to receive a complete copy of his personal data undergoing processing (see Appendix 4, page 1), TikTok merely provided "examples" ("Examples") that " " are intended to provide *"meaningful information and examples of how [his] data is being processed"* (see Appendix 5, page 1).
37. The respondent argues (Appendix 7) in accordance with Article 15(4) GDPR that (un)certain data cannot be provided because it is either (i) confidential and/or commercially sensitive and its disclosure *"could compromise the threat detection and security practices of the platform or [...] our products and systems"* or (ii) their disclosure *"could compromise the rights and freedoms of third parties"* (see Appendix 7, page 1). However, it did not substantiate these statements with any reasoning, nor did it indicate to what extent the rights and freedoms of others would be compromised.
38. Article 15(4) GDPR alone makes it clear that own economic interests or self-declared "confidentiality" are not grounds for refusing to provide information – only the rights of third parties are protected by Article 15(4) GDPR.
39. Although the details of the data not provided must be determined by the authorities, it seems clear that the respondent has in any case violated Article 15(3) by not granting the complainant access to a complete copy of his data.

4.3.2. Non-disclosure of recipients of personal data

40. According to Article 15(1)(c) GDPR, the controller is obliged to provide information about *"the recipients or categories of recipients to whom the personal data have been or will be*

¹¹ EDSA, Guidelines 01/2022 on data subject rights – Right of access, March 28, 2023 (Version 2.1), Paragraph 35 (available [at https://www.edsa.europa.eu/system/files/202304/edsa_guidelines_202201_data_subject_rights_access_v2_en.pdf](https://www.edsa.europa.eu/system/files/202304/edsa_guidelines_202201_data_subject_rights_access_v2_en.pdf))

¹² EDSA, Guidelines 01/2022 on data subject rights – Right of access, March 28, 2023 (Version 2.1), Paragraph 23 (available [at https://www.edpb.europa.eu/system/files/202304/edpb_guidelines_202201_data_subject_rights_access_v2_en.pdf](https://www.edpb.europa.eu/system/files/202304/edpb_guidelines_202201_data_subject_rights_access_v2_en.pdf))

¹³ EDSA, Guidelines 01/2022 on data subject rights – Right of access, March 28, 2023 (Version 2.1), Paragraph 172 (available [at https://www.edsa.europa.eu/system/files/202304/edsa_guidelines_202201_data_subject_rights_access_v2_en.pdf](https://www.edsa.europa.eu/system/files/202304/edsa_guidelines_202201_data_subject_rights_access_v2_en.pdf))

¹⁴ Data Protection Authority, Decision No. 2025-0.626.844, paragraph D.2.2.3, August 7, 2025, available [here](#).

disclosed." In practice, it is only possible to know exactly who has access to your personal data if the recipients are named.¹⁵

41. The ECJ has clarified that the controller must provide information about all recipients. This information must be "as specific as possible," it should "*contain information about specific recipients [...]*," and it is not sufficient to refer to a website for further information (C-154/21, *Österreichische Post AG*).¹⁶ This means that the controller should provide the information to the data subject through active communication; i.e., a mere reference to the controller's privacy policy is not sufficient.¹⁷
42. The DSB also shares this view: Simply providing information from a privacy policy does not fulfill the obligations of a controller, as it only contains general information that does not necessarily apply to the data subject.¹⁸ Here, reference should again be made to the difference between *ex ante* information under Articles 13 and 14 GDPR and *ex post* information under Article 15 GDPR. The former provides information about the planned data processing, while the latter provides information about the actual processing. These are not always identical, for example because a transfer to a recipient is possible but has not taken place, or because a controller has carried out processing that was not foreseeable in advance or was even illegal.
43. Despite the fact that the complainant has requested clarification, the respondent continues to violate Article 15(1)(c) GDPR. In both its letters dated September 9, 2024, and December 9, 2024, the respondent did not provide sufficient or specific information about the recipients of personal data. It merely copied and pasted its privacy policy. An example of the respondent's statement is provided below:

6.2

operation? (Articles 13(1)(e) and 15(1)(b), (c) GDPR)
Which "third parties" does TikTok share personal data with? (Articles 13(1)(e) and 15(1)(c) GDPR) (see also CJEU Case C-154/21, RW v. Österreichische Post AG)

We have responded to questions 6.1 and 6.2 together. The personal data shared and the third parties with whom such data is shared will depend on the user's use of third party integrations. As disclosed in our Privacy Policy, TikTok may share the following types of information with third parties whose services are integrated with TikTok:

"Third Party Platforms and Partners. We share limited information which may include Information You Provide, Technical Information, and Usage Information with third party platforms and partners whose platform or services are integrated with the Platform. We do this to give you a seamless experience, allow your content to be shared on other platforms, and/or enable third party platforms and partners to better authenticate users. Some examples include if you:

- log-in to a third party platform using your account, we will share your basic account information and any other Information You Provide,*
- sign-up or log-in to the Platform using your account details from a third party platform (such as Facebook or Google), we will share certain Technical Information to facilitate this,*

share User Content you publish on the Platform on other social media platforms, we will share your User Content and related information."

¹⁵ Article 29 Data Protection Working Party, "Guidelines on transparency under Regulation 2016/679" (revised in April 2018), page 37 (available at https://www.edpb.europa.eu/system/files/2023-09/wp260rev01_en.pdf)

¹⁶ ECJ, C-154/21 *Österreichische Post AG*, January 12, 2023, paragraph 43 (available at <https://curia.europa.eu/juris/document/document.jsf?text=&docid=269146&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=20584748>)

¹⁷ Dix, in "General Data Protection Regulation Article-by-Article Commentary" (Beck, Hart, Nomos, 2023), page 439

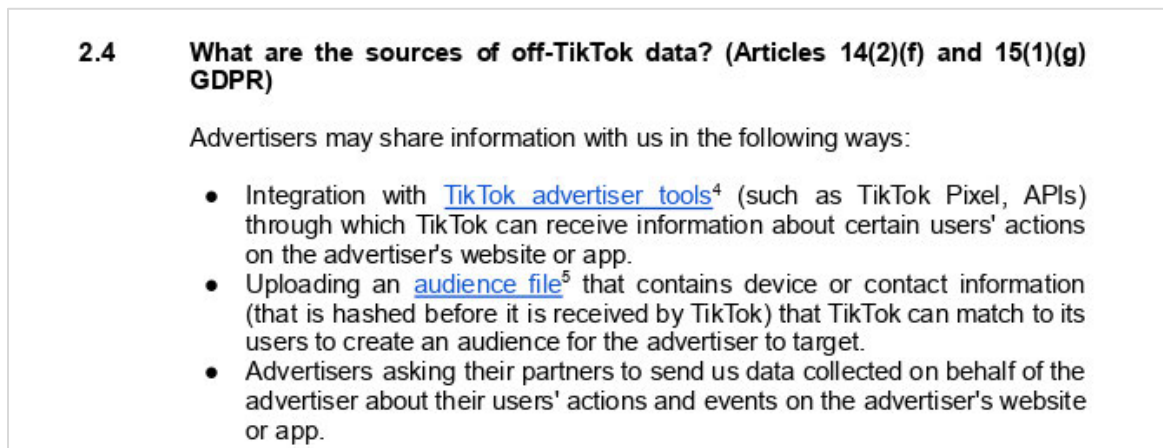
¹⁸ Data Protection Authority, 2025-0.626.844, margin number D.2.2.3, available [here](#).

Screenshot 3: Example of a response to questions regarding Article 15(1)(c) (see Appendix 5, p. 10)

44. Finally, the respondent refers to adverse effects on the "*threat detection and security practices of the platform*," "*products and systems*," and the rights and freedoms of third parties (see **Annex 7**, p. 1) in order to refuse to provide information about certain recipients of the complainant's personal data.
45. In doing so, the respondent fails to recognize that Article 15(4) does not even apply to requests for information about processing under Article 15(1) GDPR. It is only relevant in cases of requests to receive a copy under Article 15(3) GDPR.
46. Consequently, the respondent violated Article 15(1)(c) GDPR by failing to adequately disclose the recipients of the complainant's personal data.

4.3.3. Failure to disclose the origin of the personal data

47. Under Article 15(1)(g) GDPR, the controller is required to provide "[...] *any available information as to the source of the data*" if the data has not been collected from the data subject.
48. The EDPB specifies that, in particular in the case of a request for information, the controller must disclose exactly which third parties were involved.¹⁹
49. Despite the complainant's specific request, the respondent did not provide sufficient information about the sources of the personal data. As mentioned above, it merely referred to its privacy policy.



Screenshot 4: Excerpt from the respondent's response in the letter dated September 9, 2024 (**Appendix 5**, p. 6)

50. As in the previous section, Article 15(4) is not even applicable to requests under Article 15(1) GDPR.

¹⁹ EDSA, "Guidelines 01/2022 on the rights of data subjects – Right of access," March 28, 2023 (version 2.1), paragraph 120 (available [at https://www.edpb.europa.eu/system/files/202304/edpb_guidelines_202201_data_subject_rights_access_v2_en.pdf](https://www.edpb.europa.eu/system/files/202304/edpb_guidelines_202201_data_subject_rights_access_v2_en.pdf))

51. In summary, the respondent violated Article 15(1)(g) GDPR by failing to disclose the sources of the complainant's personal data.

5. REQUESTS AND PROPOSALS

5.1. Request for investigation

52. The complainant requests that the competent supervisory authority investigate the matter in accordance with its powers under the GDPR, in particular which personal data is processed by TikTok in accordance with Article 15(1) to (3) GDPR and has not been disclosed.

5.2. Determination of the infringement

53. Pursuant to Section 24(2)(5) of the DSG 2018, the complainant requests a determination of the infringement.

5.3. Request for an obligation to provide all information in accordance with Article 15(1) to (3) GDPR

54. The complainant requests that the competent supervisory authority require the respondent to fully comply with its information obligations under Article 15(1) to (3) GDPR and to respond appropriately to the complainant's request for information.

5.4. Suggestion to impose a fine

55. The complainant suggests that the competent supervisory authority impose a fine in accordance with Article 83(5) GDPR. The complainant insists that the supervisory authority ensure that the fine is effective, proportionate, and dissuasive in accordance with Article 83(1) GDPR.

6. CONTACT

56. Communication between *noyb* and the DPA in the context of this procedure can be made by email to [REDACTED] quoting **case number C-103-1**, or by telephone on [REDACTED]