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### European Court of Justice rules on right to be forgotten

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The right to be forgotten is a statutory right under the GDPR, and since the implementation of that regulation in May 2018, there have been several requests for data to be “forgotten” or better put, “erased,” from the Internet by search engines, primarily Google. In two separate cases, the European Court of Justice (ECJ) heard arguments<sup>[1]</sup> regarding the right to be forgotten, and ruled that a “balance” must be struck between the rights of data controllers, the rights of the rest of the public to information, and the right of the individual or entity requesting data be erased.

The issue is still not completely clear, and the ECJ has issued guidance for companies dealing with data subject requests and requests for data to be forgotten. There will most likely be more requests, and companies will have to interpret the ECJ findings and square them with their responsibilities as data controllers or data processors.

<sup>1</sup> Jonathan Armstrong and Andre Bywater, “Client Alert: Right to be Forgotten Back Before ECJ,” Cordery Legal Compliance, September 30, 2019, <http://bit.ly/2pBuxKQ> (accessed October 22, 2019).

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