



C/2025/3866

21.7.2025

**Request for a preliminary ruling from the Landgericht Erfurt (Germany) lodged on 8 April 2025 – S v
Meta Platforms Ireland Limited**

(Case C-273/25, Erser) ⁽¹⁾

(C/2025/3866)

Language of the case: German

Referring court

Landgericht Erfurt

Parties to the main proceedings

Applicant: S

Defendant: Meta Platforms Ireland Limited

Questions referred

1. Is Article 82(1) of Regulation (EU) 2016/679 (GDPR) ⁽²⁾ to be interpreted as meaning that a national court must, in the event of an infringement of the GDPR, award compensation to a data subject who has merely demonstrated that a third party (and not the defendant data controller) has published the data subject's personal data on the internet? In other words: does the mere loss of control, even for a short time, over one's own data constitute non-material damage within the meaning of Article 82(1) of the GDPR?
2. If Question 1 is answered in the affirmative: to what extent does the answer differ, or does it make any difference, if the data published consist only of certain personal data (including, at most, numerical user ID, name and gender) that the data subject himself or herself had already published on the internet, together with the data subject's telephone number, which a third party (who is not the defendant data controller) has linked to those personal data?

⁽¹⁾ The name of the present case is a fictitious name. It does not correspond to the real name of any party to the proceedings.

⁽²⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ 2016 L 119, p. 1).