C/2025/6493

15.12.2025

Request for a preliminary ruling from the Landgericht Lübeck (Germany) lodged on 9 September 2025 – KL v Vodafone GmbH

(Case C-594/25, Vodafone)

(C/2025/6493)

Language of the case: German

Referring court

Landgericht Lübeck

Parties to the main proceedings

Applicant: KL

Defendant: Vodafone GmbH

Questions referred

1. Is Article 6(1)(f) of the GDPR ([1]) to be interpreted as meaning that it applies to situations in which it is necessary to rule on the lawfulness of the transfer of information by mobile phone companies to private-law credit information agencies which does not involve negative payment experiences or any other failure to perform as contractually agreed, but relates to mandating, performing and terminating a contract ('positive data')?

2. If the answer to Question 1 is in the affirmative: Is Article 6(1)(f) of the GDPR to be interpreted as meaning that it cannot in any event justify the transfer of positive data from mobile phone companies to private-law credit information agencies without the consent of the data subjects if those agencies subsequently use the data transferred for profiling purposes (scoring)?

3. If Question 1 is answered in the negative or Questions 1 and 2 are answered in the affirmative: Is Article 82(1) and (2) of the GDPR to be interpreted as meaning that there is also a loss of control giving rise to damage where positive data have been transferred by mobile phone companies to private-law credit information agencies without the consent of the data subject and have been deleted there at the earliest after significantly more than a year and the consumer concerned was informed of the transfer of the data at the time the contract was concluded?

([1]) 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).