My data subject access request to Clearview AI

#PrivacyCamp21
January 26, 2021

Matthias Marx
What is Clearview AI?

A search engine for faces

with a database of more than three billion images

- https://social-network.url/profilepage
  - Name
  - Political opinion
  - ...

- https://dating-platform.url/I-like-BDSM
  - Sexual orientation

- https://company.url/team
  - Name
  - Employer

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My request

2020-01-18  The New York Times:  
“The Secretive Company That Might End Privacy as We Know It”

2020-01-20  **Data access request**, including a photo of mine  
“Please provide access to my personal data, and the following information: ...”

2020-01-29  Clearview AI requested a clear photo and a government issued ID  
“we need to confirm your identity to guard against fraudulent access requests”  
... I did not respond
Data access request is complete

“The images you shared to facilitate this request have been deleted.”

Image Index

Clearview AI’s answer(s)

2020-02-18    Data access request is complete

“The images you shared to facilitate this request have been deleted.”

Report prepared May 18, 2020

Disclaimer: In order to complete your request, we have generated this report containing Clearview search results for the image that you shared with us, which is labelled "Original Search Image" below. Search result images are enumerated with corresponding public web page titles and URLs below.

Original Search Image

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My complaint

2020-02-18  Electronic complaint to Hamburg data protection authority

2020-03  Hamburg DPA: GDPR is not applicable
Response: Please check applicability again
My complaint

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Hamburg DPA launched **preliminary investigation**, sent questionnaires to Clearview AI

![noyb](image)

offered support

2020-08  **Order to answer** under threat of penalties

2021  ?

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Lessons Learned

1. Collect evidence
   Data subject access requests
   Freedom of information requests
   Parliamentary questions

2. Keep asking for updates, set reminders

3. Seek allies, get publicity
   "GDPR is not applicable"
   "In addition to yours, there is only one other complaint about X ... we have more urgent candidates."