



**GARANTE
PER LA PROTEZIONE
DEI DATI PERSONALI**

Provision of January 30, 2025 [10098477]

SEE ALSO.

- [Press release dated January 30, 2025](#)
- [Press release dated January 28, 2025](#)

[web doc. no. 10098477]

Provision of January 30, 2025

Register of measures
No. 33, January 30, 2025

THE GUARANTOR FOR THE PROTECTION OF PERSONAL DATA

At today's meeting, which was attended by Prof. Pasquale Stanzione, president; Prof. Ginevra Cerrina Feroni, vice-president; Dr. Agostino Ghiglia and Lawyer Guido Scorza, components; and Cons. Fabio Mattei, secretary general;

HAVING REGARD to Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016 (hereinafter, "Regulation");

HAVING REGARD to the Personal Data Protection Code (Legislative Decree No. 196 of June 30, 2003, hereinafter "Code");

WHEREAS, Hangzhou DeepSeek Artificial Intelligence Co., Ltd. and Beijing DeepSeek Artificial Intelligence Co., Ltd. companies (hereinafter referred to as the "Companies") operate the DeepSeek service (hereinafter referred to as the "DeepSeek service"), through app, website, software and related services;

HAVING REGARD to the [request for information](#) (Prot. No. 10841/25) sent by the Authority to the Companies on January 28, 2025;

TAKEN NOTE of the feedback provided by the Companies on January 29, 2025 (prot. no. 11349/25) in which they stated that they had not entered and had no plans to enter the Italian market, as well as that they had removed the DeepSeek app from the local [Italian, ed;]

NOTED that in the same communication the Companies claimed that the Regulations do not apply in relation to their personal data processing activities;

FINDED, upon investigation, that as of January 30, 2025, the DeepSeek app is no longer available in the Apple and Google App Stores and is not accessible via the QR Code on the website linking to those App Stores either;

NOTED also that the service is, instead, still accessible via website, albeit with a limitation on registrations due to "large-scale malicious attacks" on the DeepSeek service

(notably, "Due to large-scale malicious attacks on DeepSeek's services, registration may be busy. Please wait and try again. Registered users can log in normally. Thank you for your understanding and support."

FINALLY NOTED that the service is still accessible for users who had previously registered;

CONSIDERED, on the basis of the findings made, that it cannot be doubted that the Companies offer the DeepSeek service data subjects located in the European Union, namely in Italy, and, therefore, process the personal data of such data subjects;

THEREFORE CONSIDERED that Article 3(2)(a) of the Regulations, which provides for a specific territorial scope of application of the Regulations, is applicable;

NOTED that the Companies, through the response to the request for information forwarded by the Guarantor, did not clarify the main aspects regarding the processing activities implemented within the DeepSeek service, in violation of Article 31 of the Regulations;

NOTED that the privacy policy, updated as of December 5, 2025, posted on the website is available only in English and does not comprehensively comply with the information requirements of the regulations, in violation of Articles 12, 13 and 14 of the Regulations;

NOTED, in particular, that the privacy policy does not indicate in a punctual and granular manner the conditions of lawfulness related to each processing activity implemented within the DeepSeek service, in violation of Article 6 of the Regulations;

NOTED that the lack of information regarding the processing activities carried out within the DeepSeek service also gives rise to obvious consequences regarding the exercise of rights, in violation of the provisions of Chapter III of the Regulations;

NOTED that, according to the privacy policy, the data collected by the owner as part of the provision of the DeepSeek service is stored in the People's Republic of China, in violation of the guarantees provided by the Regulations, in particular Article 32 regarding security of processing;

NOTED that the owner, although required to comply with the Regulations by reason of the service provided (pursuant Article 3(2) of the Regulations), has not designated a representative in writing, in violation of Article 27 of the Regulations;

RAVISED, therefore, the need to order, pursuant to Article 58, par. 2, lett. f), of the Regulation - as a matter of urgency and pending the completion of the necessary preliminary investigation with respect to what has emerged so far with respect to the Companies, the measure of definitive limitation of the processing of personal data of data subjects located in the Italian territory;

CONSIDERED it necessary to order the aforementioned limitation with immediate effect as of the date of receipt of this order, reserving all other determinations upon the outcome of the definition of the investigation initiated on the case;

RECALLED that, in case of non-compliance with the measure ordered by the Guarantor, the criminal sanction provided for in Article 170 of the Code and the administrative sanctions provided for in Article 83, par. 5, letter e) of the Regulations shall apply;

HAVING REGARD to the documentation on file;

HAVING REGARD to the comments made by the secretary general pursuant Article 15 of the regulations of the

Guarantor No. 1/2000;

RELATOR Professor Ginevra Cerrina Feroni;

ALL OF THE ABOVE THE GUARANTOR

Pursuant to Article 57(1)(a) and (i) of the Regulation, declares unlawful the processing described in the terms in the statement of reasons carried out by Hangzhou DeepSeek Artificial Intelligence Co., Ltd. and Beijing DeepSeek Artificial Intelligence Co, Ltd, headquartered at 5th Floor, North Building, Block C, Rongke Information Center, No.2 South Science Academy Road, Haidian District Beijing, China, as data controllers, for violation of Articles 31,12,13,14,6,32 and 27 and the rights under Chapter III of the Regulations.

ORDER

Pursuant to Article 58(2)(f), to the companies Hangzhou DeepSeek Artificial Intelligence Co., Ltd, and Beijing DeepSeek Artificial Intelligence Co., Ltd, located at 5th Floor, North Building, Block C, Rongke Information Center, No.2 South Science Academy Road, Haidian District Beijing, China, the definitive limitation of the processing activities of personal data of data subjects located in the Italian territory that take place within the DeepSeek service. The aforementioned limitation shall take immediate effect as of the date of receipt of this order, subject to any other determination upon the outcome of the definition of the preliminary investigation initiated on the case.

PROVIDES

Pursuant Article 17 of the Regulation of the Guarantor No. 1/2019, the entry in the Authority's internal register, provided for in Article 57, paragraph 1(u) of the Regulation, of violations and measures taken.

Pursuant to Article 78 of the Regulations, as well as Articles 152 of the Code and 10 of Legislative Decree No. 150 of September 1, 2011, opposition to this measure may be lodged with the ordinary judicial authority, with an appeal filed with the ordinary court of the place where the data controller resides, within the term of thirty days from the date of communication of the measure itself, or sixty days if the plaintiff resides abroad.

Rome, January 30, 2025

THE CHAIRMAN.
Stanzione

THE SPEAKER.
Cerrina Feroni

THE SECRETARY GENERAL
Mattei