

Specific Privacy Statement on the EUIPO Trade Mark and Design Education Programmes for practitioners and  
paralegals  
Participants

## **Specific Privacy Statement on the processing of personal data in the context of the EUIPO Trade Mark and Design Education Programme (ETMD EP) for practitioners and paralegals**

### **Participants**

The protection of your privacy is of high importance to the European Union Intellectual Property Office ('EUIPO' or 'us' or 'the controller') and we feel responsible for the personal data that we process on your behalf. Therefore, we are committed to respecting and protecting your personal data and ensuring the efficient exercising of your data subject's rights. All the data of personal nature, namely data that can identify you directly or indirectly, will be handled fairly and lawfully with the necessary due care.

This processing operation is subject Regulation (EU) 2018/1725 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. The information in this communication is given pursuant to Articles 15 and 16 of the Regulation (EU) 2018/1725.

#### **1. What are the nature and the purpose(s) of the processing operation?**

The EUIPO Trade Mark and Design Education Programme for practitioners (ETMD EP for practitioners) and the EUIPO Trade Mark and Design Education Programme for paralegals (ETMD EP for paralegals) are education programmes within the EUIPO. The objective of the programmes is to increase knowledge of the legal framework of European Union trade marks and Community designs, in particular, proceedings and practices of the EUIPO within the current community of practising intellectual property professionals.

The ETMD EP for paralegals will run a training course and examination cycle once a year and the ETMD EP for practitioners every two years.

The processing of the data is necessary for the enrolment as a candidate and participating in the ETMD EP for practitioners and the ETMD EP for paralegals, management of the payment of the respective course fees, enrolment in the eLearning course on the EUIPO Academy Learning Portal (ALP), the admission to any exams of the programmes, for the records of successful participants aimed at including them in the ETMD EP alumni scheme or issuing duplicates of certificates of completion of the respective programmes.

#### **2. What personal data do we process?**

The categories/types of personal data processed are the following:

- Identification data
  - Title (Mr/Ms)\*
  - First name\*
  - Last name\*
  - Email\*

## Specific Privacy Statement on the processing of personal data in the context of the EUIPO Trade Mark and Design Education Programme (ETMD EP)

### Participants

- Repeat email address\*
- Telephone number
- Country
- Passport or ID number (and copy of it)
- Representative ID Number (only applicable to candidates/participants who are legal practitioners/professional representatives)
- EUIPO user account (only applicable to candidates/participants of the ETMD EP for paralegals)
- Financial data
  - Bank account details / credit card details.
  - Organisation/company/name (only applicable to candidates/participants of the ETMD EP for paralegals).
  - Address (only applicable to candidates/participants of the ETMD EP for paralegals).
  - VAT number (only applicable to candidates/participants of the ETMD EP for paralegals).
- Health data
  - Medical certificate proving inability to follow the course or to take an exam (only in exceptional cases).
- Curriculum Vitae and motivation letter (personal data are collected through a registration form only for candidates/participants of the ETMD EP for practitioners)

#### **Education**

- Degree
- Field of Study
- Institution
- Date of completion

#### **Professional experience**

- Job title
- Company/organisation
- Employment dates and duration
- Description of responsibilities and accomplishments (max. 150 words per experience)

**English level:** Justified through evidence such as language proficiency test scores, academic credentials, professional experience.

#### **Motivation letter (only applicable to candidates/participants of the ETMD EP for practitioners)**

- Introduction (max. 150 words): Briefly introduce yourself and explain why you are interested in the ETMD EP for practitioners.
- Relevant Qualifications (max. 150 words): Highlight your relevant qualifications, knowledge and experience in the IP field.
- Career Goals (max. 300 words): Explain how the ETMD EP for practitioners will help you achieve your career goals, and how you plan to use the skills and knowledge you gain from the programme.
- Contribution and assiduity (max. 300 words): Explain how you plan to actively contribute to the programme and to the community of IP practitioners, both during the programme and beyond.

## **Specific Privacy Statement on the processing of personal data in the context of the EUIPO Trade Mark and Design Education Programme (ETMD EP)**

### **Participants**

#### **3. Who is responsible for processing the data?**

The processing of the personal data is carried out under the responsibility of the Director of the EUIPO Academy, acting as delegated EUIPO data controller.

Personal data are processed by:

- The ETMD EP for practitioners' and the ETMD EP for paralegals' teams and trainers, and the members of the Advisory Committee and the Examination Board of both programmes (consisting of members of the statutory staff of the EUIPO and representatives of user associations).
- The EUIPO Academy for activities related to the administrative functioning of the ETMD EP for practitioners and the ETMD EP for paralegals and for the administration of the e-Learning courses in the EUIPO Academy Learning Portal (Moodle learning platform) in accordance with DPR-2018-004<sup>1</sup>.
- Capgemini, as an external processor providing services to the EUIPO Human Resources Department (consultancy services related to the EUIPO ALP) for administrative support to the ETMD EP for practitioners and the ETMD EP for paralegals, may have access to the data.
- The EUIPO Infrastructure and Buildings Department (IBD) as an internal processor and Pomilio Blumm as an external processor, providing services to IBD as described in DPR-2019-007<sup>2</sup>.
- The EUIPO Digital Transformation Department for the management of IT systems involved.
- External processors when using Zoom as per DPR-2020-009<sup>3</sup>.

#### **4. Who has access to your personal data and to whom are they disclosed?**

It is not foreseen that the personal data is disclosed to any recipients other than the processors, although fellow participants in the ETMD EP for practitioners and the ETMD EP for paralegals and members of the corresponding Alumni schemes will have access to the list of participants.

Personal data are not intended to be transferred to a third country.

#### **5. How do we protect and safeguard your information?**

We implement appropriate technical and organisational measures to safeguard and protect your personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to them.

All personal data related to the management of the ETMD EP for practitioners' and the ETMD EP for paralegals' participants are stored in secure IT applications (e.g. ShareDox) according to the security standards of the EUIPO as well as in specific electronic folders accessible only to the authorised recipients. Appropriate levels of access are granted individually only to the above recipients.

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<sup>1</sup> Privacy statement on processing of personal data within the procedure of the EUIPO Academy Learning Portal

<sup>2</sup> Privacy Statement for EUIPO staff and external resources on the processing of personal data in the procedure of organisation and management of meetings and events

<sup>3</sup> Privacy Statement on the processing of personal data in the context use of Zoom software application

## **Specific Privacy Statement on the processing of personal data in the context of the EUIPO Trade Mark and Design Education Programme (ETMD EP)**

### **Participants**

The database is password protected under single sign-on system and automatically connected to the user ID. The e-records are held securely in order to safeguard the confidentiality and privacy of the data therein.

#### **6. How can you obtain access to information concerning you and, if necessary, rectify it? How can you receive your data? How can you request the erasure of your personal data or restriction of processing or object processing?**

You have the right to access, rectify, erase, and receive your personal data, as well as to restrict and object to the processing of your data, in the cases foreseen by Articles 17 to 24 of the Regulation (EU) 2018/1725.

If you would like to exercise any of these rights, please send a written request explicitly specifying your query to [DPOexternalusers@euipo.europa.eu](mailto:DPOexternalusers@euipo.europa.eu).

Your request will be answered without undue delay, and in any event within one month of receipt of the request. However, according to article 14 (3) of the Regulation (EU) 2018/1725, that period may be extended by two further months where necessary, taking into account the complexity and number of the requests. We shall inform you of any such extension within one month of receipt of the request, together with the reasons for the delay.

#### **7. What is the legal basis for processing your data?**

Processing is based on Article 5.1(d) of the Regulation (EU) 2018/1725.

By submitting this application, the candidate and/or participant unambiguously gives his/her consent to the processing of the data in the context of the ETMD EP for practitioners or the ETMD EP for paralegals.

#### **8. How long do we store your data?**

Your personal data will be kept only for the time necessary to achieve the purpose(s) for which they will be processed.

- Personal data of candidates whose applications will not be accepted will be deleted within 1 month after the end of the registration phase.
- The activities in the scope of the eLearning course on the EUIPO ALP (such as submissions, results and evaluations of electronic self-assessment tests, written assignments or exams and participation in forums or discussions) will be governed by the EUIPO Academy Learning Portal DPR-2018-004 and Privacy Statement and the retention policy applicable to the EUIPO Academy Learning Portal. Access to the eLearning Course will be removed 4 months from the communication of the final results of the course cycle to the participants.
- The submissions, results and evaluations of the self-assessment tests, written assignments and exams will be kept in the EUIPO's document management system (Sharedox) for a period

## **Specific Privacy Statement on the processing of personal data in the context of the EUIPO Trade Mark and Design Education Programme (ETMD EP)**

### **Participants**

of 5 months from the end date of the corresponding course cycle. After this, the information will be destroyed.

- Personal data of the participants who do not pass the examination will be kept for 5 months from the final decision confirming the failing grade in order to allow them to sit the failed exam(s) again in the same course cycle.
- List of successful participants will be kept for 50 years in order to be able to assess petitions for inclusion in the alumni scheme of the programmes or petitions for issuing a duplicate of the certificate of completion of the respective programme.
- Medical certificates, requested only in exceptional cases, will be kept 1 month after the collection takes place.

In addition, information related to the organization of the event will be retained as defined in the EUIPO External Contractor's DPR-2019-007. This includes personal and financial data related to the enrolment of candidates.

In the event of a formal appeal, all data held at the time of the formal appeal should be retained until the completion of the appeal procedures.

### **9. Whom should you contact if you have questions/queries concerning the processing of your personal data?**

Should you have any queries/questions concerning the processing of your personal data please contact [DPOexternalusers@euipo.europa.eu](mailto:DPOexternalusers@euipo.europa.eu).

### **Recourse:**

Complaints, in cases where the conflict is not resolved by the Data Controller and/or the Data Protection Officer, can be addressed at any time to the European Data Protection Supervisor: [edps@edps.europa.eu](mailto:edps@edps.europa.eu).