

Data protection statement / Privacy statement on processing personal data in the Stakeholder Quality Assurance Panels (SQAP) — auditors and participants

Protecting your privacy is of the utmost importance to the European Union Intellectual Property Office ('EUIPO' or 'us' or 'the controller'). The Office is committed to respecting and protecting your personal data and ensuring your rights as a data subject. All data of a personal nature that identifies you directly or indirectly will be handled fairly, lawfully and with due care.

This processing operation is subject to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

The information in this communication is given pursuant to Articles 15 and 16 of Regulation (EU) 2018/1725.

1. What is the nature and purpose of the processing operation?

Personal data is processed to obtain feedback regarding the quality of the EUIPO's core business products and to gain a better understanding of the users' perceptions in this regard.

The Office strives for the highest quality of its products, in line with its objectives for continual improvement ('Office Product Quality Framework'). To this end, it introduced the Stakeholder Quality Assurance Panels project (SQAP) as part of Line of Action 5 'Enhance customer-driven quality services' of Strategic Plan 2020.

SQAP is about the EUIPO's users and their perception of the quality of its products. The project aims to integrate the perspective of the Office's users into its quality system and ultimately the way it functions. It is also an opportunity to close the perception gap between users and EUIPO staff and prove the Office's commitment to continuous improvement.

Personal data is also processed for the purposes of organising and managing SQAP events, coordinating any required follow-up activities and for communication purposes. This may include registration and accommodation for SQAP participants; minute-taking and distribution of minutes; web-publication, publication in the in-house magazine or through other media channels such as social media platforms or external media; providing participants with further information on future SQAP events, etc.

2. What personal data do we process?

The categories/types of personal data processed are as follows:

- Identification data for participants:
 - name, surname and ID/passport number;
 - User Association name and company name;

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- email address and mobile phone number;
- CV.
- Image and voice recorded during audit events;
- Participants' quality or general evaluations of the EUIPO's core business products and activities (including, but not limited to, opposition decisions, cancellation decisions, absolute grounds, etc.) with opinions, suggestions and/or comments.
- Other data:
 - dietary requirements, allergies or intolerances.

In addition, SQAP events may be recorded via photographs, audio-visual and/or audio recordings, or other methods, and participants may take part in interviews, workshops, etc. In this case, the resulting images, audio, statements and/or opinions, etc. may be subject to additional processing depending on the type of content and the purpose(s) for which it was recorded.

3. Who is responsible for processing the data?

Personal data processing is the responsibility of the director of the Customer Department (CD), acting as the EUIPO data controller.

Personal data is processed internally by the SQAP team and by the external services providers in charge of organising events and travel/accommodation arrangements.

4. Who has access to your personal data and to whom is it disclosed?

Personal data will be disclosed to internal and external EUIPO staff working on the SQAP project, particularly staff from the Customer Department. External providers for the events at the Office will have access only to data strictly necessary for the organisation of the event and travel/accommodation for the participants.

SQAP events may be recorded via photographs, audio-visual and/or audio recordings, or other methods. Participants' names and surnames, photos/videos of the event and any other personal data described in section 2 above may be accessible through internal and external communication tools, such as the Office intranet 'Insite' and the in-house magazine 'Backstage', published on the EUIPO website, or in any other external press/media.

If you do not wish your image or voice or any of your personal data to be recorded, published or processed for compelling and legitimate grounds relating to your particular situation, you may either avoid being present during the photograph/recording, or contact the SQAP team, who will accommodate your needs, if possible at StakeholdersQualityAssurance@euipo.europa.eu.

Information concerning quality evaluations will be shared only with those required for the analysis and reporting, and strictly on a need-to-know basis. Personal data is not used for any other purposes or disclosed to any other recipient(s). Nevertheless, the User Association(s) you belong to may receive the number of decisions checked by you and some feedback on your performance as an auditor during the SQAP event.

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If any processing of personal data is carried out by a service provider, the data controller(s) will monitor and verify the implementation of the required organisational and technical measures necessary to ensure compliance with Regulation (EU) 2018/1725

5. How do we protect and safeguard your information?

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

All personal data related to identification and health is stored in secure IT applications according to the Office's security standards.

Access to the systems is restricted and protected by username and password. Appropriate levels of access are granted individually only to the abovementioned recipients. No anonymous access is allowed.

The systems use role-based authentication and access authorisation. The servers are physically protected at the data processing centre. The Network security is configured to prevent external threats from accessing the servers.

6. How can you access your personal information and, if necessary, correct it? How can you receive your data? How can you request that your personal data be erased, or restrict or object to its processing?

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

The right to rectification only applies to inaccurate or incomplete factual data processed within the SQAP project.

If you would like to exercise any of these rights, please send a written query explicitly stating your request to the delegated data controller.

Your request will be answered without undue delay, and in any event within 1 month of receipt of the request. However, according to Article 14(3) of Regulation (EU) 2018/1725, this period may be extended by up to 2 months where necessary, taking into account the complexity and number of requests. The Office will inform you of any such extension within 1 month of receipt of the request, together with the reasons for the delay.

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

Personal data is processed in accordance with Article 5(1)(a) of Regulation (EU) 2018/1725, which states that 'processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body', and on Article 5(1)(d) of Regulation (EU) 2018/1725, which states that 'the data subject has given consent to the processing of his or her personal data for one or more specific purposes'.

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Personal data is collected and processed in accordance with the following legal instruments:

- Administrative Decision No 18-71;
- QSD-0298 Guiding Principles on Product Audits.

8. How long can data be kept?

Personal data will be kept only for the time needed to achieve the purpose for which it is processed.

Personal data associated with SQAP events must be erased after 2 years from the end of the last SQAP event in which the data subject participated. However, some personal data may be kept for educational, institutional, historical, informational and/or promotional (internal and external) use for a longer period of time if it has been published on the EUIPO intranet, Learning Portal and/or website and/or made available via the Office's social media channels. If this is the case, the personal data provided will be limited to the minimum possible, for example, keeping only the name, surname, user association and photos.

9. Contact information

Should you have any queries on the processing of your personal data, please address them to the data controller at: DPOexternalusers@euipo.europa.eu

You may also consult the EUIPO data protection officer (DPO) at: DataProtectionOfficer@euipo.europa.eu.

Form of recourse:

If your request has not been responded to adequately by the data controller and/or DPO, you can lodge a complaint with the European Data Protection Supervisor at the following address: edps@edps.europa.eu.