

## **Privacy statement on processing personal data in immediate feedback or other forms of feedback survey**

Protecting your privacy is of the utmost importance to the European Union Intellectual Property Office ('EUIPO' or 'the Office'). 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, namely data 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 the purpose of the processing operation?**

The EUIPO offers users immediate feedback surveys and other feedback options through the EUIPO website (such as the feedback functionality in Help & FAQs and at the end of the e-filing procedure) or through any other communication channel such as the phone, fax or videoconference tools such as MS Teams. MS Teams is a cloud-based application included as part of Office 365. It offers users more flexibility and aims to improve communications and collaboration between stakeholders and the Office. These feedback solutions allow the EUIPO to measure user satisfaction with the Office tools, services or products and/or to gather feedback in order to improve them. You may be requested to complete the survey via the LimeSurvey tool. The answers are collected and analysed to explore cause-effect relationships related to the satisfaction or experience of users. Participation in any feedback process is voluntary.

The purpose is to gather feedback from users and/or provide users with a personalised follow-up with the aim of increasing their satisfaction in relation to the EUIPO tools, services or products.

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

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

- responses and comments to questions and forms;
- data on users automatically collected by the EUIPO Portal while answering the questions (e.g. language, date and time);
- pre-existing data on users in the Office systems, including personal data such as record ID, PER ID, country, username, application ID, application, name, company name, email, telephone number, user type, user subtype and language, complaint ID

(if related to complaints), complaint summary, complaint nature, process, track, tool, round, all related files and filings.

- contact details provided by the user for follow-up purposes: name, email address, phone number.

Through MS Teams, additional data may be collected as follows:

- personally identifying information: username, name, surname, email, work telephone number, current function and preferred language;
- electronic identifying information: IP address, cookies, connection data and access times;
- movies, pictures, video and sound recordings, transcripts and recordings of the communications with the Office;
- metadata used for the maintenance of the service provided;
- any data as (potentially) processed in the context of file sharing for professional activities (e.g. message, image, files, voicemail, calendar meetings, contacts, and similar).

For further information, consult the [MS Teams privacy statement](#).

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

Personal data processing is the responsibility of the Customer Department director acting as delegated EUIPO data controller. Personal data is processed internally by the head of the Customer Management Service and by the external service providers: BERENT Deutschland GmbH, Severiano Servicio Móvil S.A. and Deloitte.

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

Only specifically authorised people working for the Customer Department (CD), Digital Transformation Department and any other departments at the Office that are personally involved in analysing this data or providing the service have access to your data. No personal data is shared with third parties for any purposes. Personal data will not be transferred to third countries.

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

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

All personal data related to immediate feedback or other forms of feedback survey procedures is stored in secure IT applications according to the Office's security standards, as well as in specific electronic folders accessible to authorised recipients only. The LimeSurvey tool may be used for the purposes of this processing activity. For more information on this tool, please check the [specific privacy statement](#) posted on the EUIPO website.

MS Teams has been configured to keep the information you exchange confidential by encrypting all communications and stored data, and anonymous access is not authorised. For more information on MS Teams, please check the [specific privacy statement](#) posted on the EUIPO website.

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

Regardless of stage, everybody dealing with personal data in the context of immediate feedback or other forms of feedback survey procedures must sign a confidentiality declaration.

**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 that your personal data be erased, or restrict / 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 feedback survey procedure.

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

Your request will be answered free of charge and without undue delay, and usually within 1 month of receipt of the request. However, according to Article 14(3) of Regulation (EU) 2018/1725, that 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'.

You can find further general information in the [EUIPO data protection notice](#). For further information or requests concerning the information you have submitted, please contact the data controller.

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

- Article 2 of Decision No ADM-20-31 on the Internal Structure of the Office;
- Decision No ADM-00-37 of the President of the Office of 9 July 2001 on the adoption of a Code of Good Administrative Behaviour;
- Article 151(1)(a) of Regulation (EU) 2017/1001;
- Article 151(1)(b) of Regulation (EU) 2017/1001.

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

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

Excel tables stored in the EUIPO content management system containing all the data collected will be kept for 2 years from the date of the survey as users may be contacted for follow-up purposes. The Excel table is anonymised after the established retention period.

Reports kept in the EUIPO content management system are stored indefinitely since the reports are presented in an aggregated way without personal data.

Data stored on the website platform (including the LimeSurvey tool) is kept for 2 years for the same abovementioned reasons.

Data will be stored in MS Teams for one year after the exchange activity is completed.

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

## **9. Contact information**

Should you have any queries on the processing of your personal data, please address them to the data controller, the CD director, at: [DPOexternalusers@euipo.europa.eu](mailto:DPOexternalusers@euipo.europa.eu).

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