

Privacy statement on processing personal data in confidential surveys conducted through Limesurvey

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?

The Office's departments and services conduct a number of internal surveys each year, mainly to gather information concerning their particular activities and processes. The Limesurvey tool is used for this purpose.

In general, these surveys are anonymous, though under certain circumstances, it is necessary for the departments conducting them to know the identity of the person responding, as follow-ups may be necessary. Examples of these cases are:

- satisfaction surveys sent to an event organiser;
- internal departmental surveys related to annual activity planning;
- post-event satisfaction surveys sent to users;
- satisfaction surveys sent to users concerning queries and complaints.

These surveys are always managed confidentially, even when they are not anonymous.

2. What personal data do we process?

Depending on the nature and specificities of the survey, the following information may be collected when answering a survey:

- name and surname;
- organisational assignment (department, area and/or service);
- user ID;
- email tracking ID;
- email address;
- IP address;
- timestamp of the answers;
- telephone number;

- location;
- survey answers.

The exact data collected depends on the nature of the survey, although it will normally be limited to data needed to identify the respondent for follow-up purposes.

3. Who is responsible for processing the data?

Personal data processing is the responsibility of the Executive Director of the EUIPO, acting as the EUIPO data controller.

Personal data is processed by the staff of the department organising the survey and Digital Transformation Department (DTD) staff in charge of IT Operations, supported by the external service provider IECISA-ALTIA, for the purposes of managing EUIPO IT infrastructure and maintenance tasks.

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

Please note that even if personal data is collected, whenever possible, survey results are managed in an aggregated form.

Personal data associated with a non-anonymous survey will be accessible to:

- the survey organiser and department staff working on the survey, managing results and follow-up;
- the organising department's management, for validation of the results;
- DTD staff and DTD Operations' service provider, for the administration of the Limesurvey tool.

Personal data is not used for any other purposes or disclosed to any other recipient(s).

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.

Surveys are stored in the Limesurvey tool, although a full set of survey answers may be exported from Limesurvey and stored in secure IT applications (ShareDOX) according to the Office's security standards, for the purposes of analysis, communication and follow-up with users.

Limesurvey and ShareDOX are located in EUIPO servers secured according to the Office's security standards. EUIPO systems and servers are password-protected and require an authorised username and password to access. The information is stored securely to safeguard the confidentiality and privacy of the data therein.

Regardless of stage, everybody dealing with personal data in the context of confidential surveys conducted through Limesurvey must sign a confidentiality declaration and/or non-disclosure agreement.

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.

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

The right to rectification only applies to inaccurate or incomplete factual data processed in the context of confidential surveys conducted through Limesurvey.

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'.

Personal data is collected and processed in accordance with the following legal instrument(s):

- Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark;
- Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs;
- Regulation (EU) No 386/2012 of the European Parliament and of the Council of 19 April 2012 on entrusting the Office for Harmonization in the Internal Market (Trade Marks and Designs) with tasks related to the enforcement of intellectual property rights, including the assembling of public and private-sector representatives as a European Observatory on Infringements of Intellectual Property Rights;
- Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community.

8. How long can data be kept?

Information is kept for the minimum time required to carry out the survey analysis. In general, information is kept for one year after the survey closes, for possible follow-up and/or complaints. For surveys that are of a permanent nature (i.e. no closing dates), information is kept for two years after the date of the response to the survey for possible follow-up, suggestions and/or complaints.

Some surveys are linked to activities associated with the Office's management systems, such as health and safety. In these cases, surveys may be kept for up to three years, in line with the standard audit cycle.

9. Contact information

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

You may consult the EUIPO Data Protection Officer at:
DataProtectionOfficer@euiipo.europa.eu

Forms 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.