

Privacy Statement on processing of personal data in the Mail Management Services of EUIPO

The protection of 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, namely data that can identify 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 provided pursuant to Articles 15 and 16 of Regulation (EU) 2018/1725.

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

Mail Management Services are in charge of handling, identifying, sorting, digitalising, dividing and indexing all incoming correspondence to the Office, whether received by direct delivery or by fax or post. They also handle keying-in any offline EUTM and RCD applications as well as other key-ins. The Mail Management Services are also in charge of handling all outgoing Office correspondence by post or courier.

Your personal data is processed for the following purposes:

- to ensure sustainable, timely and quality management of EUIPO correspondence;
- to ensure timely and quality key-in activities.

Your personal data is not intended to be used for any automated decision making, including profiling.

2. What personal data do we process?

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

- Identification details such as name, internal Office ID number and contact details (email, address, telephone number);
- Financial data such as bank accounts to debit/link payments;
- Data contained in IP rights such as trade mark denominations, goods and services, earlier rights, seniorities.

3. Who is responsible for processing the data?

The processing of personal data is carried out under the responsibility of the Infrastructures and Buildings Department (IBD) director, acting as delegated EUIPO data controller.

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Personal data is also processed by EUIPO's mail management, post and courier services providers.

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

Personal data in incoming correspondence is accessed by the EUIPO's mail management services provider. Once the data is digitalised by the mail management services provider, it is sent to the relevant department where the data is disclosed on a need- to- know basis only to the people who need to access it in order to perform their duties. Once processed, most of the data is published and available online. Apart from the staff of the mail management services provider, IBD logistics team which is responsible for the mail services has direct access to the Mailroom facilities.

Personal data in outgoing correspondence is accessed by the EUIPO's post and courier services providers. In case of transfer of personal data, all the provisions stipulated in Chapter V of Regulation (EU) 2018/1725 should be observed.

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 Mail Management Services (MMS) is stored in secure IT applications according to the security standards of the Office, as well as in specific electronic folders accessible only to the authorised recipients. Appropriate levels of access are granted individually only to the abovementioned recipients.

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

The Mail Management Services provider's staff who deals with personal data signs a confidentiality declaration.

Physical access to the Mailroom is limited to the mail management services provider and IBD logistics team responsible for the services. The rest of the staff and all other external providers must request access and are always accompanied by MMS provider's staff. Paper documents are kept in safe cupboards in the Mailroom.

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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 restriction / object to its 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 Regulation (EU) 2018/1725.

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

The right of rectification only applies to inaccurate or incomplete factual data processed within the context of Mail Management Services.

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 2 months where necessary, taking into account the complexity and number of the requests. We 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 on the basis of 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 ADM-18-68 on the internal structure of the Office.

8. How long do we store your data?

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

The information retained by the external provider in the document management system of the Office Sharedox does not include personal data. Once the data is digitalised, it is sent to the relevant Office tools to which the Office's Retention Policy applies.

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 process.

9. Contact information

Should you have any queries on the processing of your personal data, please address them to the data controller, the Infrastructures and Buildings Department director, at the following email address: DPOexternalusers@euipo.europa.eu.

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You may also consult the EUIPO data protection officer by sending an email to: 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.