

Privacy Statement on the processing of personal data in relation to the Management of User Interactions

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?

The Customer Care Team, comprised of the Information Centre (First Line and Second Line) and the Complaints area provides the Office's customers with information services and manages their complaints. In this context, it collects and processes the personal data pertaining to individual staff members and customers contacting the Office through phone calls, emails, the website (User Area, online forms, online chat, faxes, letters, personal visits, etc.). Your personal data is also partially passed to and/or extracted and processed by the Customer Feedback team.

The purposes of the processing operation are to:

- facilitate the management of users' interactions with the EUIPO (user queries and complaints);
- improve the efficiency and quality of the information services rendered to the EUIPO's users;
- contact the EUIPO's users for any follow up and for further communications with regards to news on trade marks or designs, invitations to seminars, workshops and any other communications related to EUIPO products and services. Certificates of attendance may be issued to the participants;
- produce statistical reports with the aim of:
 - obtaining metrics regarding user interactions, EUIPO accessibility and response time to ensure compliance with the EUIPO Service Charter;
 - ensuring that Service-Level Agreements are achieved by external providers;
 - identifying areas of improvement and facilitate the planning and coordination of workflow and teams.

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

2. What personal data do we process?

No special categories of data are processed (sensitive personal data). The data processed is:

- **contact information:** first name, last name, username, company name, address, country, phone number, fax number, email address;
- **interaction data:** interaction record/complaint ID, time, date, language, country, status, channel, subject, content or description of the interaction, participation in events, categorisation, file number, group responsible, responsible for reply, employee responsible, previous interaction;
- **identification data:** PER ID, country, languages, status of the file, examiners in charge of the file and any other data obtained from EUIPO's back office systems.

3. Who is responsible for processing the data?

Processing of the personal data is carried out under the responsibility of the Customer Department director, acting as the delegated EUIPO data controller. The Information Centre (First Line) services are ensured by the joint cooperation of the teams led by the Head of the Customer Management Service, the Digital Transformation Department (DTD) director and the Service Manager of the external service provider eXTEL Contact Centre, which acts on behalf of the EUIPO as data processor.

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

Personal data is disclosed to the following recipients.

- The Customer Department, and in particular, the Information Centre (First Line and Second Line), Complaints and Key User Management.
- Internal and external staff from the Digital Transformation Department (DTD) for the technical maintenance of the IT tools.

Information concerning the data processing will only be shared with those people necessary for the implementation of such measures on a strictly need-to-know basis. The data is not used for any other purposes and is not disclosed to any other recipient.

Personal data is not intended to be transferred to third parties.

5. How do we protect and safeguard your information?

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

All personal data related to the management of user interactions is processed by integrated customer relationship management software that compiles information on customers and their interactions with the Office from several sources.

The Office also uses other systems/databases in which data is stored in a secure environment according to the 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.

Everyone who deals with personal data in the context of the management of user interactions, at any stage, signs a confidentiality declaration that is kept in the folder of the procedure.

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 to restrict and object to the processing of your data, in the cases foreseen by Articles 17 to 24 of Regulation (EU) 2018/1725.

The right of rectification only applies to inaccurate or incomplete factual data processed within the management of user interactions.

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 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 the following legal instruments.

- Article 2 of Decision No ADM-19-35 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 only be kept for the time necessary to achieve the purposes for which it is processed. It will be kept for a period corresponding to the lifetime of the EUTM or RCD file to which it relates.

Personal data saved in the internal document management database will follow the Office established retention periods for documents (5 years). The certificates of attendance issued for the users who participated in events will be stored in the internal databases for a period of 2 years after the event (closing date).

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 Customer Department director, at the following email address: DPOexternalusers@euipo.europa.eu.

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.