

Data Protection Statement/Privacy Statement on the processing of personal data in the procedure/context of NEWSLETTER.

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 the purpose(s) of the processing operation?

The personal data are processed for the purpose of sending to the subscribers IP-related information by email, such as news on trademarks or designs, or invitations to seminars and workshops; for instance, an example of a newsletter is the AlicanteNews.

The EUIPO uses GetResponse Tool to distribute the newsletters.

2. What personal data do we process?

The categories of personal data processed when a user subscribes is as follows:

- Full name
- Email address
- Unsubscriptions.
- Click and readers for statistics.
- Company name
- Category of company (SME/ Company giving support to SMEs)
- IP address
- Location

3. Who is responsible for processing the data?

The processing of personal data is carried out under the responsibility of the Communication Service. However, Communication Service acts as processor when the use of GetResponse Tool is requested by other Departments/Services of the EUIPO. In this situation, the requesting department/service will act as controller.

4. Who has access to your personal data and to whom are they disclosed?

- The information concerning the Newsletters will only be shared with people necessary for the implementation of such measures on a need to know basis.
- The data are not used for any other purposes nor disclosed to any other recipient.
- The information in question will not be communicated to third parties, except where necessary for the purpose outlined above (GetResponse Tool).
- Personal data are not intended to be transferred to third country.

5. How do we protect and safeguard your information?

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

1. All personal data related to Newsletters procedures are stored in secure IT applications according to the security standards of the Office. Appropriate levels of access are granted individually only to the above recipients. These include:
 - Role-based access control to the systems and network.
 - Logical security hardening of systems, equipment and network.
 - Physical protection via secure Data Centre.

Security measures are periodically reviewed by external auditors (ISO 27001 and SOC 2).

2. All personal data related to the data stored by the external provider (GetResponse)

Data storage security:

a) Personal data stored in databases is secured against loss of integrity through the application of consistency rules in terms of semantics (definition of data type), in terms of entities (definition of basic keys) and in terms of reference (definition of foreign keys).

b) Personal data is secured against loss of accountability through application of solutions that tie specific actions to a specific person or IT system.

Elements of the network infrastructure used for personal data processing are secured against access by unauthorized persons and IT systems and against loss of availability with use of such software as Firewall, Intrusion Detection Systems, Intrusion Prevention Systems, Anti DDOS.

In addition, the Platform uses encrypted data transmission (SSL, secure socket layer) during registration and login, which guarantees the protection of the data identifying you and significantly impedes account data interception by unauthorized systems or people (<https://www.getresponse.co.uk/email-marketing/gb-security>)

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 or 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 the Regulation (EU) 2018/1725.

Each time you receive a newsletter by GetResponse tool, you have the right to unsubscribe from the newsletter and change your subscription email if you wish to do so. In addition, you can always exercise your right to object.

In any case, if you would like to exercise any of these rights, please send a written request explicitly specifying your query to the delegated data controller, Head of the Communication Service at: PersonalDataCS@euipo.europa.eu

Your request will be answered free of charge and without undue delay, and in any event within one month of receipt of the request. However, according to article 14 (3) of Regulation (EU) 2018/1725 that period may be extended by two further months where necessary, taking into account the complexity and number of the requests. We shall inform you of any such extension within one month of receipt of the request, together with the reasons for the delay.

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

- Processing is based on the Regulation (EU) 2018/1725, Article 5.1:
 - a) “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”, such as email address or area of business;
- Article 151.1 EUTMR: (a) administration and promotion of the EU trade mark system established in this Regulation; (b) administration and promotion of the European Union design system established in Council Regulation (EC) No 6/2002.
- Article 151 (1)(c) of Regulation 2017/1001 on promoting convergence of practices and tools in the fields of trademarks and designs.

8. How long do we store your data?

Whenever a user decides to unsubscribe from the newsletter, he/she triggers the procedure for deletion of this/her personal data. This means that the GetResponse tool stores the data it collects for 60 days for the sole purpose of enabling the user to reactivate the subscription to the newsletter. After that time, the data is deleted from the main database, without the possibility to recover it. In the next 120 days, your Personal Data will be subject to encryption and stored in backup copies only. The said 120-day period is required to delete the Personal Data completely due to the specifics of the backup copy operations.

9. Contact information

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

You may consult EUIPO Data Protection Officer: 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.