

## **Privacy statement on processing personal data within the framework of selection and recruitment procedures of Trainees at EUIPO**

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?**

Processing personal data is necessary to organise the selection of candidates for a traineeship at the Office, recruit trainees, provide administrative support to trainees and evaluate them.

EUIPO offers four types of internships:

- Pan-European Seal Professional Traineeship Programme;
- Traineeships for young professionals;
- Traineeships for junior IP employers;
- Unpaid traineeships.

Data processing starts from the moment a candidate submits an application/registers in a database or, regarding candidates selected for a traineeship, when they confirm their interest in the recruitment process.

Candidates will provide the Office with data on their identity and qualifications because of the very nature of the selection/recruitment process.

Data processing also includes the management of recruited trainees documents in Open Text Tool (personal file repository) during their traineeship at the Office.

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

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

Selection phase: name, surname, address, email address, phone number, gender, nationality (proof of national identity card), date of birth, professional experience/ working periods and traineeships, including in other Institutions /Agencies, education, language and skills. This information is completed by a CV and a motivation letter, both of which are uploaded by candidates in their online account<sup>1</sup>. Adding a photo to the CV is entirely voluntary.

Recruitment phase and traineeship period: name, surname, address, email address, phone number, gender, date of birth, marital status, banking information, proof of education and professional experience (originals need to be presented upon request and certified copies are kept in the personal file of the person concerned), language and skills, CV and motivation letter from the selection procedure, availability to start the traineeship at the Office, , certificate of residence, national identity card or equivalent document (for candidates coming from third countries: passport and visa valid for Spain or other place of Traineeship covering the entire duration of the traineeship), name of persons to be informed in the event of accident including their contact data, certificate of sickness/accident insurance, declaration of interests and declaration of confidentiality. In case of disability, a justification document is submitted by email to the Medical Service. Data published on EUIPO directories myPortal/Who is Who/Who to Contact: photo (under consent)<sup>2</sup>, name, surname, telephone at work, office address.

End of traineeship: name, surname, email address, the report done by the trainee's supervisor on the tasks performed by the trainee during his/her traineeship period.

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

Personal data processing is the responsibility of the Director of the Human Resources Department, acting as the delegated EUIPO data controller.

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

Candidates' data is disclosed on a need to know basis to authorised staff of the HRD and Academy<sup>3</sup> working on traineeship procedures, the Office's Departments and Services concerned (management and staff authorised by them), as well as the Competent Authority for trainees (Executive Director or delegated).

Personal data is also disclosed to the Finance Department for payments and to the Communication Service (CS) to update the staff directory (<sup>4</sup>). Data published on EUIPO directories myPortal/Who is Who/Who to Contact will be accessible to staff through Insite. The Medical Service will have access to the document justifying the disability, when applicable.

In the event of a complaint, the trainee's data may be disclosed to the HRD Legal Team, the Legal Service, to external authorised persons involved in the litigation procedure and/or to the EU Court of Justice. Upon request, the data may also be disclosed to the

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<sup>1</sup> For PES and YP Traineeships / For Junior IP employers and Unpaid Traineeships, CV sent by email

<sup>2</sup> Privacy Statement - Publication of photo on EUIPO directories myPortal/Who is Who/Who to Contact - published in Insite/HRD/ data protection

<sup>3</sup> In particular, the Pan European Seal team

<sup>4</sup> The photo taken by the Security Service (Infrastructure and Buildings Department) for the service card of newly recruited trainees will be disclosed to HRD (SAP SuccessFactors — employees' file) and to the Communication Service to be uploaded to the staff directory published on Insite. Data subjects will have the possibility to give/or withdraw consent to the publication of their photo on Insite.

staff of the European Anti-Fraud Office (OLAF), the Internal Audit Service, the Court of Auditors and the EDPS. The data transfer is limited only to what is necessary for official investigations or audit purposes.

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

Trainees' personal data is stored and processed in ShareDox, Outlook, HR's Allegro database and its modules (stored in MySQL database), as well as in HR's "SAP SuccessFactors" in the cloud.

Data stored in OpenText tool (personal file repository) are kept in the Office's servers and accessible through SAP SuccessFactors.

Regarding SAP SuccessFactors, data is stored in the cloud in servers in SAP Germany and SAP Holland data centers.

The HR database is password protected under single sign-on system and automatically connected to the user ID and general password. Replacing users is strictly prohibited. The records are held securely so as to safeguard the confidentiality and privacy of the data therein.

For the document justifying the disability submitted by email to the Medical Service, it will be kept in the file dedicated to each trainee at the Medical Service.

The Information Security Policy of the EUIPO is based on the ISO 27001 standard, which is considered the most comprehensive and accredited in its category. "SAP SuccessFactors" is also certified in ISO 27001.

## **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 these rights, please send a written query explicitly specifying your request to [Traineeships@euipo.europa.eu](mailto:Traineeships@euipo.europa.eu), or to the delegated data controller, Director of the HRD at the EUIPO in Alicante, [hrddpc@euipo.europa.eu](mailto:hrddpc@euipo.europa.eu).

The right of rectification can only apply to inaccurate or incomplete factual data processed within the selection/recruitment procedure. It is not possible to update or rectify data related to eligibility criteria after the deadline set by the publication of the traineeship programme.

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 the following Article of 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'*.

The personal data is collected and processed in accordance with:

- Decision N° ADM-22-10 on traineeships offered by EUIPO.

## 8. How long can data be kept?

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

For successful candidates: data (including traineeship report<sup>5</sup>) is kept for 7 years after the end of the period of service at the Office for reasons of budgetary discharge, control and audit purposes. After that, only data essential for providing a trainee's certificate (first name, last name, length of traineeship, department involved in the training) is kept for a maximum period of 50 years.

For unsuccessful candidates: data is kept for 2 years after the official starting date of the traineeship period.

In the event of a formal appeal, all data held at the time of the 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 delegated data controller, the Director of the Human Resources Department, at: [hrddpc@euipe.europa.eu](mailto:hrddpc@euipe.europa.eu)

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

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<sup>5</sup> The traineeship report and references on the tasks performed at EUIPO can be sent by the trainees to third persons (e.g.: candidature for a job)