

Privacy statement on processing personal data in User Satisfaction Surveys

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?

Satisfaction surveys are sent via an email invitation to active users of EUIPO services (i.e. users that have used EUIPO services within a year of the survey). Replies to the questions included in the online surveys are voluntary. The responses are collected in order to gather data related to satisfaction with the services covered by the survey. As a result of processing, a statistical report is produced.

The feedback from users helps identify follow up measures and actions to be taken to improve the quality of EUIPO services and to measure user satisfaction by type of user (i.e. country, segments and EUTM/RCD services used).

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

2. What personal data do we process?

The categories of personal data processed are the following:

- Existing demographic data on users of EUIPO services: volumes related to EUTM/RCD, country, segments (e.g.owners, key users and representatives), deficiencies, form used for filing gathered from PER, CRM, OWS and other existing systems;
- Identification data (name and email address of users);
- Responses to the questions;
- Other data: position / function, number of employees, duration of business relationship with the Office, country of origin, number of rightholder

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3. Who is responsible for processing the data?

The processing of personal data is carried out under the responsibility of the Customer Department director, acting as delegated EUIPO data controller. Personal data is processed by the Head of the Customer Engagement Service, Customer Engagement Service and BERENT Deutschland GmbH as the external service provider ('Berent').

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

Personal data is disclosed to the following recipients:

- Internal EUIPO authorised staff from CD (Customer Engagement Service) in charge of analysing the results of the survey.
- The external service provider staff involved in performing the survey will collect the results of the survey and analyse the raw data in order to prepare statistics and figures in collaboration with Customer Engagement Service.

The information will only be shared with people needed for the implementation of such measures on a need to know basis. The data is not used for any other purposes nor disclosed to any other recipient. Personal data is not transferred to a third country.

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. The statistical report is anonymous and reported only in a manner that does not allow individual responses to be identified.

All personal data related to User Satisfaction Survey procedures are stored in secure IT applications according to the security standards of the Office, as well as in specific electronic folders accessible only to the abovementioned recipients.

Confidentiality and data protection clauses are signed off by the external service provider participating in the surveys.

The service provider is committed to complying with the guidelines of ISO 20252:2012, and the ESOMAR, MRS and BVM codes. The service provider's managers are members of these aforementioned research associations and, as such, are obliged to conduct all business in accordance with the rules and regulations of these codes.

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.

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The right of rectification only applies to inaccurate or incomplete factual data processed within the User Satisfaction Surveys.

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 the 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'.

The 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 be kept only for the time necessary to achieve the purpose for which it is processed.

The data will be only retained in Excel tables and further internal tools in the EUIPO content management system for a maximum period of 2 years since users may be contacted for follow-up purposes. The data contained in the reports will be kept indefinitely in the EUIPO content management system because the reports do not contain personal data.

Finally, the information contained in the Excel table without personal data will be retained indefinitely since the table is anonymous and it is not possible to track down a user.

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.

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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.