

## **Specific Privacy Statement for participants in virtual events organised by the EUIPO through Zoom Video Communications during the Business Continuity scenario established for COVID-19.**

The protection of your privacy is of high importance to the European Union Intellectual Property Office (EUIPO). The Office is committed to respecting and protecting your personal data and ensuring your privacy rights.

All data of a personal nature processed during virtual events organised by the Office, 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 individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. The information in this communication is given pursuant to Articles 15 and 16 of Regulation (EU) 2018/1725.

### **1. What is the nature and the purpose(s) of the processing operation?**

Due to the outbreak of the coronavirus COVID-19 virus, the EUIPO has extended the use of videoconference services in order to organise virtual events with external stakeholders.

The application used by EUIPO for its large-scale events is 'Zoom Video Communications' (hereinafter Zoom). Zoom is a cloud-based videoconferencing platform that ensures the successful organisation of events in a virtual environment and the effective interaction with the Office stakeholders as close as possible to the face to face experience.

Personal data is processed in the Zoom platform only for the purpose of carrying out a virtual event and ensuring the effective collaboration and communication between the Office and its stakeholders thus guaranteeing EUIPO business continuity and compliance with applicable legal obligations. The processing is not intended to be used for any automated decision making.

This privacy statement refers only to the data processed for the purpose of organising and conducting of virtual events through Zoom. The processing of your data for any coordination and required follow-up activities is done according to the standard [Privacy statement in the framework of the organisation and management of EUIPO events](#).

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

The personal data processed through Zoom is as follows:

- username;
- general information about your service preferences (including language preferences);
- information about your usage of or other interaction with Zoom Products ('Usage Information');

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- approximate location;
- meeting schedule;
- technical information from Zoom's software or systems hosting the services, and from the systems, applications and devices that are used to access the services (for example metadata used for the maintenance of the service provided, information about your device, network and internet connection, such as your IP address(es), MAC address, other device ID (UDID), device type, operating system type and version, and client version);
- optional data: telephone number of a person making a call using Zoom services (e.g. Zoom Phone), data collected through the use of cookies and pixels (only in case you visit one of Zoom marketing websites), first name, last name, email address, profile photo, department, User IDs and Password (only in case you sign up to Zoom).
- other information you upload, provide or create while participating in the event such as instant messages, images, files, whiteboards, transcripts and recordings.

**EUIPO recommends that you join the event without signing up in order to ensure that only the minimum data necessary for your participation is processed.**

You will be automatically notified when a recording starts in the tool and will be given the option to leave the virtual event in case you do not wish to be recorded. Moreover, if you do not want your image/voice to be recorded in the tool, for compelling and legitimate grounds, you can exercise your right to object by indicating it to the event host so that the recording is paused during your intervention. Please note that if there is any recording during the event, it will be carried out only for legitimate and explicit purposes.

Additional data could be collected depending on whether you use an Android or an iOS device.

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

The processing of personal data is carried out under the responsibility of the Executive Direction on behalf of EUIPO acting as data controller.

Personal data is processed by the videoconference services provider 'Zoom Video Communications' and the audio-visual services provider of EUIPO 'Vitelsa' which manages the subscription and the account for the tool.

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

The personal data is disclosed, on a need to know basis, to the following recipients:

- the EUIPO's staff members and external users participating in virtual events organised through Zoom;
- the IBD Hospitality team and external providers such as the events management provider 'Pomilio Blumm', audiovisual services provider 'Vitelsa'
- videoconference services provider 'Zoom Video Communications'.

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Personal data is transferred to Zoom in the US for the purpose of provision of the service on the basis of the Standard Contractual Clauses approved by the EC as an appropriate safeguard.

Personal data can also be disclosed by Zoom to its third-party providers for service maintenance and support purposes. Zoom has committed in a binding agreement to observe all the provisions stipulated in Chapter V of Regulation (EU) 2018/1725 when transferring data provided by the EUIPO to its third-party providers outside EEA. These transfers to sub processors located outside of the EEA are carried out on the basis of SCCs approved by the EC and Binding Corporate Rules (BCRs).

### **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, unauthorised disclosure or access.

Zoom has publicly announced that it stores all data on third-party secured servers where the following security measures are implemented:

- management of access logs;
- 24/7 global support by managing and monitoring data centre access activities, equipping local teams and other support teams to respond to security incidents;
- backup power supply;
- the communications between you and Zoom are encrypted.

Zoom has SOC 2 type II certification for compliance with security, availability, processing, integrity and confidentiality standards and its cloud services provider is ISO 27001 certified. Moreover, Zoom has committed in a binding agreement containing the Standard Contractual Clauses approved by the EC to comply with its data protection obligations stemming from Regulation (EU) 2018/1725.

EUIPO has pre-configured the tool settings in order to make sure that the personal data is protected and measures have been taken to safeguard the confidentiality, integrity and availability of the information within the tool.

All EUIPO staff and service providers (events management provider and audio-visual services provider) dealing with personal data in the context of organisation of virtual events sign a confidentiality declaration.

### **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 the erasure of your personal data or restrict 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, as outlined in Articles 17 to 24 of Regulation (EU) 2018/1725.

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

The right of rectification can only apply to inaccurate or incomplete factual data processed within the Zoom platform.

Your request will be answered 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 a further 2 months where necessary, taking into account the complexity and number of the requests. The Office will 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 Article 5.1 (a) of Regulation (EU) 2018/1725 since it 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;

### **8. How long do we store your data?**

Personal data processed by the data controller or the service providers under its supervision are generally stored for the period of time necessary to achieve the purpose for which they have been processed.

Zoom shall retain the Personal Data for 1 month unless the European Union or national laws of Member States of the European Union would require a longer storage of personal data.

### **9. Whom should you contact if you have questions/queries concerning the processing of your personal data?**

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

You may consult the EUIPO Data Protection Officer at: [DataProtectionOfficer@euipo.europa.eu](mailto:DataProtectionOfficer@euipo.europa.eu)

### **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: [edps@edps.europa.eu](mailto:edps@edps.europa.eu)