

From: [REDACTED]
To: European Data Protection Supervisor <EDPS@edps.europa.eu>
Sent at: 07/02/23 15:28:22
Subject: Re: Our ref.: 2022-1189 - D(2022) 2746

Dear Supervision,

Here you are the latest EC's DPO reply

Data_Access_Request_not_replied_after_1_month_EC_reply.pdf
and my reply **Data_Access_Request_not_replied_after_1_month_my_reply.pdf**

Thanks for your time

Best regards

[REDACTED]

El vie, 20 ene 2023 a las 22:40, [REDACTED] escribió:
Dear Supervision

I would like to do point in Case C-154/21

<https://curia.europa.eu/juris/document/document.jsf?text=&docid=269146&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=66061>

"

39 Thus, in order to ensure the effectiveness of all of the rights referred to in the preceding paragraph of the present judgment, the data subject must have, in particular, the right to be informed of the identity of the specific recipients where his or her personal data have already been disclosed.

"

I know that the law that applies to my complaint is the EUDPR and not the GDPR but they are quite similar regarding the Principles and I am not even requesting the identity. The category (EUIPO Personnel could be a category) would be enough.

BTW any news on this one?

Thanks for your time

Best regards

[REDACTED]

El vie, 16 dic 2022 a las 14:18, [REDACTED] escribió:
Dear SUPERVISION,

Please relate this reference with my complaint 2022-1189 - D(2022) 2746 as both are related with EUIPO lack of EUDPR compliance.

Thanks for your time

Best regards

[Redacted signature block]

El lun, 21 nov 2022 a las 10:08, [Redacted] escribió:
Dear EDPS,

Being more specifically about what I need:

I would like know when my personal data was accessed by EUIPO/OHIM's personnel (OHIM is former EUIPO's name). Knowing the time window of these accesses is essential for my letter before action

Thanks for your time

Best regards

[Redacted signature block]

El lun, 21 nov 2022 a las 9:18, SUPERVISION (<supervision@edps.europa.eu>) escribió:

Dear [Redacted],

The EDPS acknowledges receipt of your complaint submitted through the online complaint form on 16 November 2022.

We will analyse your complaint and keep you informed of further developments.

The file has been given the case number 2022-1189. Please refer to this number and use edps@edps.europa.eu when corresponding with the EDPS.

Yours sincerely,

SUPERVISION & ENFORCEMENT UNIT

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Email Supervision@edps.europa.eu
European Data Protection Supervisor
Postal address: Rue Wiertz 60, B-1047 Brussels
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access, use or other processing is not permitted. If you are not the intended recipient please inform the sender by reply and then delete all copies. Emails are not secure as they can be intercepted, amended, and infected with viruses. The EDPS therefore cannot guarantee the security of correspondence by email.

Data Protection Notice

According to Articles 15 and 16 of Regulation (EU) 2018/1725 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, please be informed that your personal data will be processed by the EDPS, where proportionate and necessary, for the purpose of investigating your complaint. The legal basis for this processing operation is Article 57(1)(e) of Regulation (EU) 2018/1725. The data processed will have been submitted by you, or from other sources during the inquiry of your complaint, and this may include sensitive data. Your data will only be transferred to other EU institutions and bodies or to third parties when it is necessary to ensure the appropriate investigation or follow up of your complaint. Your data will be stored by the EDPS in electronic and paper files for up to ten years (five years for prima facie inadmissible complaints) after the case closure, unless legal proceedings require us to keep them for a longer period. You have the right to access your personal data held by the EDPS and to obtain the rectification thereof, if necessary. Any such request should be addressed to the EDPS at edps@edps.europa.eu. Your data might be transferred to other EU institutions and bodies or to any third parties only where necessary to ensure the appropriate handling of your request. You may also contact the data protection officer of the EDPS (EDPS-DPO@edps.europa.eu), if you have any remarks or complaints regarding the way we process your personal data. You can find the full version of our data protection notice on complaint handling at: https://edps.europa.eu/data-protection/our-role-supervisor/complaints-handling-data-protection-notice_en.



Data Access Request not replied after 1 month

7 de febrero de 2023, 13:34

Para: "EC-DPO-INTERNAL@ec.europa.eu" <EC-DPO-INTERNAL@ec.europa.eu>

Dear DPO,

Been there and done that. Here you are a screenshot [REDACTED] reply from 2022 July 22th

2. That EUIPO provides the data recipients (and also the dates) to whom my personal data have been disclosed as per Article 17.

In **Annex 1**, we have included also a reference to the Privacy Statement(s) applicable to each database/application in which your personal data has been found. The Privacy Statements specify the recipients of the personal data in each case.

3. That EUIPO provides the data recipients (and also the dates) that accessed my personal data in all EUIPO's systems (Sharedox, HR's Allegro database, HR's SAP SuccessFactors, etc.) and EPSO (e.g.: Cast) as per Article 17

As mentioned under question 2 above, the recipients of the personal data for each specific case are included in the Privacy Statements referred to in **Annex 1**. Each staff member has access to information and personal data on the need-to-know basis and in their professional capacity. Personal data of individuals is protected under the Regulation (EU) 2018/1725 also when staff members act in performance of their duties.

This is the only information we can provide you with as regards the recipients of personal data for each database/application handled by EUIPO, as any other data would adversely affect the rights and freedoms of others as provided for by Article 17 (4) EUDPR.

If you want to receive more information about how your personal data is processed and protected in relation to your EPSO account and the applications submitted via it, we advise you to get in contact with EPSO directly as EPSO is the controller of the processing of personal data.

You can either contact EPSO at <https://epso.europa.eu/en/contact-us/question>, or the DPO of the Commission at DATA-PROTECTION-OFFICER@ec.europa.eu. You can also find

This looks a lot like a ping pong match till both of you get me tired.

I started exercising my rights almost one year ago and it is impossible to get a clear reply, not from your side not from EUIPO's side

Thanks for all the time invested in this matter.

Best regards



2/7/23, 3:22 PM

Correo de elsotanillo.net - Data Access Request not replied after 1 month

[El texto citado está oculto]



Data Access Request not replied after 1 month

EC-DPO-INTERNAL@ec.europa.eu <EC-DPO-INTERNAL@ec.europa.eu>

7 de febrero de 2023, 11:29

Para: [REDACTED] "EC-DPO-INTERNAL@ec.europa.eu" <EC-DPO-INTERNAL@ec.europa.eu>

Dear [REDACTED]

I am coming back to you in reply your email of 20 January 2023.

The DPO of the Commission explained to you, in the email of 12 December 2022 that – according to EPSO – the EUIPO uses the EPSO CAST Permanent database in order to recruit contract agents for EUIPO.

This means that the DPO of the Commission cannot help you with your request of 20 November 2023, because your request concerns the activities of the EUIPO and not of the Commission.

Therefore, I advise you to contact the [DPO of EUIPO](#), [REDACTED], at: DPOexternalusers@euiipo.europa.eu, and discuss with her your request.

In light of the above, I consider your case closed.

Yours sincerely,

From: [REDACTED]

Sent: Friday, January 20, 2023 10:43 PM

To: EC DPO INTERNAL <EC-DPO-INTERNAL@ec.europa.eu>

Subject: Re: Data Access Request not replied after 1 month

Dear DPO,

[El texto citado está oculto]