

**From:** [REDACTED]  
**To:** SUPERVISION <supervision@edps.europa.eu>:  
[REDACTED]  
**Sent at:** 24/10/23 15:39:09  
**Subject:** Re: Your on-going complaints with the EDPS - Case 2022-1189, Case 2023-0578 and Case 2023-0826 - D(2023) 3037

Adding [REDACTED] to the loop so we can talk about these cases too in the coming days.

Dear SUPERVISION and [REDACTED]

Almost 20 days have passed since my reply and nothing has been done.

Can you please update me on the issues?  
Can you please provide me with the cases' number for my emails of "4, 7, 10 and 11 August 2023"

I have been happily unemployed since last Friday, therefore I have a lot of free time for the coming months to dedicate my time to this matter.

Thanks for your time

Best regards

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[REDACTED]  
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El jue, 5 oct 2023 a las 15:39, [REDACTED] escribió:  
Dear SUPERVISION,

Regarding:

**2) Case 2023-0578 against EUIPO:**

In this case, you requested EUIPO to have access to the log files relating to certain EUIPO selection procedures,

namely the selection procedures which are listed in footnote 1 on the first page of the EUIPO's reply to you on 22 September 2023 (see attachment).

You are not satisfied with EUIPO's reply.

2023-0578 is not the one you refer to.(please see attached thread X\_Our ref. 2023-0578 - D(2023) 2229.eml) it is related with EUIPO sending me "pictures of the icons".

On 14/8/2023 EDPS sent me an email (attached "Our ref.\_ 2023-0578 - D(2023)

2405 - acknowledgement of receipt.eml" with subject: "Our ref.: 2023-0578 - D(2023) 2405 - acknowledgement of receipt". The email had this extract:

The EDPS acknowledges receipt of your emails of 4, 7, 10 and 11 August 2023 with the following subject lines:

- Re: Our ref.: 2023-0578 - D(2023) 2346
- [EUIPO] Data access request under regulation EU 2018/1725. Last attempt
- Request for an onsite investigation regarding a Letter Before Action sent to EUIPO
- [EUIPO][Proctored exams] Request under regulation EU 2018/1725
- [EUIPO] RE: Data access request under the EUDPR (our ref. DSR-EXT-09 and DSR-EXT-10).

I still don't have the cases assigned for points 2-5. Can you please provide your reference ticket for each complaint?

Regarding your EUIPO's attached reply it is related with my point 3 and as you can see not a single document nor a single log is provided (not my rights of restriction of processing, object, access etc are enforced ) and this is exactly why I am requesting the onsite investigation. Please find attached my reply (Letter before action seeking damages under Article 65 EUDPR.eml) with a non-exhaustive list of non-compliances.

Thanks for your time

[REDACTED]

El jue, 5 oct 2023 a las 9:19, SUPERVISION (<[supervision@edps.europa.eu](mailto:supervision@edps.europa.eu)>) escribió:

Dear [REDACTED],

In the light of your multiple communications, we are writing to provide an overview of the different complaints that you have submitted against three different EU institutions.

**1) Case 2022-1189 against EPSO:**

In this case, you requested EPSO to have access to the log files relating to

four different selection procedures (4220689, 3921833, 700311 and 539001).

On 16 June 2023, the EDPS issued a decision on your complaint, and on 4 July 2023, you requested a review of the EDPS decision, and on 15 September 2023, you submitted an action for annulment before the General Court of the EU against the 'decision of the EDPS of 16/06/2023 to close the complaint against EPSO concerning access to personal data, submitted to EDPS on 16/11/2022), without taking any action'.

## **2) Case 2023-0578 against EUIPO:**

In this case, you requested EUIPO to have access to the log files relating to certain EUIPO selection procedures,

namely the selection procedures which are listed in footnote 1 on the first page of the EUIPO's reply to you on 22 September 2023 (see attachment).

You are not satisfied with EUIPO's reply.

## **3) Case 2023-0826 against OLAF:**

In this case, you requested OLAF to provide a copy of all your personal data in the complaints 12533, 12974 and 14698, and

also to 'provide your data per complaint together with the log files'.

On 7 August 2023 OLAF sent you a reply, but you are not satisfied with their reply.

We will communicate to you the EDPS's actions for each of the above on-going complaints in due time.

Thank you for your cooperation.

Kind regards,

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### **SUPERVISION & ENFORCEMENT UNIT**



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Email [Supervision@edps.europa.eu](mailto:Supervision@edps.europa.eu)

**European Data Protection Supervisor**

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## **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](mailto: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 ([DPO@edps.europa.eu](mailto: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](https://edps.europa.eu/data-protection/our-role-supervisor/complaints-handling-data-protection-notice_en).*