

From: [REDACTED]
To: SUPERVISION <supervision@edps.europa.eu>
CC: <mailsigned@pro.egarante.com>
Sent at: 27/10/23 12:59:37
Subject: Re: Your complaints and your request for a meeting

Dear Mr Zerdick and SUPERVISION,

I decided to contact Mr Rossignol due a EDPS press release that had the following extract:

"[...]Together with the creation of the EDPS' Legal Service, as well as the **EDPS' specialised Unit to ensure the institution's own accountability earlier in 2021**, these changes represent Wojciech Wiewiórowski's commitment to ensure that the EDPS leads by example when protecting individuals' fundamental rights to privacy and data protection. Dedicating the appropriate and necessary resources, tools and expertise allows the EDPS to tackle ongoing and future data protection challenges[...]"

To check with this unit EDPS' own accountability.

The updates I am receiving are mostly useless as can be easily checked by reviewing my replies and follow ups.

On 14/8/2023, EDPS sent me an email with the 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?**

On 27/2/2023 I requested to the EDPS an onsite investigation at EUIPO's premises due their many EUDPR non compliance. My request is well within EDPS monitoring and enforcing powers and I even asked to be present on the evidence gathering that it is a possibility as per page 3 of 23-01-30-_edps-investigations-

factsheet_en_0.pdf

More info about this on

* [1] https://edps.europa.eu/data-protection/our-work/publications/investigations/2023-01-30-how-edps-conducts-investigations_en

* [2] https://edps.europa.eu/system/files/2023-02/2023-01-30-edps_investigation-public_policy_en.pdf

* [3] https://edps.europa.eu/system/files/2023-02/23-01-30-_edps-investigations-factsheet_en_0.pdf

The EDPS decided to close the case with the following extract:

"

In the case at hand, the EDPS notes that the DPO of EUIPO has been very cooperative and has provided you with replies to all your requests. The EDPS does therefore not see the necessity to conduct an on-the-spot investigation in your case.

In light of the above, the EDPS has decided to close Case 2022-1307.

"

In its reply, the EDPS failed to inform me about the possibility to ask for a review or seek judicial remedy and failed to reply to me after my many attempts to follow up.

EDPS definition for collaboration is quite bizarre as EUIPO hasn't provide me with my personal data nor any kind of log. So it is collaboration and not showing compliance EUDPR's main point as per EDPS understanding.

Even after my letter before action I haven't received my personal data (What I have received are some pictures of my document's icons and some random files without any contexts to locate them in space or time) nor any kind of log, nor my rights of objection or restriction, etc enforced (No matter EDPS' [lecture on right of access](#) [4] at EUIPO premises held on May 12th).

Basically I am a sitting duck waiting for EUIPO to remove any evidence of their wrongdoing. Luckily, removing my personal data is a processing activity and should be logged too.

Please find attached my reply to EUIPO's reply to my letter before action. I think it clearly explains why I am sure my rights as a data subject are not being enforced.

It seems that I am bringing EUIPO to court again without my personal data and without any kind of log no matter what the EUDPR says about showing compliance.

PS: Manipulating recruitment procedures is a regretful behavior that [should have been reported to the OLAF](#) [6] long time ago as ["Manipulating recruitment procedures"](#) [7] falls well within OLAF competences

PS2: [6] "If you are an EU staff member you have an obligation to report possible cases of fraud, corruption, other illegal activity, or professional conduct which may constitute a serious failure to comply with the obligations of EU staff members."

Thanks for your time

Best regards

- [1] https://edps.europa.eu/data-protection/our-work/publications/investigations/2023-01-30-how-edps-conducts-investigations_en
- [2] https://edps.europa.eu/system/files/2023-02/2023-01-30-edps_investigation-public_policy_en.pdf
- [3] https://edps.europa.eu/system/files/2023-02/23-01-30-_edps-investigations-factsheet_en_0.pdf
- [4] https://edps.europa.eu/system/files/2023-05/23-05-12-edps-dpo-case_law-zerdick_en.pdf
- [6] https://anti-fraud.ec.europa.eu/olaf-and-you/report-fraud_en
- [7] https://anti-fraud.ec.europa.eu/investigations/investigations-relating-eu-staff_en

[REDACTED]

El jue, 26 oct 2023 a las 17:23, ZERDICK Thomas
(<thomas.zerdick@edps.europa.eu>) escribió:

Dear [REDACTED],

We acknowledge receipt of your latest emails addressed to Mr Rossignol and myself, as well as your request to meet with us.

In this context, please allow me to clarify the following:

Regarding Your Complaints

Your complaints are currently being managed by our Supervision & Enforcement Unit, which is the service responsible for complaints handling in the European Data Protection Supervisor (EDPS). The Information & Communication Unit, headed by Mr Rossignol, is responsible for the EDPS communication and press related tasks and only replies to questions of a general nature, not questions related to specific cases. In other words, the Information & Communication Unit is not involved in the complaints handling and will not be able to assist you.

Unit Responsibilities

You mentioned the Governance & Internal Compliance Unit. This unit manages records, archives, transparency, internal data protection, and planning coordination. However, it does not oversee the activities of the Supervision & Enforcement Unit, nor does it investigate how complaints are managed.

Status of Your Complaints

We understand that you are not satisfied with the handling of your complaints by the EDPS, and we note that you have also submitted a complaint to the European Ombudsman, who is indeed the competent authority for complaints regarding alleged maladministration by the EU institutions and bodies, including the EDPS.

I would like to reassure you that the Supervision & Enforcement Unit is carefully examining your complaints and is assessing the necessary steps to investigate their subject matter. In this context, we would like to point out that you have received already several updates and explanations regarding your complaints from us.

Meeting Request

As regards your request for a meeting, please be informed that meetings with the complainants are not part of our standard procedure. Should a meeting be necessary at a later stage, we will inform you.

In view of the above, we kindly ask you to send your correspondence exclusively to the functional mailbox of the Supervision & Enforcement Unit: supervision@edps.europa.eu

Thank you for your cooperation.

Kind regards,



Thomas ZERDICK

Head of Unit "Supervision and Enforcement"

' (+32) 228 31858 | (+32 470 95 47 20 | › MTS 04X024

✉ thomas.zerdick@edps.europa.eu

European Data Protection Supervisor

Postal address: Rue Wiertz 60, B-1047 Brussels

Office address: Rue Montoyer 30, B-1000 Brussels

🐦 [@EU_EDPS](https://twitter.com/EU_EDPS) 🌐 www.edps.europa.eu

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From: [REDACTED]
Data Protection Officer <DataProtectionOfficer@euipo.europa.eu>;

To: [REDACTED]
European Data Protection Supervisor <EDPS@edps.europa.eu>;
SUPERVISION <supervision@edps.europa.eu>; executivesecretariat
<executivesecretariat@euipo.europa.eu>; hrddpc
<hrddpc@euipo.europa.eu>;

CC: [REDACTED]
[REDACTED] RDsecretariat
<HRDsecretariat@euipo.europa.eu>

Sent at: 26/09/23 09:25:34

Subject: Re: Letter before action seeking damages under Article 65 EUDPR

To whom might it concern,

Thanks for the time invested in your reply to my letter before action (attached). EUIPO's behaviour is always the same waits till the very end of the deadline or as in this case even weeks after the deadline and then reply with non-senses and without my personal data.

Here you are my comments

1. After around 80 emails I have received 0 logs and not all my data. No matter EDPS' [lecture on right of access](#) [1] at EUIPO premises held on May 12th.

2.-I personally like this part: "[...] and that your personal data was correctly deleted at the end of the applicable retention period.[...]"

I don't really know what personal data Ms. [@PÉREZ FERRERAS Susana](#) refers to as I have never received the complete list (and of course not my data) of my personal data held by EUIPO or by its data processors.

On my first DSAR, EUIPO sent me pictures of my documents' icons that EUIPO still had on its systems, [some of them dated to 2006](#) [2]. I am still waiting for the real documents. Have these documents (the ones on the pictures) been deleted? Are these deletions been logged somewhere?

I really hope that EUIPO hasn't deleted my data as I specifically exercised (at least I tried to) my rights of object and restriction on my letter before action and in previous requests many months ago:

- To EUIPO on 20/2/2022
- To the [@EUROPEAN DATA PROTECTION SUPERVISOR](#) on 2/5/2022

I would like to draw your attention to Advocate General Campos Sánchez-Bordona stated in paras 64-65 of his [Opinion on case C-579/21](#) [3] :

"[...] 63. In the light of those considerations, I take the view that the concept of recipient does not include employees of a legal person who, when using the latter's computer system, consult the personal data of a client on behalf of its administrative bodies. Where such employees act under the direct authority of the controller, they do not, on that basis alone, acquire the status of 'data recipients'. (24)

64. However, there may be situations in which an employee does not comply with the procedures established by the controller and, on his or her own initiative, accesses the data of customers or other employees in an unlawful manner. In such a case, the dishonest employee would not have acted for and on behalf of the controller.

65. **To that extent, the dishonest employee could be described as a 'recipient' to whom personal data of the data subject was 'communicated' (figuratively speaking). (25) either by his or her own hand and thus unlawfully, or even as a data controller in his or her own right[...]"**

Long story short: If someone has accessed my personal data unlawfully (eg: for unlawfully deleting purposes) and not under the Controller's mandate he/she could be considered a data controller too and therefore will receive another nice letter before action seeking damages under Article 65 EUDPR too. BTW: restore from a backup is a data processing activity too that should be also logged.

3.- Trust me bro there is no evidence of any manipulation: "[...] all updates modifying your profile and applications were done by yourself only[...]". Yet EUIPO has failed to provide any kind of logs. Any modification done by me should appear in the logs and logs are personal data as they contain enough data to identify me. eg: IP address, customized urls, hashes, etc.

ing Sap Successfactor, [EUIPO was manipulating my profile](#) [4] at the same time [REDACTED] was running for the ED position. ing the CAST EPSO profile used by EUIPO, Lucky me I used a third party digital witness to record my personal data before and after [the "purge"](#) [5]. I have brought the [@EUROPEAN DATA PROTECTION SUPERVISOR](#) to court for its failure to protect my rights as a data subject in this case. I have more urgent deadlines to attend to, but I assure you that the European Commission is getting a nice letter before action seeking damages under Article 65 EUDPR too.

After having carefully examined:

- each element of your file at the Office.

I still don't have a list of my personal data held by the office, It would be nice having it. **I have received just pictures, random data and 0 logs.**

I really hope that these careful examinations carried out by the office shown in the logs (still to be provided). EUDPR is not about claiming compliance but about demonstrating compliance. At this moment EUIPO has shown none.

- The interest of the service

Manipulating recruitment procedures is not in the Office's best interest and this regretful behavior [should be reported to the OLAF](#) [6] long time ago as ["Manipulating recruitment procedures"](#) [7] falls well within OLAF competences

- Your rights and freedoms as data subject

EUIPO has denied almost if not all of my rights. eg:

- Article 4 Principles relating to processing of personal data
- Article 15: Information to be provided where personal data are collected from the data subject
- Article 17 Right of access by the data subject: by not providing any kind of log not my personal data
- Article 23 Right to object
- Article 20 Right to restriction of processing
- Article 22 Right to data portability
- Article 33 Security of processing
- etc

- the principle of good administration, and that the purpose of the rules which give rights to a natural person, such as Regulation 2018/1725 (EU Data Protection Regulation), the Code of Good Administrative Behaviour, Regulation 1049/2001 on public access to documents and the Staff Regulations, is however not to allow a person to misuse or even abuse said rights,

I have (allegedly) abused all but still haven't received my personal data, documents nor my logs no matter the channel used to request them:

- Data Subject Request.
- Writing to the IT security team through Information
- Writing directly to the ED.
- A petition to the CJEU.
- A lodged complaint to the EDPS.
- etc.

I would like to draw your attention to the EDPB's guideline on the right of access "[...]180. A controller should not presume that a request is manifestly unfounded because the data subject has previously submitted requests which have been manifestly unfounded or excessive or if it includes unobjective or improper language.

189. The fact that it would take the controller a vast amount of time and effort to provide the information or the copy to the data subject cannot on its own render a request excessive¹⁰³. A large number of processing activities typically implicates bigger efforts when complying with access requests. However, as stated above, under certain circumstances requests can be regarded as excessive due to other reasons than their repetitive character. In the view of the EDPB this encompasses particularly cases of abusively relying on Art. 15 GDPR, which means cases in which data subjects make an excessive use of the right of access with the only intent of causing damage or harm to the controller.

Against this background, **a request should not be regarded as excessive on the ground that:**

- * no reasons are given by the data subject for the request or the controller regards the request as meaningless;
- * improper or impolite language is used by the data subject;
- * **the data subject intends to use the data to file further claims against the controller.** ¹⁰⁴ [...]"

All this data protection mess started with the Data Analyst position selection procedure. EUIPO, instead of trying to fix what could have been a perfect honest mistake (after my first Art. 90 Staff Regulations) decided to go berserk and invited me to go deeper into the rabbit's hole. I have really worked on a damage control mode only scaling up on a need-to-know basis (Candidatures External (HRD) -> DPO -> ED -> EDPS) after finding more and more non-compliances through the distinct selection procedures. I have patiently worked on this for 2 years and no one has stood up for my rights.

I hope someone [REDACTED] starts thinking about doing some damage control as I am not leaving.

I am bringing this case to court too.

Thanks for your time.

Best regards.

[1] https://edps.europa.eu/system/files/2023-05/23-05-12-edps-dpo-case_law-zerdick_en.pdf

[2] <https://www.linkedin.com/pulse/euipo-compliance-chapter-1-processing-unlawfully-my-data-sierra-pons>

[3] <https://curia.europa.eu/juris/document/document.jsf?docid=268629&mode=lst&pageIndex=1&dir=&occ=first&part=1&text=&doclang=EN&cid=1554805>

[4] <https://www.linkedin.com/pulse/euipo-non-compliance-chapter-2-manipulating-my-sap-juan-sierra-pons>

[5] <https://www.linkedin.com/pulse/euipo-non-compliance-chapter-3-denying-my-right-juan-sierra-pons>

[6] https://anti-fraud.ec.europa.eu/olaf-and-you/report-fraud_en

[7] https://anti-fraud.ec.europa.eu/investigations/investigations-relating-eu-staff_en

[REDACTED]

El lun, 18 sept 2023 a las 14:59, [REDACTED] escribió:

Dear DPO,

Thanks for your email.

Adding [REDACTED] to the loop as it seems that [1] [he will be inheriting this data protection mess in October](#) and EUIPO's top management is accountable for compliance. EUIPO is not EUDPR compliant and the top management is accountable for compliance as per EDPS's [2] ["Accountability on the ground: Guidance on documenting processing operations for EU institutions, bodies and agencies Summary"](#) guideline:

"[...]3 The accountability process

Accountability means that the controller is in charge of ensuring compliance and being able to demonstrate that compliance. In practice, top management is accountable for compliance with the rules, but responsibility is usually assumed at a lower level (business owner). The business owner / person responsible on behalf of the controller¹⁰ for a process will be the main driver, assisted by the DPO and DPCs (Part I - Section 2, Part II - Section 2).[...]"

Again EUIPO fails to comply with the EUDPR's mandate of responding to requests from the data subject "without undue delay". I have already lodged a complaint to the EDPS.

This is a common pattern since more than one year ago. EUIPO waits till the very end of the deadline and then sends me random data or unlawful excuses or even worse... pictures to my document's icons (probably the brightest mind in EUIPO thought that this would be a good idea).

As a Data Controller EUIPO should be ready to handle this cases:

From [3] [EDPB's guideline on right of access](#) :

EUIPO is exactly doing this (from EDPS guideline [4] ["Monitoring and enforcing compliance with Regulation \(EU\) 2018/1725"](#)):

"[...]

Example: **a person complains that an EUI unlawfully withheld personal data it held about her when replying to a request for access to one's own personal data under Article 17 of the Regulation.** Following an on-site check, the EDPS decision establishes that the EUI indeed unlawfully withheld the data and orders it to provide a complete reply to the complainant by a specified deadline. The EUI fails to comply with the order by that deadline. **This is a situation in which the EDPS may decide to impose a fine.**

[...]"

As EUIPO is taking its time to reply... Please, someone review the notes taken on EDPS' [5] [lecture given at EUIPO](#) premises on May 12 at the [6] [52nd EDPS-DPO meeting](#).

"52nd EDPS-DPO meeting 52nd meeting of the EDPS and the Data Protection Officers of the EU institutions, bodies, offices and agencies at EUIPO (European Union Intellectual Property Office) in Alicante, 12 May 202

Specifically right of access, right of compensation and all the cases law that apply in this case related to providing logs, etc.

Thanks for your time

Best regards

[1] <https://www.euipo.europa.eu/en/news/joao-negrao-appointed-new-executive-director-of-the-euipo>

[2] https://edps.europa.eu/sites/default/files/publication/19-07-17_summary_accountability_guidelines_en.pdf

[3] https://edpb.europa.eu/system/files/2023-04/edpb_guidelines_202201_data_subject_rights_access_v2_en.pdf

- [4] https://edps.europa.eu/sites/default/files/publication/20-05-08_monitoring_and_ensuring_compliance_en.pdf
[5] https://edps.europa.eu/system/files/2023-05/23-05-12-edps-dpo-case_law-zerdick_en.pdf
[6] <https://edps.europa.eu/data-protection/our-work/publications/dpo-news/2023-05-12-52nd-edps-dpo-meeting>

[REDACTED]

El vie, 25 ago 2023 a las 16:16, Data Protection Officer
([<DataProtectionOfficer@euipo.europa.eu>](mailto:DataProtectionOfficer@euipo.europa.eu)) escribió:

Dear [REDACTED]

In accordance with Article 14(3) of Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018, the Office shall provide you with a response without undue delay and at the latest within one month of receipt of your request. However, this period may be extended by two further months if necessary, depending on the complexity and number of the requests.

Following your query from 27th July 2023, we would like to inform you that the initial response date has been extended by a further two (2) months under the above mentioned Article 14(3).

The reasons for extending of the period to reply to your request are the following: the complexity and a high number of your requests sent to the data controller (Human Resources Department), which requires the data controller to coordinate the replies and consult them with different departments within the Office.

For more information, please consult the EUIPO's [Data Protection Notice](#).

Best regards,

Data Protection Office

European Union Intellectual Property Office

DataProtectionOfficer@euipo.europa.eu

www.euipo.europa.eu

Twitter: @EU_IPO

P Please consider the Environment - Do you really need to print this e-mail?

From: Data Protection Officer <DataProtectionOfficer@euipo.europa.eu>

Sent:

To: [REDACTED]

Cc: EUROPEAN DATA PROTECTION SUPERVISOR <EDPS@edps.europa.eu>; SUPERVISION <supervision@edps.europa.eu>; Data Protection Officer <DataProtectionOfficer@euipo.europa.eu>; executivesecretariat <executivesecretariat@euipo.europa.eu>; hrddpc <hrddpc@euipo.europa.eu>
Subject: RE: Letter before action seeking damages under Article 65 EUDPR

Dear [REDACTED],

We acknowledge receipt of your e-mail from 25th July 2023.

We will process your letter as per EUIPO's internal policies and in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018.

Best regards,

Data Protection Office

European Union Intellectual Property Office

DataProtectionOfficer@euipo.europa.eu

www.euipo.europa.eu

Twitter: @EU_IPO

P Please consider the Environment - Do you really need to print this e-mail?

From: [REDACTED]
Sent: Tuesday, July 25, 2023 12:01 PM
To: [REDACTED]
MBA
Cc: EUROPEAN DATA PROTECTION SUPERVISOR <EDPS@edps.europa.eu>; SUPERVISION <supervision@edps.europa.eu>; Data Protection Officer <DataProtectionOfficer@euipo.europa.eu>; [REDACTED]
[REDACTED] executivesecretariat <executivesecretariat@euipo.europa.eu>; hrddpc <hrddpc@euipo.europa.eu>
Subject: Letter before action seeking damages under Article 65 EUDPR

Dear Mr/Ms at EUIPO,

Please find attached my letter before action seeking damages under Article 65 EUDPR.

Dear [@SUPERVISION @EUROPEAN DATA PROTECTION SUPERVISOR](#) please have a look at the letter before action regarding your guideline [1] "Monitoring and enforcing compliance with Regulation (EU) 2018/1725" as EUIPO has been continually denying my right of access:
"[...]"
Example: a person complains that an EUI unlawfully withheld personal data it held about her

when replying to a request for access to one's own personal data under Article 17 of the Regulation. Following an on-site check, the EDPS decision establishes that the EUI indeed unlawfully withheld the data and orders it to provide a complete reply to the complainant by a specified deadline. The EUI fails to comply with the order by that deadline. This is a situation in which the EDPS may decide to impose a fine.
[...]"

[1] https://edps.europa.eu/sites/default/files/publication/20-05-08_monitoring_and_ensuring_compliance_en.pdf

Thanks for your time and consideration

Best regards

[Redacted signature block] F

IMPORTANT: This message is intended exclusively for information purposes. It cannot be considered as an official EUIPO communication concerning procedures laid down in the European Union Trade Mark Regulations and Community Designs Regulations. It is therefore not legally binding on the EUIPO for the purpose of those procedures.

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42. Therefore, the controllers should be proactively ready to handle the requests for access to personal data. This means that the controller should be prepared to receive the request, assess it properly (this assessment is the subject of this section of the guidelines) and provide an appropriate reply without undue delay to the requesting person. The way the controllers will prepare themselves for the exercise of access requests should be adequate and proportionate and depend on the nature, scope, context and purposes of processing as well as the risks to the rights and freedoms of natural persons, in accordance with Art. 24 GDPR. Depending on the particular circumstances, the controllers may, for example, be required to implement an appropriate procedure, the implementation of which should guarantee the security of the data without hindering the exercise of the data subject's rights.

5.3 Timing for the provision of access

157. Art. 12(3) GDPR requires that the controller provides information to the data subject regarding action taken in respect of a request under Art. 15 without undue delay and in any event within one month of receipt of the request. This deadline can be extended by a maximum of two months taking into account the complexity and the number of the requests, provided that the data subject has been informed about the reasons for such delay within one month of the receipt of the request. This obligation to inform the data subject about the extension and its reasons should not be confused with the information that has to be given without delay and at the latest within one month when the controller does not take action on the request, as detailed by Art. 12(4) GDPR.
158. The controller shall react and, as a general rule, provide the information under Art. 15 without undue delay, which means that the information should be given as soon as possible. This means that, if it is possible to provide the requested information in a shorter amount of time than one month, the controller should do so. The EDPB also considers that the timing to answer the request in some situations must be adapted to the storage period in order to be able to provide access⁸⁹.

Alicante, 22 September 2023
HRD

[REDACTED]

[REDACTED]

Subject: Your requests

Dear [REDACTED]

Reference is made first to your emails and letters received by the Office since June 2023, including in particular, but not only, those received on 24 and 30 June and 05, 10 and 25 July 2023 (and subsequent reminders) as well as to all your requests and/or complaints the Office has diligently dealt with in less than 2 years, which amounts all together to around 80 emails received.

After an in-depth enquiry on your requests and after a thorough verification of all the selection procedures to which you participated in¹, we hereby confirm that there was no data breach nor unauthorised access to your profiles in the system, and that your personal data was correctly deleted at the end of the applicable retention period.

Please be also informed that there has neither been any manipulation of your application documents at any moment or any wrongdoings in terms of administration and personal data processing and that all updates modifying on your profile and applications were done by yourself only. Furthermore, all applicable security measures were properly implemented and observed by the Office in the related selection procedures.

The Office thus complied with its data protection obligations under the EUDPR, including when handling your data subject requests. Those selection procedures, with one exception, have not been challenged and therefore became definitive and can no longer be challenged by your repetitive requests and complaints.

¹ Those are:

- CAST AMI/12/831/CA and EUIPO/CAST/1/16 - 6 – INFORMATION TECHNOLOGY/PROJECT MANAGEMENT SPECIALIST - FG IV and OHIM/CAST/10/2014 FG III
- VEXT/12/794/AST 3/ID_OIS
- EXT/22/82/AD6/DTD - IT Specialist (withdrawn)
- EXT/22/08/AD6/DTD - Business Analyst
- EXT/21/31/AD6/Data Analyst (M/F)
- VEXT/19/30/AD6/DTD - Solution Architects and Data Scientist Specialists
- VEXT/18/288/AD 8/OBS - IP Digital Specialist (M/F)
- VEXT/17/169/AD 6/DTD IT Specialist

After having carefully examined:

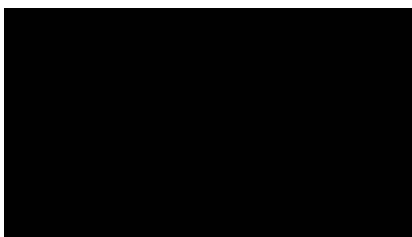
- each element of your file at the Office,
- the interests of the service,
- your rights and freedoms as data subject,
- the principle of good administration, and
- that the purpose of the rules which give rights to a natural person, such as Regulation 2018/1725 (EU Data Protection Regulation), the Code of Good Administrative Behaviour, Regulation 1049/2001 on public access to documents and the Staff Regulations, is however not to allow a person to misuse or even abuse said rights,

the Office considers that your requests and complaints related to the above-mentioned selection procedures and related issues are excessive and repetitive and go beyond the use of rights for which protection is provided by the legislator. In addition, they create an unnecessary administrative workload which constitutes a disproportionate burden for the Office and misuse of its resources. This is against the principle of sound financial management.

Consequently, as you were already informed by the Office in its previous replies, and in accordance with the legal framework², considering the abusiveness and repetitiveness of your emails and requests while it is confirmed that all the selection procedures have been conducted in full compliance with applicable rules and results have become final, the Office has decided that it will discontinue any exchanges of correspondence concerning the above-mentioned selection procedures as well as related issues. This includes the requests to the Data Protection Officer.

Finally, we draw your attention to the provision laid down in Article 14(4) Regulation 2018/1725.

Kind regards,



² Notably the EU Data Protection Regulation and the Code of Good Administrative Behaviour