

**From:** [REDACTED]  
**To:** EPSO SECTEUR JURIDIQUE (EC) <epso-secteur-juridique@ec.europa.eu>; European Data Protection Supervisor <EDPS@edps.europa.eu>; SUPERVISION <supervision@edps.europa.eu>  
**CC:** [REDACTED]  
**Sent at:** 03/05/24 15:48:28  
**Subject:** Re: Case 2022-1189 - Request for access to personal data - Selection procedures EUIPO/CAST/1/16-6, OIHM/CAST/10/2014 FG III, EPSO/CAST27/5/07, CAST27(RELEX) FG III, EPSO/TA/IT/06 IT - 2nd holding reply

To whom might it concern,

The deadline expired on 2/05/2024 (yesterday). Should I expect any reaction?  
**[@EUROPEAN DATA PROTECTION SUPERVISOR](#) [@SUPERVISION](#) please relate this lack of reply to case 2022-1189**

Thanks for your time

Best regards

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[REDACTED]

El vie, 5 abr 2024 a las 21:13, [REDACTED] escribió:

To whom might it concern,

On my letter of 1/2/2024 I informed you about a data breach and requested:

2. That the unlawful storage of my personal data beyond the retention period and the unlawful deletion of my personal data after my DSR are handled as two Personal Data Breaches and therefore, that both data breaches are reported to:
  1. the EDPS (without undue delay and not later than 72 hours) as per Art 34(1) EUDPR;
  2. me (as a data subject) as per Art. 35(1) EUDPR in clear and plain language the nature of the personal data breach and contain at least the information and measures referred to in points (b), (c) and (d) of Article 35(3).

I have waited 46 days, which I think is a reasonable time for a notification that has the "without undue delay" requirement, as stated on Art 35(1): "1. When the personal data breach is likely to result in a high risk to the rights and freedoms of natural persons, **the controller shall communicate the personal data breach to the data subject without undue delay.**"

I haven't been informed yet about the data breach in clear and plain language containing the information and measures referred to in points (b), (c) of EUDPR Article 35(3)

Art 34(1) states:

"

1. In the case of a personal data breach, **the controller shall without undue delay and, where feasible, not later than 72 hours after having become aware of it**, notify the personal data breach to the European Data Protection Supervisor, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. Where the notification to the European Data Protection Supervisor is not made within 72 hours, it shall be accompanied by reasons for the delay.

"

**Has EPSO informed (at least) the [@EUROPEAN DATA PROTECTION SUPERVISOR](#) about the two data breaches?**

**Any news on the two data breaches?**

Please note that the first extension was requested several days after the one month requirement EUDPR Art14(3):

"3. **The controller shall provide information on action taken on a request under Articles 17 to 24 to the data subject without undue delay and in any event within one month of receipt of the request.** That period may be extended by two further months where necessary, taking into account the complexity and number of the requests. **The controller shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay.** Where the data subject makes the request by electronic form means, the information shall be provided by electronic means where possible, unless otherwise requested by the data subject."

Not a single reason for the delay has been provided either.

**As this request is already pretty ancient, please add to the current DSR all the new information (personal data, logs, communications, etc) till today 5/4/2024.**

**[@SUPERVISION](#) please relate this holding reply (attached) to case 2022-1189**

Thanks for your time

Best regards

[Redacted signature block]

El vie, 5 abr 2024 a las 16:51, [EPSO-SECTEUR-JURIDIQUE@ec.europa.eu](mailto:EPSO-SECTEUR-JURIDIQUE@ec.europa.eu) (<[EPSO-SECTEUR-JURIDIQUE@ec.europa.eu](mailto:EPSO-SECTEUR-JURIDIQUE@ec.europa.eu)>) escribió:

Dear [Redacted],

Please find attached a [second holding reply](#) regarding the request in subject.

Best regards,

<p>[Redacted]</p> <p>Legal Affairs</p> <p> European Personnel Selection Office</p>	<p>[Redacted]</p> <p><b>Facebook</b> <a href="#">EU Careers</a> <b>Twitter</b> <a href="#">EU_Careers</a> <a href="http://www.eu-careers.eu">www.eu-careers.eu</a></p>
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