

From: [REDACTED]
To: [REDACTED]
CC: [REDACTED] EPSO DATA
PROTECTION COORDINATOR (EC) <epso-data-
[REDACTED] EPSO SECTEUR
que@ec.europa.eu>
Sent at: 26/10/23 17:50:28
Subject: RE: request for review by the complainant - Case 2022-1189 - for your comments please - a very kind reminder please for today

Dear [REDACTED]

Further to our discussion earlier this week, I confirm the following:

- 1) We understand that in the light of the recent ruling in the case C-579/21 *Pankki S*, 'information relating to consultation operations carried out on a data subject's personal data and concerning the dates and purposes of those operations constitutes information which that person has the right to obtain from the controller', except for 'information relating to the identity of the employees of that controller who carried out those operations'.

In line with this case law, as of now EPSO will give access to data subjects to IT log-files that document consultation operations carried out on their personal data (except for information on users' identity), whenever such log-files are available.

- 2) With regard to the situation of the complainant in the EDPS Case 2022/1189, however, EPSO regrets to confirm that the type of log-file information he seeks to obtain is not available.

We have understood that in his most recent correspondence, the complainant has narrowed down his access request to the following:

"On 20/11/2022 I even re-focused the request being less strict: "[....] Could you please try with a very specific request to EPSO's DPO? " **I would like know when my personal data was access by EUIPO/OHIM's personnel (OHIM is former EUIPO's name) I need to know when EUIPO/OHIM has accessed my personal data in order to work on my letter before action. Knowing the time window of these accesses is essential.** " [....]"

EPSO confirms that authorised staff members of the EU institutions, as potential recruiters, do have access to personal data of successful candidates through the 'Recruiter Portal' element of EPSO's candidate data management system. However, there is no feature in the 'Recruiter Portal' that would allow to capture and record data showing who accessed a specific candidate's file.

For this reason, **EPSO regrets to confirm that it is not in a position to provide the complainant with log-file data which would show if / when EUIPO/OHIM's personnel accessed his personal data, since EPSO does not**

collect or otherwise process such data.

Kind regards,

[REDACTED]

From: [REDACTED]
Sent: Thursday, October 26, 2023 5:00 PM
To: [REDACTED] >
Cc: [REDACTED] EPSO DATA
PROTECTION COORDINATOR <EPSO-DATA-PROTECTION-
COORDINATOR@ec.europa.eu>: [REDACTED]
[REDACTED]

Subject: FW: request for review by the complainant - Case 2022-1189 - for your comments please - a very kind reminder please for today

Importance: High

Dear [REDACTED]

I apologise for being pushy, but we have a really tight deadline and we need to respect it.

Could you please send us today EPSO's comments on [REDACTED] e-mail attached.

Thank you,
Kind regards,
[REDACTED]