

*(To be filled out in the EDPS' office)*  
**REGISTER NUMBER: 1215**

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**NOTIFICATION FOR PRIOR CHECKING**

**DATE OF SUBMISSION: 08/01/2014**

**CASE NUMBER: 2014-0016**

**INSTITUTION: OHIM**

**LEGAL BASIS: ARTICLE 27-5 OF THE REGULATION CE N° 45/2001<sup>(1)</sup>**

**INFORMATION TO BE GIVEN<sup>2</sup>**

1/ NAME AND ADDRESS OF THE CONTROLLER

João NEGRAO  
INTERNATIONAL COOPERATION AND LEGAL AFFAIRS DEPARTMENT  
DIRECTOR  
AVENIDA DE EUROPA, 4  
E - 03008 ALICANTE, SPAIN

2/ ORGANISATIONAL PARTS OF THE INSTITUTION OR BODY ENTRUSTED WITH THE PROCESSING OF PERSONAL DATA

INTERNATIONAL COOPERATION AND LEGAL AFFAIRS DEPARTMENT – LEGAL AFFAIRS AREA

3/ NAME OF THE PROCESSING

Compliance with timeliness standards in providing draft responses and summaries related to proceedings before GC/CJ.

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<sup>1</sup> OJ L 8, 12.01.2001.

<sup>2</sup> **Please attach all necessary backup documents**

4/ PURPOSE OR PURPOSES OF THE PROCESSING

Within the broader context of risk management in the Legal Affairs area, it would be one of the mechanisms available to monitor and drive improvement of the quality of the service. Furthermore, it is intended to be used as one of the elements taken into consideration for the appraisal report of the Data Subject.

5/ DESCRIPTION OF THE CATEGORY OR CATEGORIES OF DATA SUBJECTS

Lawyers of the Office dealing with Litigation tasks before the GC/CJ.

6/ DESCRIPTION OF THE DATA OR CATEGORIES OF DATA (*including, if applicable, special categories of data (Article 10) and/or origin of data*).

Names of the members of the litigation service in charge of the preparation of the legal responses and dates when draft responses and summaries related to proceedings before GC/CJ were submitted to the internal review instances and to the Court.

7/ INFORMATION TO BE GIVEN TO DATA SUBJECTS

In service meetings and Quality trainings, staff have been informed about the deadlines for delivering draft responses and summaries, and how their timeliness is going to be measured.

8/ PROCEDURES TO GRANT RIGHTS OF DATA SUBJECTS  
(Rights of access, to rectify, to block, to erase, to object)

To access

Access to the individual data in the production and timeliness data is granted upon request within three months to the Data Subject concerned.

The summaries of the data by individuals are made available to the Data Subject concerned during and in particular at the end of each appraisal exercise.

To rectify

Data Subjects shall be entitled to rectification of incorrect data recorded. A request of rectification shall be submitted in writing to their respective line manager.

The rectification where justified shall be made in due cause not later than one month upon request and before being taken into account for the concerned appraisal.

To block

In the case of identification of inaccurate personal data, the examiner has the right, in accordance with article 15 of the Regulation (EC) No 45/2001, to block their data.

To erase

The Data Subject shall be entitled to the erasure of personal data referring to her/him which has been collected or processed in a manner incompatible with the legitimate purposes pursued by the Director of the Department concerned and the manner in which that data was obtained by submitting a written request to the Director of the Department concerned.

To object

In accordance with Article 19, on compelling legitimate grounds relating to his/her particular situation.

9/ AUTOMATED / MANUAL PROCESSING OPERATION

Data are processed manually, the processing operation consisting of checking the timeliness of the deliveries of draft responses/summaries.

10/ STORAGE MEDIA OF DATA

Data will be stored in the 'Admindocs' spaces database with password protection and restricted access.

11/ LEGAL BASIS AND LAWFULNESS OF THE PROCESSING OPERATION

Article 5(a) of Regulation 45/2001 ("processing is necessary for the performance of a task carried out in the public interest on the basis of the Treaties establishing the European Communities or other legal instruments adopted on the basis thereof [...]")

Staff Regulations art. 43 & 45, CEOS art. 87.

12/ THE RECIPIENTS OR CATEGORIES OF RECIPIENT TO WHOM THE DATA MIGHT BE DISCLOSED

Each Data Subject concerned, the Litigation Coordination Team, the Quality Officer, the Head of Service and the Director/Deputy Director.

13/ RETENTION POLICY OF (CATEGORIES OF) PERSONAL DATA

Statistics shall be kept for a period of no longer than 2 years after the end of the appraisal period. After this period, all individual data in electronic form shall be deleted and hard copies destroyed including any copies that may have been archived.

13 A/ TIME LIMIT TO BLOCK/ERASE ON JUSTIFIED LEGITIMATE REQUEST FROM THE DATA SUBJECTS

See point 8.

14/ HISTORICAL, STATISTICAL OR SCIENTIFIC PURPOSES

*(If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification)*

N/A

15/ PROPOSED TRANSFERS OF DATA TO THIRD COUNTRIES OR INTERNATIONAL ORGANISATIONS

N/A

16/ THE PROCESSING OPERATION PRESENTS SPECIFIC RISK WHICH JUSTIFIES PRIOR CHECKING *(Please describe):*

Article 27.2.(b)

*Processing operations intended to evaluate personal aspects relating to the data subject.*

17/ COMMENTS

PLACE AND DATE: **ALICANTE, 8<sup>TH</sup> JANUARY 2014**

DATA PROTECTION OFFICER: **GREGOR SCHNEIDER**

INSTITUTION OR BODY: **OHIM – OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET**