

REGISTER NUMBER: 1449

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 27/03/2017

Case number: 2017-0345

Institution: EUIPO

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

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Tel. 0032 2 28 46337

2/ Organisational parts of the institution or body entrusted with the processing of personal data

Secretariat of the Committee on Legal Affairs

3/ Name of the processing

European Union Intellectual Property Office (EUIPO) – Appointment procedures

4/ Purpose or purposes of the processing

Processing is done in the context of appointment procedures for each one of the following posts: (1) Executive Director of the European Union Intellectual Property Office (EUIPO); (2) Deputy Executive Director or Deputy Executive Directors of the EUIPO; (3) President of the Boards of Appeal of the EUIPO; (4) chairpersons of the Boards.

Regulation (EU) 2015/2424 (the European Union Trade Mark Regulation) provides the European Parliament with a role in the above mentioned appointment procedures as follows:

1) The Executive Director, shall be appointed by the Council [...] from a list of candidates proposed by the Management Board [...]. Before being appointed, the candidate selected by the Management Board may be invited to make a statement before any competent European Parliament committee and to answer questions put by its members (Article 129 paragraph 2 of the Trade Mark Regulation).

2) The Deputy Executive Director or Deputy Executive Directors shall be appointed in accordance with the procedure laid down for the appointment of the Executive Director provided for in Article 129 paragraph 2 (Article 129 paragraph 6).

3) The President of the Boards of Appeal shall be appointed, in accordance with the procedure laid down for the appointment of the Executive Director (Article 136 paragraph 1 of the "Trade Mark Regulation").

4) The chairpersons of the Boards shall be appointed, in accordance with the procedure laid down for the appointment of the Executive Director (Article 136 paragraph 1 of the "Trade Mark Regulation").

In the context of the procedures leading to the appointment of a Executive Director of the European Union Intellectual Property Office (EUIPO), of a President of the Boards of Appeal and of Chairpersons of the Boards, the JURI Committee may organise hearings with the candidates proposed by the EUIPO Management Board before the successful candidate is appointed by the Council. In that context, CVs of candidates may be used by the JURI Committee.

5/ Description of the category or categories of data subjects

Candidates for the positions of chairperson of the 2nd Board of Appeal

6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)

Categories of personal data: data being used to evaluate personal aspects of the data subject (ability, efficiency, conduct):

Name, title, administrative data (name and contact details)

Professional data and educational data (CV)

Official documents issued by the EP following the hearing in the JURI Committee

7/ Information to be given to data subjects

1. Special form (privacy statement) indicating the identity of the data controller, purpose of the processing and the categories of the data collected is handed over or sent to the data subjects.

8/ Procedures to grant rights of data subjects (rights of access, to rectify, to block, to erase, to object)

Data subjects may contact the JURI Secretariat for any requests in relation to their personal data.

9/ Automated / Manual processing operation

Manual processing of a structured set of data accessible according to given criteria

<p>10/ Storage media of data</p> <p>1. Parliament network. If the filing system is available on a network, indicate the location of the server: JURI critical data (F:)</p>
<p>11/ Legal basis and lawfulness of the processing operation</p> <p>Regulation (EU) 2015/2424 (see in attachement), more specifically Articles 129 paragraph 2, 129 paragraph 6 and 136 paragraph 1.</p>
<p>12/ The recipients or categories of recipient to whom the data might be disclosed</p> <p>Members of Parliament Staff of the political groups and of the JURI Secretariat and the Cabinet of the President</p>
<p>13/ retention policy of (categories of) personal data</p> <p>Data will be stored until the end of the legislative term in which the appointment procedure takes place.</p>
<p>13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) <i>(Please, specify the time limits for every category, if applicable)</i></p> <p>Blocking: The data controller shall take a decision within 15 working days of receiving a request for data to be blocked. If the request is accepted, it shall be acted upon within 30 working days and the data subject notified thereof. Should the request for blocking be rejected, the data controller shall have 15 working days within which to inform the data subject by means of a letter stating the grounds for the rejection.</p> <p>Erasure: The data controller shall reply within 15 working days of receiving a request for erasure. If the request is accepted, it shall be acted upon immediately. If the data controller deems the request unjustified, he or she shall have 15 working days within which to inform the data subject by means of a letter stating the grounds for the decision.</p>
<p>14/ Historical, statistical or scientific purposes <i>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,</i></p> <p>for historical purposes; electronic/paper</p>
<p>15/ Proposed transfers of data to third countries or international organisations</p> <p>N/A</p>
<p>16/ The processing operation presents specific risk which justifies prior checking (<i>please describe</i>):</p> <p>AS FORESEEN IN:</p> <p>Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,</p>
<p>17/ Comments</p>

PLACE AND DATE: Luxembourg, 27/03/2017

DATA PROTECTION OFFICER: Secondo SABBIONI

INSTITUTION OR BODY: European Parliament