

DesignEuropa Awards 2023 Privacy Statement

Protecting your privacy is of the utmost importance to the European Union Intellectual Property Office ('EUIPO' or 'us' or 'the controller'). The Office is committed to respecting and protecting your personal data and ensuring your rights as a data subject. All data of a personal nature that identifies you directly or indirectly will be handled fairly, lawfully and with due care.

This processing operation is subject to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

The information in this communication is given pursuant to Articles 15 and 16 of Regulation (EU) 2018/1725.

1. What are the nature and the purpose(s) of the processing operation?

The aim of the awards is to promote design as a valuable intellectual property right which underpins our economy and supports jobs, and of raising awareness of the design protection system in the EU.

Personal data are collected to manage the competition.

Candidates that wish to participate (who must be owners of an RCD) are required to submit an entry form to be able to participate in the competition. Candidates can also be nominated by a third party. The information provided enables the correct identification of the RCD owner and, eventually, the designer/s; and in the case of selection, to publicise results and promote the finalists and winners.

2. What personal data do we process?

The categories/types of personal data processed are the following:

- Regarding the applicants:

- Company name
- Contact person in the company
- Company's Address / telephone / email / website
- Designer's name / Design studio
- Contact person in the design studio
- Designer's / Design studio's address / telephone / email / website
- Name and short description of the design
- Year of creation of the company
- Products or sectors in which the company operates
- Number of employees of the company
- Financial data: Last available turnover / Last available balance sheet total
- Marketing information on the product such as the geographic areas in which the product is sold and the estimated number of units sold (since market launch)
- RCD numbers

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- In addition, regarding finalists and winners:

- Data necessary to publicise results such as videos, photographs, sounds, statements, opinions as well as promotional material to disseminate the finalists designs, companies, designers and the Awards.
- Personal data will be used in order to manage transport and accommodation.

3. Who is responsible for processing the data?

The processing of the personal data is carried out under the responsibility of the Head of the Communication Service, acting as delegated EUIPO data controller.

Personal data are processed internally by:

- EUIPO staff on the need to know basis.
- Pomilio Blumm and Metis.

4. Who has access to your personal data and to whom are they disclosed?

- Specifically, authorised staff in the Communication Service, acting on behalf of the EUIPO.
- In a later stage, the information will be provided to the members of the jury in order to evaluate each of the submissions.
- Data processors (Pomilio Blumm and Metis) under the controller supervision for the purposes of processing indicated above.
- Concerning finalists and winners, in order to manage transport and accommodation and under the controller supervision, the necessary personal data will be disclosed to an external processor.

Finalists and winners will be listed in the official competition website and featured in newsletters and other proportional publications and multimedia material published to disseminate this activity. The data published in the web are managed by authorised webmasters of the EUIPO.

5. How do we protect and safeguard your information?

We implement appropriate technical and organisational measures in order to safeguard and protect your personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to them.

Information stored in ShareDox is protected by the standard security measures of the EUIPO Information Systems:

- Information is stored in security hardened servers with access control measures and protected by Username and Password. No anonymous access is allowed.
- Access to the system is subject to justified approval based on position and roles.
- Authentication and authorisation are also based on roles. The content accessible and the operations available differ depending on roles.
- Servers are physically protected at the Data Processing Centre.
- Network security configured to prevent external threats from accessing the servers.
- Appropriate levels of access are granted individually only to the above recipients.

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Information stored in Metis platform: in case of a security incident the processor will inform the client without undue delay upon receiving any credible and confirmed information.

The Platform uses encrypted data transmission (SSL, secure socket layer) during registration and login, which guarantees the protection of the data identifying you and significantly impedes account data interception by unauthorized systems or people.

6. How can you access your personal information and, if necessary, correct it? How can you receive your data? How can you request that your personal data be erased, or restrict or object to its processing?

You have the right to access, rectify, erase, and receive your personal data, as well as to restrict and object to the processing of your data, in the cases foreseen by Articles 17 to 24 of the for Regulation (EU) 2018/1725.

If you would like to exercise any of these rights, please send a written request explicitly specifying your query to the delegated data controller, Head of the Communication Service at: PersonalDataCS@euipo.europas.eu

Your request will be answered free of charge and without undue delay, and in any event within one month of receipt of the request. However, according to article 14 (3) of the Regulation, that period may be extended by two further months where necessary, considering the complexity and number of the requests. We shall inform you of any such extension within one month of receipt of the request, together with the reasons for the delay.

7. What is the legal basis for processing your data?

Article 5(a) of Regulation (EU) 2018/1725 (“processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body”).

In addition of that and concerning the finalists and winners:

Article 5(d) of Regulation (EU) 2018/1725 (“the data subject has given consent to the processing of his or her personal data for one or more specific purposes”).

Legal instrument:

- Under EUIPO’s Strategic Plan 2025; Strategic Driver 1 (Interconnected, efficient and reliable IP system for the Internal Market); Goal 1.3 (Developing an IP knowledge hub). Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trademark.
- Regulation (EU) No 386/2012 of the European Parliament and of the Council of 19 April 2012 on entrusting the Office for Harmonization in the Internal Market (Trade Marks and Designs) with tasks related to the enforcement of intellectual property rights, including the assembling of public and private-sector representatives as a European Observatory on Infringements of Intellectual Property Rights

The personal data are collected and processed in accordance with the activities of the EUIPO Communication Service as outlined in Article 12 of Decision ADM.17-35.

8. How long can data be kept?

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Your personal data will be kept only for the time necessary to achieve the purpose(s) for which they will be processed.

Taking into account that DesignEuropa Awards takes place every two years and for the purpose of managing the competition, applicants' data subject will be retained for a maximum period of 2 years.

According to the Communication Service's retention criteria for multimedia content of events and for the purposes of promoting the event, data necessary to publicise DesignEuropa Awards such as images, videos and opinions will be kept for 7 years.

In the event of a formal appeal, all data held at the time of the formal appeal should be retained until the completion of the appeal procedures.

9. Contact information

Should you have any queries/questions concerning the processing of your personal data, please address them to the data controller, Head of the Communication Service at: PersonalDataCS@euipo.europas.eu

You may consult EUIPO Data Protection Officer: DataProtectionOfficer@euipo.europa.eu

Forms of recourse:

If your request has not been responded to adequately by the DPO, you can lodge a complaint with the European Data Protection Supervisor at: edps@edps.europa.eu