

Specific Data Protection Statement for participants in virtual and hybrid events organised by the EUIPO through Zoom Video Communications (Zoom)

The protection of your privacy is of high importance to the European Union Intellectual Property Office (EUIPO). The Office is committed to respecting and protecting your personal data and ensuring your privacy rights.

All data of a personal nature processed during virtual events organised by the Office, namely data that can identify 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 individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. The information in this communication is given pursuant to Articles 15 and 16 of Regulation (EU) 2018/1725.

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

The application used by EUIPO for its virtual and hybrid events is Zoom.

Personal data is processed in the Zoom platform only for the purpose of carrying out a virtual and/or hybrid event and ensuring the effective communication between the Office and its stakeholders. These purposes guarantee EUIPO business continuity and compliance with applicable legal obligations. The processing is not intended to be used for any automated decision making.

2. What personal data do we process?

The personal data processed through Zoom is as follows:

- **Participants' data:** username and general information about your service preferences (including language preferences). Nevertheless, this type of data may include as well name, picture, email address, phone number, User IDs and Password or other information which you choose to provide if you sign in for a Zoom account. **EUIPO highly recommends that participants join the event without *signing in* to ensure that only the minimum data necessary is processed.**
- **Operation data:** Information about how you and your devices interact with Zoom products and services, approximate location and technical information from Zoom's software or systems hosting the services, and from the systems, applications and devices that are used to access the services (for example metadata used for the maintenance of the service provided, information about your device, network and internet connection, such as your IP address(es), MAC address, other device ID (UDID), device type, operating system type and version, and client version).
- **Cookies data:** data collected through the use of cookies and pixels (only in case you visit Zoom website/join a Zoom meeting through a browser). More information on how

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to disable Functional and Advertising cookies can be found in the Zoom User Manual linked below.

- **Content data:** Data generated in meetings which may include chat messaging content, in-meeting messages and whiteboards, transcriptions, responses to polls and Q&A, files that are exchanged during a meeting or in the persistent chat channel, voicemails, recordings, etc.

Information on how to use the tool in the most privacy-friendly way possible could be found in the [EUIPO Zoom User Manual](#) and [Zoom Conditions of use](#).

3. Who is responsible for processing the data?

The processing of personal data is carried out under the responsibility of the Executive Director of the EUIPO acting as data controller.

Personal data is processed by the videoconference services provider 'Zoom Video Communications' and the audio-visual services provider of EUIPO 'Vitelsa' which manages the subscription and the account for the tool.

4. Who has access to your personal data and to whom is it disclosed?

The personal data is disclosed, on a need-to-know basis, to the following recipients:

- The EUIPO's staff members and external users participating in virtual/hybrid events organised through Zoom.
- The Infrastructures and Buildings Department's Hospitality team and external providers such as the events management provider 'Pomilio Blumm' and audiovisual services provider 'Vitelsa'.
- Videoconference services provider 'Zoom Video Communications'.

Participants' data and Operation data are transferred to:

- USA for the purpose of provision of the service on the basis of the Standard Contractual Clauses approved by the EC as an appropriate safeguard.
- to other undefined countries outside the EU/EEA for service maintenance and support purposes which are pending to be clarified by Zoom.

5. How do we protect and safeguard your information?

Zoom has publicly announced that it stores all data on third- party secured servers where the following security measures are implemented:

- management of access logs;
- 24/7 global support by managing and monitoring data centre access activities,

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- equipping local teams and other support teams to respond to security incidents;
- backup power supply;
- the communications between you and Zoom are encrypted.

Zoom has SOC 2 type II certification for compliance with security, availability, processing, integrity and confidentiality standards and its cloud services provider is ISO 27001 certified.

Moreover, Zoom has committed in a binding agreement containing the Standard Contractual Clauses approved by the EC to comply with its data protection obligations stemming from Regulation (EU) 2018/1725.

The EUIPO has taken appropriate technical and organisational measures in order to safeguard and protect your personal data to the extent possible from accidental or unlawful destruction, loss, alteration, unauthorised disclosure or access, for example:

- The EUIPO Zoom account was moved to servers within the European Union in July 2021 thus preserving the Content data of the EUIPO Zoom meetings from third parties' inspection.
- EUIPO pre-configured some of the tool settings¹ in order to safeguard to the extent possible the confidentiality, integrity and availability of the data processed within the tool.

Zoom has committed in a binding agreement with the EUIPO to observe the provisions stipulated in Chapter V of Regulation (EU) 2018/1725 when transferring data provided by the EUIPO to its third-party providers outside EEA.

All EUIPO staff and service providers (events management provider and audio-visual services provider) dealing with personal data in the context of organisation of virtual events sign a confidentiality declaration.

6. How can you obtain access to information concerning you and, if necessary, rectify it? How can you receive your data? How can you request the erasure of your personal data 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, as outlined in Articles 17 to 24 of Regulation (EU) 2018/1725.

If you would like to exercise any of these rights, please send a written query explicitly specifying your request to the data controller.

1 All Zoom meeting is protected by a random password (except for webinars). The participants join a waiting room before they are authorized to join the event by the host (except for webinars). Participants cannot share videos/files of their screen during virtual events. The host of the meeting can admit/remove participants in the meeting (sending them to the waiting room, putting them on hold or removing them completely from the meeting). Hosts can lock conference (thus avoiding unwanted participants from joining the meeting). Participants cannot take control of the presentation/screen. Recording in Zoom can be done only by the host and co-host and only if strictly needed for legitimate and explicit purposes. Participants are automatically notified by the tool when a recording starts (by sound notification and a disclaimer appearing on the screen). Recordings should be done locally on the computer of the host (except for webinars where the recording can be done on Zoom cloud).

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The right of rectification can only apply to inaccurate or incomplete factual data processed within the Zoom platform.

Your request will be answered without undue delay, and in any event within one month of receipt of the request. However, according to Article 14(3) of Regulation (EU) 2018/1725, that period may be extended by a further 2 months where necessary, taking into account the complexity and number of the requests. The Office will 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?

Processing is based on Article 5.1 (a) of Regulation (EU) 2018/1725 since it 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.

8. How long do we store your data?

Personal data processed by the data controller or the service providers under its supervision are generally stored for the period of time necessary to achieve the purpose for which they have been processed.

Zoom shall retain your personal data for 1 month unless the European Union or national laws of Member States of the European Union would require a longer storage of personal data.

9. Whom should you contact if you have questions/queries concerning the processing of your personal data?

Should you have any questions/queries concerning the processing of your personal data, please address them to the data controller at: DPOexternalusers@euiipo.europa.eu

You may consult the EUIPO Data Protection Officer at: DataProtectionOfficer@euiipo.europa.eu

Recourse:

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