

## DATA PROTECTION NOTICE

The protection of your privacy is of great importance to the Community Plant Variety Office ("the Office" or "CPVO"). We feel responsible for the personal data that we collect and process. Therefore, we are committed to respecting and protecting your personal data and ensuring the efficient exercise of your data subject rights.

This section describes how the Office handles your personal data to perform its tasks (as laid down in EU law) while providing you with its products and services.

### 1. What is the legal framework for data protection applicable to the CPVO?

The Office collects and processes all personal data in accordance with the provisions of Regulation (EU) No 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ("EU Data Protection Regulation").

The EU Data Protection Regulation, together with the Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights and their implementing acts, set out the data protection requirements applicable to the Office as an EU agency.

Please consult the [legislation in force](#) for further information.

### 2. What types of personal data do we collect?

The personal data the Office collects and processes relates to you as a natural person. The Office classifies personal data into two categories:

**Mandatory personal data:** this refers to the personal data necessary for the performance of the tasks carried out in the public interest that were conferred on the Office or for compliance with a legal obligation to which the Office is subject. To give you some examples: your name and address as an applicant for the purposes of filing an application for a Community plant variety right; your name and address as a title holder of a granted Community plant variety right, your login details to the online services offered by the Office for authentication and security purposes; your email address communicated to the Office; and/or your name and address as an objector, nullity and cancellation requestor are processed and made available to the public due to the Office's legal obligation to maintain a public register.

**Non-mandatory personal data:** this refers to personal data processed based on consent only. Examples: your dietary and mobility requirements when attending an event at the Office, or your phone number or fax number when you choose to make them publicly available. Access to these data will be restricted to the Office and we will request your consent to make them available to the general public.

The data is collected by electronic means via the Office's 'back office' and 'front office' applications.

### 3. What do we use your personal data for?

The Office collects and processes your personal data for several purposes.

- **Administration of the Community plant variety system ("system")**, in particular:
  - administering the applications and/or registrations including any translation of the required documents;

- maintaining a public register;
- accessing the information necessary for conducting the relevant proceedings more easily and efficiently.
- **Promotion of the Community plant variety system.** Your personal data will be used for contacting you and for informing you of CPVO products and services, inviting to seminars, workshops and any other communications related to.
- **Management of user interactions.** When contacting Office via any of our available communication channels, the Office will collect and process your personal data to be used for providing you with information services, managing your queries and complaints and improving the efficiency and quality of the information services provided. This includes the management of personal data by the Office when handling, digitalising and sorting all incoming correspondence (mail, faxes and some e-communications).
- **Cooperation with other institutions.** The Office will also cooperate with other entities in relation to the tasks conferred on it. As a result of this cooperation, your personal data will be used for:
  - the maintenance and feeding of common or connected databases and portals for worldwide consultation, search and classification purposes;
  - the continuous provision and exchange of data and information.
- **Improve our products and services.** The Office will use your personal data for producing surveys, reports and statistics enabling us to optimise its operations and improve the functioning of the system. This includes collecting and analysing your feedback to improve your experience and level of satisfaction with the Office.
- **Organisation of events, training and meetings.** The Office regularly organises events, such as training and meetings that are open to the public. This requires the management of participant's personal data for the organisation of the events. If you are participating in a public event organised by the Office, your personal data is managed as described in the specific Privacy Statement on processing of personal data in the procedure of organisation and management of events and meetings.
- **Recruitment processes.** If you have applied for a vacancy published by the Office, your personal data is managed as described in the specific Privacy Statement on e-recruitment. Please note that unsolicited applications and/or CVs are not considered and are always disposed of.
- **Public procurement.** All our procurement procedures are governed by Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.

#### 4. What are the legal bases for which we process your personal data?

The Office collects and processes your personal data, primarily, in compliance with Article 5.1 (a) and (b) of the EU Data Protection Regulation:

- 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;
- for compliance with a legal obligation to which the Office is subject.

In very specific circumstances, the processing is based on consent (Article 5.1 (d) of the EU Data Protection Regulation) or another legal basis, as established by the EU Data Protection Regulation.

Each time personal data is processed, it is regulated by specific legal instruments, such as implementing rules, internal rules, etc.

## **5. Who has access to your personal data?**

The general public have access to data in relation to information that is considered to be of public interest. Indeed, the Office has a legal obligation to make it accessible to any third party ("Register data").

The Office will not make personal data available to the public, other than Register data, unless the party concerned has given his or her express consent. The consequence being that certain personal data provided by you as an applicant, title holder or representative, for which publication is not a legal obligation (e.g. phone or fax number), may only be accessible to the public if consent is given and provided that the Office's IT systems can support it.

Please see [the Basic Regulation](#) of the CPVO and [the Access Regulation](#) for further information on what particulars of applications for Community plant variety rights and registrations will be publicly available.

Your personal data may also be accessible in the Official Gazette containing publications of applications and entries in the register, as well as other particulars for which publication is required under the Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights.

## **6. For how long is your personal data stored?**

The Office will keep your personal data, for which entry in the Register is mandatory, for an indefinite period.

Other specific retention periods are established for specific activities for which your personal data may be processed.

## **7. How do we protect and safeguard your information?**

The Office takes the protection of your personal data very seriously, and therefore applies adequate organisational, technical and security measures to protect it.

Here are examples of these measures:

- a CPVO username and password are required in order to access the CPVO systems and databases;
- authentication and authorisation are based on roles;
- authentication and authorisation are carried out at server level, no anonymous access is allowed;
- server is physically protected at the Data Processing Centre;
- logical security hardening of the servers;
- network security configured to prevent external threats from accessing the mail servers;
- confidentiality and data protection clauses are signed by service providers;
- a limited number of duly authorised staff members have editing rights to the back-office tools in which your personal data is processed.

## **8. How can you manage or delete your personal data?**

Depending on the processing operation for which your data have been collected, you have the right to access, rectify, block, object, and erase your personal data in cases foreseen by the Regulation (EU) No 2018/1725, by submitting a request to the CPVO data Controller by explicitly specifying the request. We will review your request and grant your rights, provided that certain conditions are met.

Where the consent is the lawful basis of our processing operation, if you withdraw your consent, we will stop processing your personal data. However, there could be a different reason or legal basis, which will allow us to continue processing your personal data. In this case we will let you know. Withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal. If we have collected data based on your consent, you will have the right to receive your personal data from us, and to transfer or have it transferred (where technically feasible) to another controller.

## **9. Which cookies are used on our website?**

Cookies are small text files sent by a website server and stored on your device (such as a computer, table or phone). When you visit our website, we use cookies to store the information required for the technical functioning of the website, or to help us store user preferences and track usage trends on an aggregated basis. For this reason, we may collect some data on your browsing experience, such as your IP address, browser type, language and screen size, the page you visited, the time and date of the visit and the website page you were redirected from.

This information is used to gather aggregated and anonymous statistics with a view to improving our services and your user experience. The collection, aggregation and anonymisation of this data are performed in the data centre of the CPVO under adequate security measures.

## **10. What use is made of social media on our website?**

We use social media to present our work through widely-used and contemporary channels. You can watch CPVO videos, which we upload to our YouTube page, and follow links from our website to Twitter or LinkedIn.

We do not set any cookies in our display of social media buttons that connect to those services when our website pages are loaded on your computer (or other devices), or from components from those media services embedded in our web pages. Please note, however, that based on your preferences for these external services, some cookies may be loaded, for example, with your preferences for YouTube videos.

Each social media channel has their own policy on the way they process your personal data when you access their sites. More information can be found here:

- [YouTube](#)
- [LinkedIn](#)
- [Twitter](#)

## **11. How to contact us should you have any questions?**

You can contact us for any purpose related to your personal data, by sending a written request to the CPVO as the data controller responsible for your information, or to the CPVO Data Protection Officer.

You can use the online communication channels or put your query/concern in writing to:

CPVO Data Protection Officer: [dpo@cpvo.europa.eu](mailto:dpo@cpvo.europa.eu)

CPVO Data Controller: [dpc@cpvo.europa.eu](mailto:dpc@cpvo.europa.eu)

You also have the right to lodge a complaint with the European Data Protection Supervisor:  
[https://edps.europa.eu/about-edps/contact\\_en](https://edps.europa.eu/about-edps/contact_en).

## **12. Need any additional information?**

If you want to know more about how we handle your personal data, please also check the [CPVO Data Protection Register of Records](#) (a living document, continuously subject to changes).