

Privacy Statement on Publications

1. Context and Controller

The personal information we collect from you (“the data subject”) will be processed in line with 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 (“Regulation (EU) No 2018/1725” or “EUDPR”).

Your privacy is important to the Community Plant Variety Office (“CPVO” or “us” or “the controller”) and we feel responsible for the personal data that we process on your behalf. Therefore, we are committed to respecting and protecting your personal data and ensuring the efficient exercising of your data subject’s rights.

2. What personal data do we process and why?

The categories of data involved are the following:

- Applicants for CPVR titles;
- CPVR holders;
- Procedural representatives of CPVR applicants;
- Breeders of varieties for which the CPVR title has been applied/protected under a CPVR title;
- Holders of essentially derived varieties;
- Licensees of contractual exploitation rights;
- Pledgees of CPVR applicants and holders.

The purpose of the processing operation is to ensure compliance with Article 89 of Regulation (EC) 2100/94 and Article 87 of Regulation (EC) 874/2009, namely, requiring the Office to issue periodical publications containing the information entered into the registers, for the sake of the public interest. As an EU Agency, the CPVO is bound to the general legal principles of openness and transparency.

What are the legal basis and the ground for lawfulness of processing?

The legal basis for the processing of data in the context of the sending of important information to stakeholders or registered users at the CPVO is the following:

Art. 5.1 (a) of Regulation (EU) 2018/1725 (“processing is necessary for the performance of a task carried out in the public interest”).

3. Who is responsible for processing the data?

The processing of personal data is carried out under the responsibility of the Head of Technical Unit (Registry Sector).

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

Data is disclosed for public interest purposes to the general public through the CPVO website, as well as through the website of the Publications Office of the European Union.

5. How do we safeguard your personal data?

Upon receipt, data to be processed for the purposes of publications are automatically stored in "PVR", an internal database of the CPVO. Access to the latter is username- and password-protected and the information is stored securely as to safeguard the confidentiality of the data therein. For more information on this processing, please refer to Record No 74 Online Application System.

The software used to extract data from PVR and Contacts database, "lateX", is only accessible to the relevant staff members of the CPVO Register. The relevant data are extracted and subsequently published at the CPVO website.

6. How long do we keep your data?

Once an electronic file has been generated that represents the true and complete copy of the file, based on paper documents or a similar medium (the "original"), the original shall be disposed of by the Office upon expiry of 3 years from the date of setting up of the electronic file. The electronic files, or back-up copies thereof, shall be kept indefinitely, unless a specific retention period for a certain type of files has been defined.

7. How can you obtain access to information concerning you and, if necessary, rectify it? How can you request the erasure of your personal data or restriction of processing or object processing? How can you request to exercise your right to data portability? How can you withdraw consent, where processing of your personal data is based on consent?

If you would like to request to obtain access to information concerning you and, if you think that it is necessary, to correct it, to request the erasure or restriction of processing of your personal data and/or object to processing of it; if you would like to request to receive the personal data concerning you in a structured, commonly used and machine-readable format and to transmit those data to another controller, you may contact us. In exercising your right to data portability, you also have the right to have your personal data transmitted to another controller, where technically feasible.

Right to object: We are using your personal data because we believe that it is necessary for the performance of a task carried out in the public interest on the basis or in the exercise of official authority vested in the CPVO. In case you disagree with the processing of your personal data, based on the aforementioned lawful ground, you have the right to object, at any time.

Right to withdraw consent: You have the right to withdraw your consent at any time.

Right to access: You have the right to access and confirm what personal data we hold about you, at any time.

Right to rectification: You also have the right to correct inaccurate personal data.

Right to erasure: You have the right to "erase" your personal data.

Right to data portability: You have the right to receive your personal data, which we have collected from you based on your consent, from us and to transfer or have it transferred (where it is technically feasible) to another controller.

Right to restrict the processing: When certain conditions apply, you have the right to request that we restrict the processing activities relating to your personal data.

If you would like to exercise any of these rights, please send us your request. We will provide information on action taken on your request without undue delay and in any event within one month of receipt of the request. That period may be extended by two further months where necessary, taking into account 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.

In case you wish to request access to your personal data, to verify which personal data we store on your behalf, have it modified, erased, restrict the processing, exercise your right to data portability, object or withdraw consent, please make use of the contact information mentioned, by explicitly and accurately describing your request.

In principle, we cannot accept verbal requests (telephone or face-to-face) as we may not be able to deal with your request immediately without first analysing it and reliably identifying you. Requests can be sent to the controller: Head of the Technical Unit by e-mail at dpc@cpvo.europa.eu.

8. Who should you contact if you have a question about the protection of personal data or in case you would like to lodge a complaint?

Should you have any queries in relation to the processing of your personal data, please address these to the data Controller, at the following email address: dpc@cpvo.europa.eu.

You may also consult the CPVO's Data Protection Officer: dpo@cpvo.europa.eu.

Complaints, in cases where the conflict is not resolved by the controller and/or the Data Protection Officer, can be addressed at any time to the European Data Protection Supervisor: edps@edps.europa.eu.