

Privacy Statement on the processing of personal data in the context of Social Media

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?

Categories of data involved are the followings:

- Name, surname and of the data subject and link to the personal profile of the social media in question;
- Professional qualification of the data subject (sometimes);
- Photos or screenshots capturing faces of participants (CPVO staff members and external invitees) during webinars, events and meetings.

The controller ensures that no sensitive data is contained in the posts to be made publicly available.

The CPVO, through its external communication strategy, aims at promoting the Community plant variety protection system in the EU and outside EU/EEA, informing stakeholders, enhancing dialogue and developing positive joint campaigns to highlight the benefits of PVR and new varieties for society, building support for the EU’s policies and objectives by increasing the visibility of the CPVO activities and results, using plain language and thus bridging the gap between EUIs and citizens, share best practices and enhance international cooperation in plant variety protection as well as enhancing the visibility of the PVR system as a sui generis IP vis-à-vis other IPRs and policy areas.

3. What are the legal basis and the grounds for lawfulness of processing?

The legal bases for the processing of data are the following:

As regards the sending of important information to stakeholders or registered users at the CPVO, Art. 5.1 (a) of the Regulation (EU) 2018/1725 (“the processing is necessary for the performance of a task carried out in the public interest”).

As for the sharing of pictures on social media, Article 5.1(d) of the 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).

4. Who is responsible for the processing of the data?

The processing of personal data is carried out under the responsibility of the Presidency.

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

Internal recipients:

Access to the personal data is provided to CPVO staff members responsible for carrying out the processing operation of preparing social media publications in accordance with the "need-to-know" principle and, in particular, to the following internal recipients:

- Presidency
- Selected staff members within the Procurement and logistic Service

External recipients:

- Wide general public through social media

6. How do we safeguard your personal data?

All social media on Twitter and LinkedIn are public and can be consulted by anyone on these platforms. Videos uploaded on YouTube are either public or unlisted. Public YouTube videos can be retrieved by anyone visiting the CPVO YouTube channel or using the YouTube internal search engine. Unlisted YouTube videos cannot be retrieved via the YouTube search engine and are not displayed publicly in the CPVO YouTube channel. Only people having received the "link" of an unlisted video can watch. The CPVO is using unlisted videos for internal video messages.

7. How long do we keep your data?

The posts published by the Office in its official social media channels including photos, screenshots and video recording and which may contain personal data are kept publicly available for an indefinite period of time unless the Office decides otherwise or the data subject withdraws the consent.

8. 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.

9. 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.