



## EUROPEAN COMMISSION

Directorate-General for Trade

The Director General

Brussels, 13 February 2015

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Ms Vicky Cann  
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**Subject: Document request pursuant to Regulation (EC) No 1049/2001 (GESTDEM 2014/4950)**

Dear Ms Cann,

Thank you for your request Gestdem 2014/4950 for access to documents under Regulation No 1049/2001<sup>1</sup> regarding public access to European Parliament, Council and Commission documents ("the Regulation").

We understand from your request that you would like to have access to:

*all documents (meeting agendas and minutes; emails and correspondence; consultation responses; and any others) which involve Google and the Transatlantic Trade and Investment Partnership – TTIP.*

We have identified one document falling under the scope of your request.

1. 26 February 2014 – Jean-Luc Demarty meeting with AMISA II

The document is fully released except for the details (i.e. name) of some Commission' officials in copy of the e-mail message containing the report which have been removed in application of the exception concerning the protection of privacy (Art. 4.1(b) of the Regulation). Please note that parts of the report have been removed for not being relevant to your request.

Concerning the application of Article 4.1(b) on the protection of privacy and the integrity of the individual, please note that when access is requested to documents concerning personal data, Regulation (EC) No 42/2001<sup>2</sup> becomes fully applicable<sup>3</sup>. According to Article 8(b) of this

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<sup>1</sup> OJ L 145, 31.5.2001, p. 43.

<sup>2</sup> OJ L8 of 12.1.2001, p.1

Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced. We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from some of this personal data. If you wish to receive these personal data, we invite you to provide us with arguments showing the need for having these personal data transferred to you and the absence of adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

We hope this information will meet your needs. I must, however, remind you that these documents cannot be reproduced or disseminated for commercial purposes unless the European Commission has first been consulted.

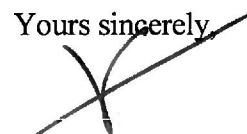
If you would like the position taken by our service to be reviewed, you should write to the Commission's Secretary-General at the address below, confirming your initial request. In accordance with Article 7.2 of the Regulation, you have fifteen working days in which to do so from receipt of this letter, after which your initial request will be deemed to have been withdrawn.

The Secretary-General will inform you of the result of this review within fifteen working days from the registration of your confirmatory request, either granting you access to the document or confirming the refusal. In the latter case, you will be informed of how you can take further action.

All correspondence should be sent to the following address:

European Commission  
Secretary-General  
Transparency unit SG-B-5  
BERL 5/327  
B-1049 Brussels

Or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,  
  
Jean-Luc DEMARTY

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<sup>3</sup> Judgement of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, not yet reported.