

Alicante, May 23, 2019
Ref.07/2019DIN: 77323658

Ms. Luisa Izuzquiza
By email: ask+request-6550-9a93f6be@asktheeu.org

Subject: Access to Documents- Ref 07/2019

Dear Ms. Izuzquiza,

We refer to your application of 07-03-2019 pursuant to Regulation No.1049/2019 regarding public access to European Parliament, Council and Commission documents.

You have requested the following:

For the years 2017, 2018 and 2019:

- any and all documents that contain the number of staff in your Transparency Unit (or the department dealing with access to EU documents requests) - for instance, organigrams or staffing plans that are specific to that unit;

- any and all documents containing the budget for your Transparency Unit (or the department dealing with access to EU documents requests);

And for the years 2016, 2017 and 2018:

- any and all documents containing data on the handling of access to EU documents requests by this institution;

The response by the EUIPO is as follows:

The EUIPO does not have a Transparency Unit itself and it is a cross departmental effort with staff from different departments (Communication Service, Academy, Data Protection Office and Legal Service), who handle and work with transparency issues. The EUIPO created a Transparency Portal on the EUIPO website

(<https://euiipo.europa.eu/ohimportal/en/transparency-portal>), where you can find all documents contained within the Public Register list. These documents are organised into five categories: Economic, environmental, staffing, organisational, social and relational.

All requests coming in through the Transparency Portal or any request for administrative documents not on the portal are examined case by case and responded to through the Public Register mailbox.

What EUIPO can provide you in response to your request are the statistics for the years 2016-2019 requested through the Public Register mailbox which come in through the online form on the EUIPO website.

Disclosure of personal documents or individual information is rejected as this is protected under Article 4(2), first indent of Regulation 1049/2001 where it stipulates protection which undermines the protection of [...] privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data.

The applicable legislation in this field is Regulation (EU) 2018/1725 of the European Parliament and of the council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (Regulation 2018/1725).

As stated previously personal data referenced in the statistics, there are reasons to assume that the legitimate interests of the data subjects concerned would be prejudiced by disclosure of the personal data reflected in the documents, as there is a real and non-hypothetical risk that such public disclosure would harm their privacy and subject them to unsolicited external contacts. (AskEU is a third party website).

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the EUIPO to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Executive Director at the following e-mail:

Executivesecretariat@euiipo.europa.eu

Yours sincerely,

Julie Miller Holmer
EUIPO Public Register

