







28. Additional information

Restricted handling

See enclosed annex no .....

29. Undertakings

By signing I undertake to:

- notify immediately the competent customs department that granted this application of any change in the information provided by me within this application or attachments in accordance with Article 15 of Regulation (EU) No 608/2013.
- forward to the competent customs department that granted this application any update on the information as referred to in point (g), (h) or (i) of Article 6(3) of Regulation (EU) No 608/2013 that are relevant to customs authorities' analysis and assessment of the risk of infringement of the intellectual property right(s) included in this application.
- assume liability under the conditions laid down in Article 28 of Regulation (EU) No 608/2013 and bear the costs as referred to in Article 29 of Regulation (EU) No 608/2013.

I agree that all the data submitted with this application may be processed by the Member States and the European Commission, acting as a processor on behalf of Member States, and the European Union Intellectual Property Office.

30\*. Signature

Date (DD/MM/YYYY)

Applicant's signature

Place

Name (Block capitals)

**For official use**

Decision by customs authorities (within the meaning of Section 2 of Regulation (EU) No 608/2013)

- The application is completely granted.
- The application has been partially granted (for the granted rights see attached list).

Date of adoption (DD/MM/YYYY)

Signature and stamp

Competent customs department

Expiry date of the application:

Any request for extension of the period that customs authorities are to take action should be received by the competent customs department at the latest 30 working days before the expiry date.

- The application has been rejected.

A reasoned decision stating the grounds for partial or complete rejection and information concerning the appeal procedure are attached.

Date (DD/MM/YYYY)

Signature and stamp

Competent customs department

## Personal data protection and the central database for the processing of applications for action.

This privacy statement explains the reasons for processing your personal data, the way they are collected, handled and the way protection of all your personal data is ensured.

The competent customs authority of a Member State are the controller(s) of the processing operation. To this respect the controller(s) processes personal data contained in this application in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

The European Commission acts as a processor on behalf of Member States and processes personal data contained in this application in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

The purpose of the processing of personal data of the application for action is the enforcement of intellectual property rights (IPR) by customs authorities in the Union, in accordance with Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights.

The legal basis for processing the personal data for the enforcement of IPR are Articles 31 and 33 of Regulation (EU) No 608/2013.

The processing activity of the Commission, acting on behalf of Member States and within their mandate, consists of storing and maintaining of the personal data related to applications for action and its attachments in the central database COPIS. This includes maintaining adequate technical and organizational arrangements for the reliable and secure operation of the database COPIS. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. The access to personal data is granted on a need-to-know basis and via personal accounts to authorised personnel of Member States custom authorities and the European Commission. The contact point within the European Commission for questions on the processing activity in COPIS is Directorate-General for Taxation and Customs Union: TAXUD-DP-COPIS@ec.europa.eu.

For a deeper analysis of the infringements data and to improve the understanding of the geographical scope and impact of infringements of IPR, the Commission within the mandate provided by the Member States will send, together with the infringement data, the name of the respective holder of the decision based on which the customs acted to the European Union Intellectual Property Office. The record reference of EUIPO's processing operation is DPR-2019-051 ([https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document\\_library/contentPdfs/data\\_protection/rpt\\_register\\_en.pdf](https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/contentPdfs/data_protection/rpt_register_en.pdf)).

Replies to data fields marked with an \* and to at least one of the fields marked "+" are obligatory to be filled in. In case of failure to fill in these obligatory data, the application shall be rejected.

Customs authorities will delete the data no later than six months from the date the decision granting the application has been revoked or the relevant period during which customs authorities are to take action has expired. The period during which customs authorities are to take action shall be specified by the competent customs department when granting the application and shall not exceed one year from the day following the date of adoption of the decision granting the application. However, where customs authorities have been notified of proceedings initiated to determine a possible infringement of goods under the application, they will delete the data no later than six months after the proceedings have been concluded in a final way.

In case of a data breach, the customs authorities in the Member States will fulfil their obligations in compliance with their duties stipulated in the GDPR. Where that personal data breach is likely to result in a high risk to your rights and freedoms the customs authorities in the Member States are committed to inform you immediately in order to allow you to take the necessary precautions. You are at any given moment entitled to access and rectify your personal data in case the data is inaccurate or incomplete. You have the rights to (if applicable) request restriction of processing or erasure ('right to be forgotten'), to object to the processing, to withdraw your consent, and not to be subject to automated individual decision making, including profiling. All requests shall be submitted to and processed by the competent customs department where the application was submitted. For the list of competent customs departments in the Member States see

[https://ec.europa.eu/taxation\\_customs/sites/taxation/files/resources/documents/customs/customs\\_controls/counterfeit\\_piracy/right\\_holders/defend-your-rights\\_en.pdf](https://ec.europa.eu/taxation_customs/sites/taxation/files/resources/documents/customs/customs_controls/counterfeit_piracy/right_holders/defend-your-rights_en.pdf).

If you feel that your rights are violated in any way, you are entitled to file a complaint with the National Supervisory Authority responsible for data protection (contact info here: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en)) following the applicable national procedure. If you have comments, questions or any concerns regarding the collection and use of your personal data, please feel free to contact Data Protection Officer (DPO) in the Member State's Customs Organisation. If your complaint concerns an action of the European Commission, you should lodge it with the European Data Protection Supervisor.









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