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Company

The inspection was started on the basis of an initiative that the Office received from the Industrial Property Office (ÚPV). The subject of the inspection was compliance with the obligations of the administrator of personal data set by Regulation (EU) 2016/679 in the processing of personal data of owners of industrial rights - natural persons, listed in the registers of industrial rights.

The controlled person sent industrial rights owners offers of publication (registration) of their industrial rights on the website.

The controlled person obtained information from the registers of international patents published under the Patent Cooperation Treaty or trademarks registered under the Madrid Agreement on the International Registration of Factory or Trade Marks and the Protocol to this Agreement at the World Intellectual Property Organization, headquartered in Geneva, Switzerland.

The inspected person has not communicated with the inspectors in any way since the first inspection, which was the delivery of the notification of the initiation of the inspection, even despite the fines imposed in the administrative proceedings for non-cooperation, imposed by the Office (two fines were imposed in the misdemeanor proceedings, each in the amount of 50,000 CZK). After the expiration of the enforceability, the enforcement of the fines was transferred to the General Directorate of the Customs Administration.

In the course of the inspection, it was established that the inspected person has a record of commencement of insolvency and termination of activity in the extract from the commercial register. It was also established during the inspection that the inspected person no longer sends business offers with illegally processed personal data obtained without a valid legal title in accordance with Article 6 point 1 of Regulation (EU) 2016/679.

Additional information:

The existence of personal data, or their easy accessibility does not a priori establish the possibility of their unlimited processing. The administrator, even in the case of published personal data, both on the basis of legal regulation and by the data subject himself, must always have a legal reason for processing personal data, which are the cases foreseen in Article 6 of Regulation (EU) 2016/679 by this regulation, when personal data can be legitimately process the data.

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