

Data Protection Office

## Complaint to the Data Protection Board on an alleged infringement of data protection rights

This form will enable you to provide the information needed to file a complaint with the Data Protection Board on an alleged infringement of data protection rights under the EPO Data Protection Rules (DPR) and/or, as applicable, mutatis mutandis, under the AC DPR and the SC DPR. Annex 1 contains explanatory notes on the questions in this form.

We kindly ask you to fill out this form and send it to [dpbcomplaints@epo.org](mailto:dpbcomplaints@epo.org).

Questions	Information to be provided by the data subject
<p><b>1. Please state your name and contact details (including your email address).</b></p> <p>As the person filing the complaint, you will be referred to as "the complainant" for the purposes of the proceedings.</p>	First name Surname Email address
<p><b>2. Do you have a legal representative?</b></p> <p>If yes, please provide contact details and attach a power of attorney. A power of attorney is mandatory if you wish your legal representative to represent you in the complaint proceedings.</p>	
<p><b>3. Please outline your claims to the Data Protection Board (separate document may be attached).</b></p> <p>E.g. you request that the Controller restore your allegedly infringed right, stop processing your data, etc.</p>	
<p><b>4. What are the grounds for your complaint to the Data Protection Board? (Separate document may be attached).</b></p> <p>E.g. alleged infringement of data protection rights, you consider the decision of the delegated controller not to be in accordance with the DPR<sup>1</sup>, etc.</p>	

<sup>1</sup> and/or with, as applicable, mutatis mutandis, the AC DPR and the SC DPR.

Questions	Information to be provided by the data subject
<p><b>5. Did you file a request for review by the delegated controller under Article 49 DPR on the same topic?</b></p> <p>If yes, please indicate the date of filing of the request and the date of receipt of the review decision. Please also attach the request for review and the review decision.</p>	
<p><b>a. If you did not file a request for review under Article 49 DPR, please indicate the reasons why.</b></p>	
<p><b>b. If you did not receive a review decision from the delegated controller, has a period of three months from the date of filing of your request under Article 49 DPR elapsed?</b></p>	
<p><b>6. Have you already filed a request or a complaint relating to this data protection matter and/or based on identical or similar facts to the ones in this request through other channels? If so, which ones?</b></p>	
<p><b>7. Date and Signature</b></p>	<p>Date</p> <p>Place</p> <p>Name</p> <p>Signature</p>
<p><b>8. Attachments</b></p> <p>Please attach the following documents if applicable and any further necessary documents.</p> <ol style="list-style-type: none"> <li>1. Request for review</li> <li>2. Review decision</li> <li>3. Power of Attorney</li> </ol>	

## Annex 1 Explanatory Notes

Explanatory notes	
<p><b>Question 1:</b> Your name and contact details</p>	<p>State your name and how you would like us to contact you (e.g. your email address), as this will enable us to follow up your complaint and ask for any additional information needed.</p>
<p><b>Question 2:</b> Do you have a legal representative?</p>	<p>You have the right to be represented by a legal representative of your choice in the complaint proceedings before the Data Protection Board.</p> <p>To make use of this right, you must attach a power of attorney authorising your legal representative to file a complaint before the Data Protection Board.</p>
<p><b>Question 3:</b> Please outline your claims (separate document may be attached).</p>	<p>Please indicate your claims (e.g. you request that the Controller restore your allegedly infringed right, stop processing your data, etc.).</p>
<p><b>Question 4:</b> Describe the grounds for filing a complaint with the Data Protection Board (separate document may be attached).</p>	<p>Please indicate what precisely you would like to challenge in the review decision and on what legal grounds (e.g. mention which specific right was infringed and how).</p> <p>Please note that in complaint proceedings before the Data Protection Board it is expected that you argue your case addressing the reasoning from the review decision, if one was issued.</p>
<p><b>Question 5:</b> Did you file a request for review by the delegated controller under Article 49 DPR on the same topic?</p> <p>a. If you did not file a request for review under Article 49 DPR, please indicate the reasons why.</p> <p>b. If you did not receive a review decision from the delegated controller, has a period of three months passed since the date of filing of your request for review under Article 49 DPR?</p>	<p>Providing this information will allow the Data Protection Board to promptly and accurately identify if the request is receivable by ensuring that all the preceding, mandatory steps in the grievance procedure were completed.</p> <p>Additionally, please attach a copy of the review decision from the delegated controller.</p>
<p><b>Question 6:</b> Have you already filed a request or a complaint relating to this data protection matter and/or based on identical or similar facts to the ones in this request through other channels? If so, which ones?</p>	<p>Please indicate if you have started any other proceedings or if there are ongoing proceedings before other bodies, units or authorities relating to this data protection matter and/or based on the same facts as the ones on which this request is based.</p>