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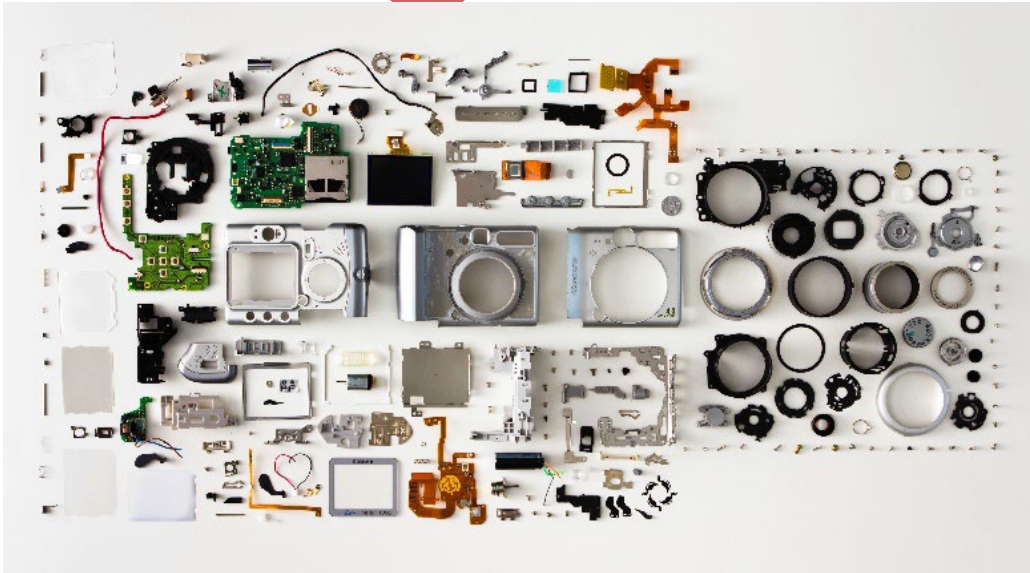
ONE STEP FURTHER ON GDPR: PRIVACY & GDPR TOOLS



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9 March 2022

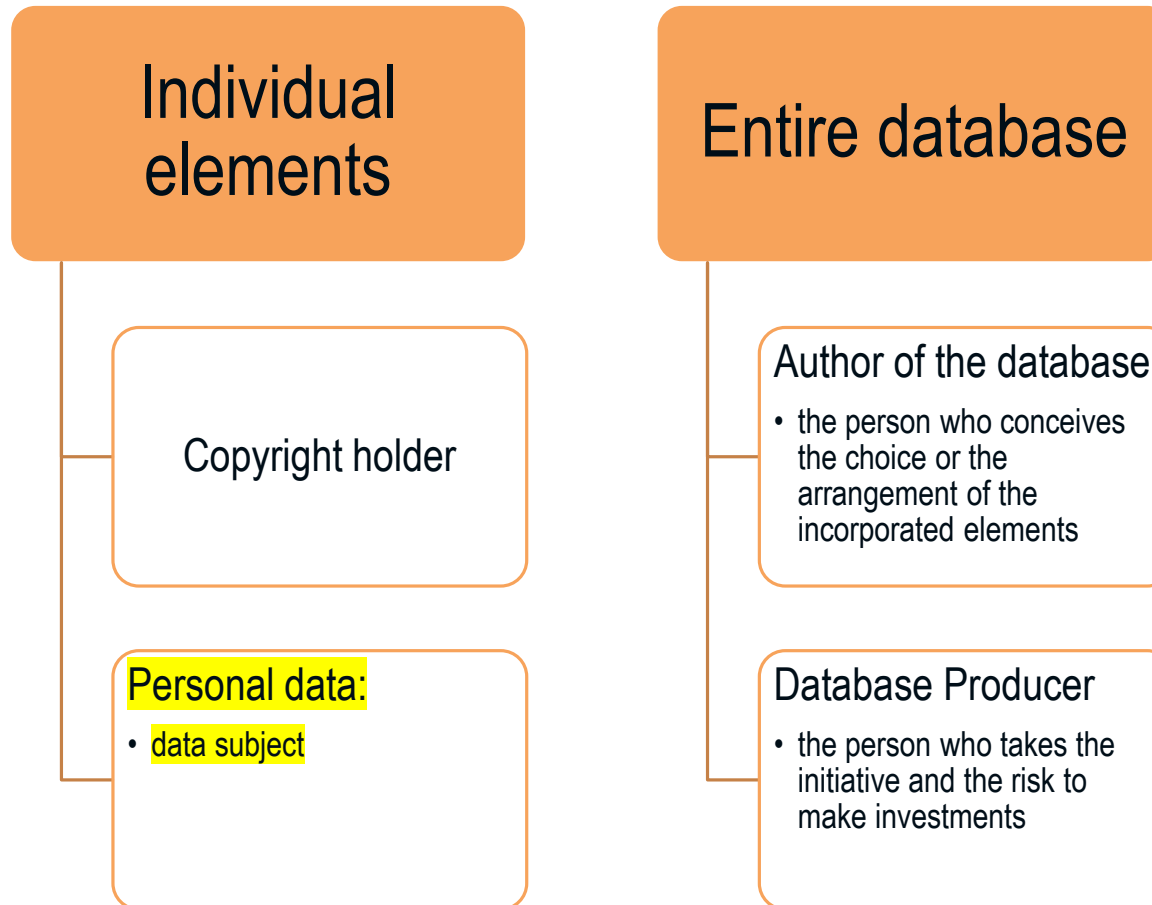
BE AWARE OF PROTECTABLE ASSETS



Need to separate all elements of the project: the product, the process, the business model, the communication elements, the IT tools (programs and databases)...

Analytical effort to identify the different elements that can be protected and valued.

DATABASE & DATA: DIFFERENTS HOLDE



Generated data



All rights belong to us

Exclusive access

Shared access

Under obligation

By voluntary choice

Third party rights

IP rights

Cession/License

Personal data

In-house management
in compliance with
GDPR

Dissemination/sending:
compatible further
processing?

GENERAL DATA PROTECTION REGULAT



- Protecting EU citizens from the processing of personal data and giving them maximum freedom over their digital information
- Applicable to any company that processes data of European citizens
 - > company, administration, non-profit organisation, ...
- Penalty: 4% of global turnover / €20m
- Entry into force: 25 May 2018
- Early warning and compliance in order to be eligible for funding, subsidies
- Reliance

WHAT IS PERSONAL DATA?

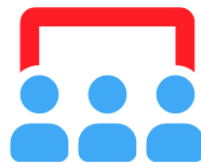


Any information relating to identified or identifiable natural person directly or indirectly



private data
professional data
location,
behaviour/consumption
sensitive data
identification by correlation

E.g.: name, online identifier, code, location data, etc.

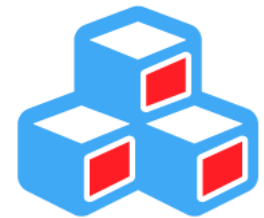
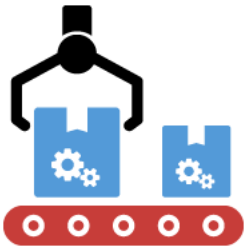


WHAT IS DATA PROCESSING?



"Any operation or set of operations which may or may not be carried out by automatic means".

Examples: collection, recording, organisation, structuring, storage, adaptation, retrieval, matching, etc.



RIGHTS OF THE DATA SUBJECT



- Right to information
- Right of access
- Right to rectification
- Right to erasure ("right to be forgotten")
- Right to limitation of processing
- Right to data portability
- Right to object
- Right not to be subject to a decision based exclusively on automated processing

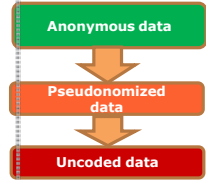
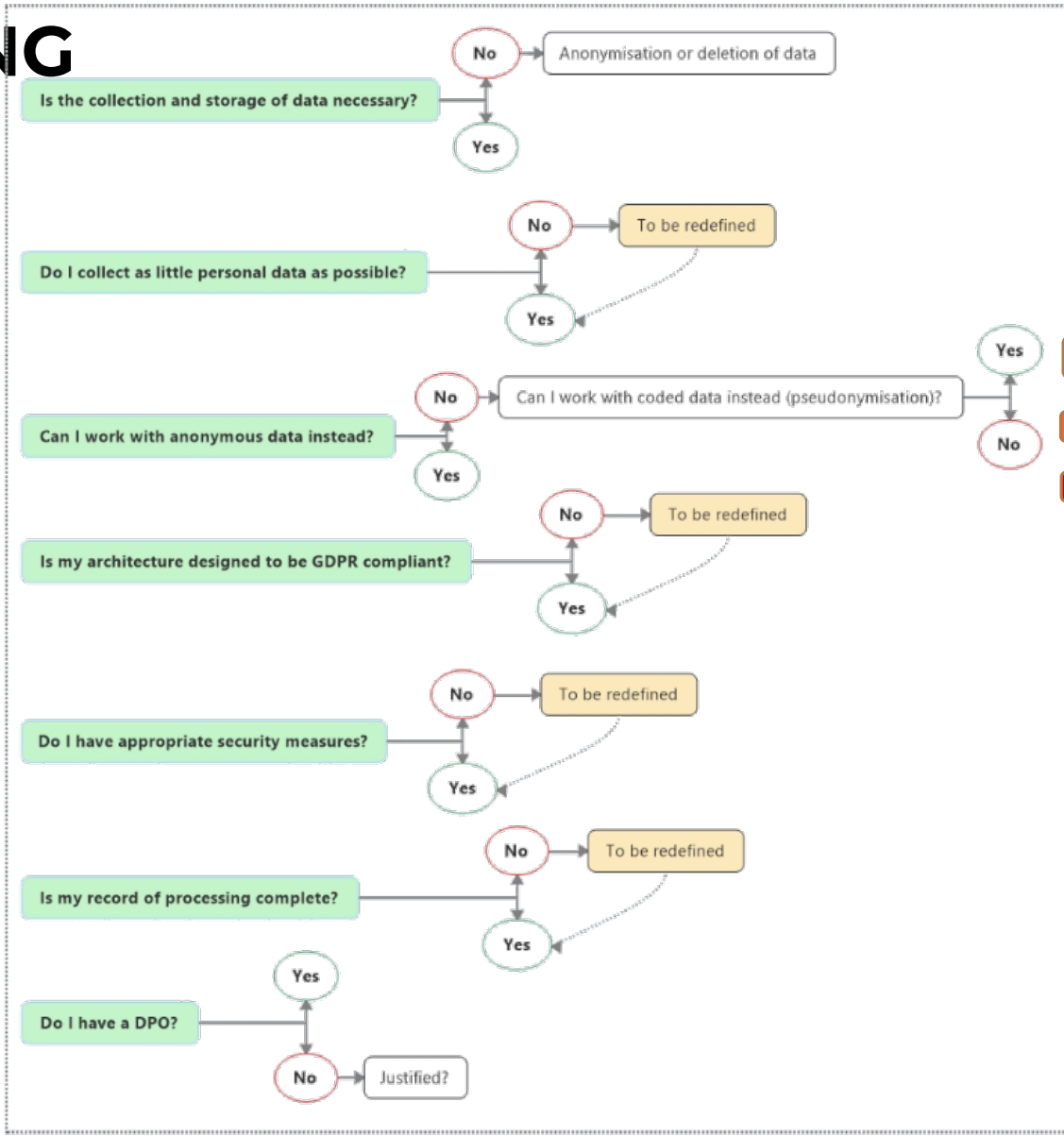
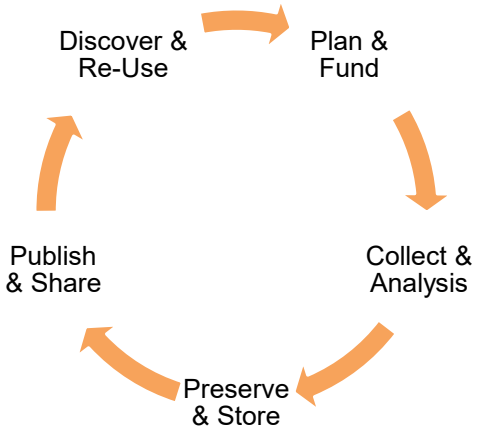
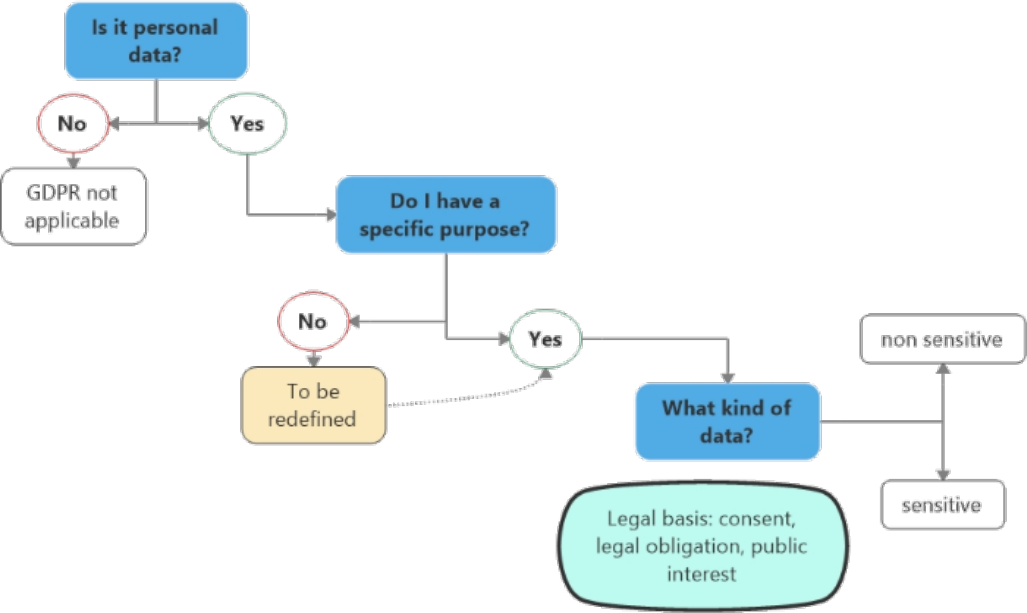
CONDITIONS TO PROCESS PERSONAL DATA



CONTROLLER, PROCESSOR – OBLIGATIONS

- Developing and maintaining a record of activities
- Risk analysis
 - Description of operations
 - Necessity and proportionality
 - Technical and organisational measures
 - => Privacy by design and by default
- Duty to inform (fairness principle)
- Ensuring data quality
- Security
- Safeguards in case of outsourcing
- Appointment of a data protection officer (DPO)

PERSONAL DATA PROCESSING



PRIVACY NOTICE / PRIVACY POLICY: TRANSPARENCY TOOL

- Public document from an organization that explains how that organization processes personal data and how it applies data protection principles.
 - In a concise, transparent, intelligible, and easily accessible form
 - Written in clear and plain language, particularly for any information addressed specifically to a child
 - Delivered in a timely manner
 - Provided free of charge

COOKIES AND TRACKERS



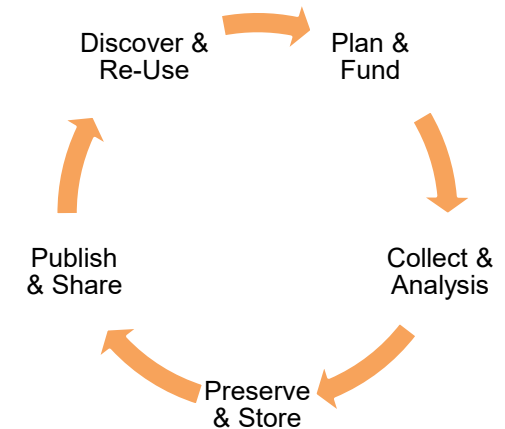
- Internet users must be informed and give their consent **prior** to the deposit and reading of certain trackers, while others are exempted from obtaining such consent.
- Regardless of the type of terminal used.
- Consent exempted
- Prior consent required
 - Information of the user (purpose)
 - Positive act of the user to accept or refuse
 - Simplicity of the choice
 - Withdraw consent at any time

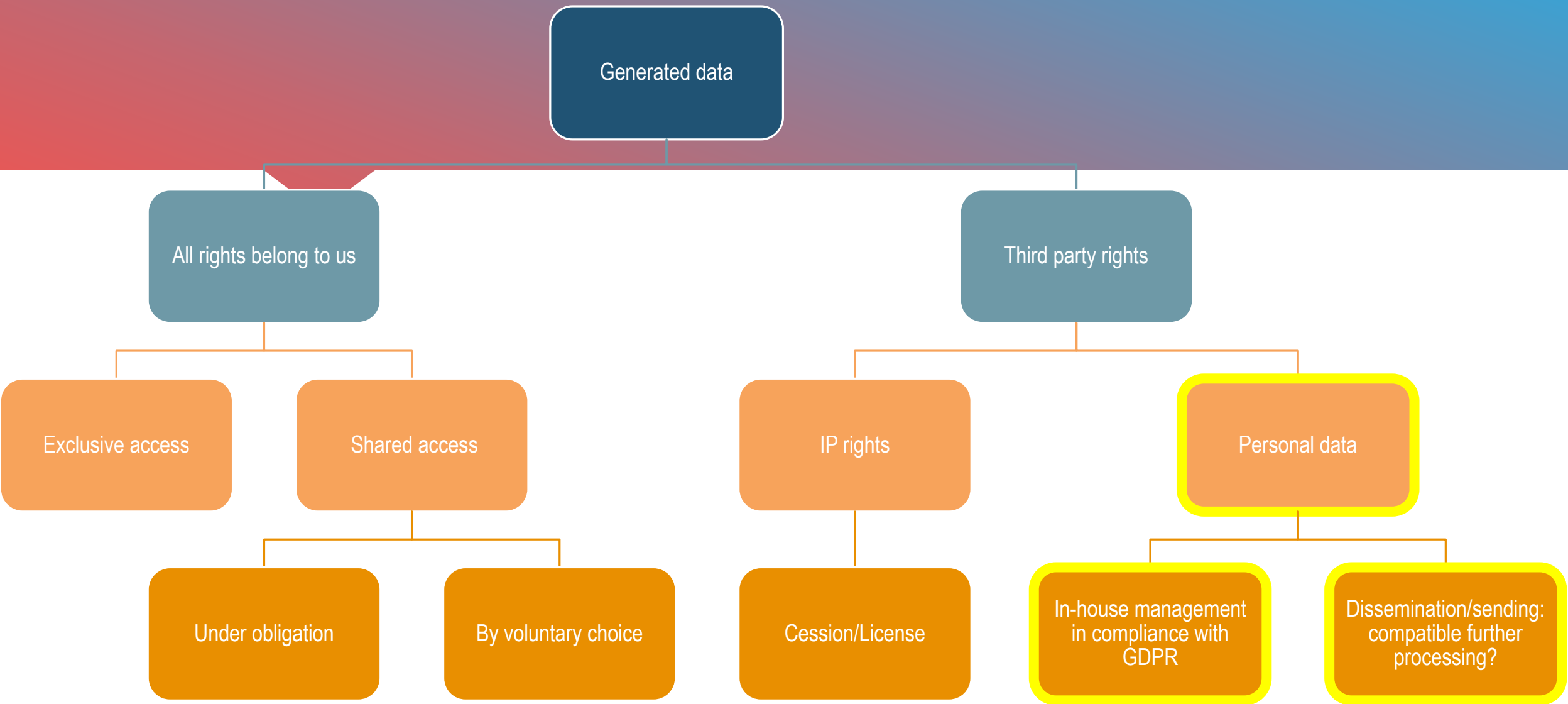
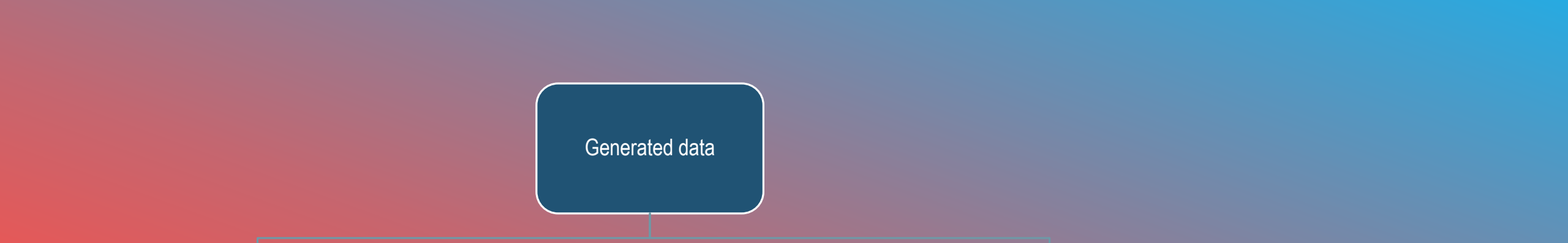
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HOW TO MANAGE?

- Data record
- Documentation and mapping on personal data processing
- Documentation and Data management plan
 - A document written at the beginning of a project that defines what researchers/developers will do with their data, during and after the project, making clear how the data will be made available
 - Must be updated
 - e.g. WP in calls for proposals
 - Mandatory for some research programmes





DATA MANAGEMENT PLAN

- Determine, at each stage, for each set of data:

- Collection/creation of data
- Production of documentation and metadata
- Data quality
- Data storage and backup
- Data archiving & sharing



- Relevance and interest:

- for the project itself, taking into account partners, third party rights (IPR, personal data, etc.) and the possible policy of the funding authority
- allows to determine the status of each 'layer' composing the research results (software, metadata, etc).

ADDITIONAL LINKS AND TOOLS

- European Commission:
 - https://ec.europa.eu/info/law/law-topic/data-protection/reform_en
- Eurlex:
 - https://eur-lex.europa.eu/summary/chapter/31.html?expand=3108#arrow_3108
- Developer's Guide to GDPR:
 - <https://www.cnil.fr/en/gdpr-developers-guide>
- Open source PIA software:
 - <https://www.cnil.fr/en/open-source-pia-software-helps-carry-out-data-protection-impact-assessment>

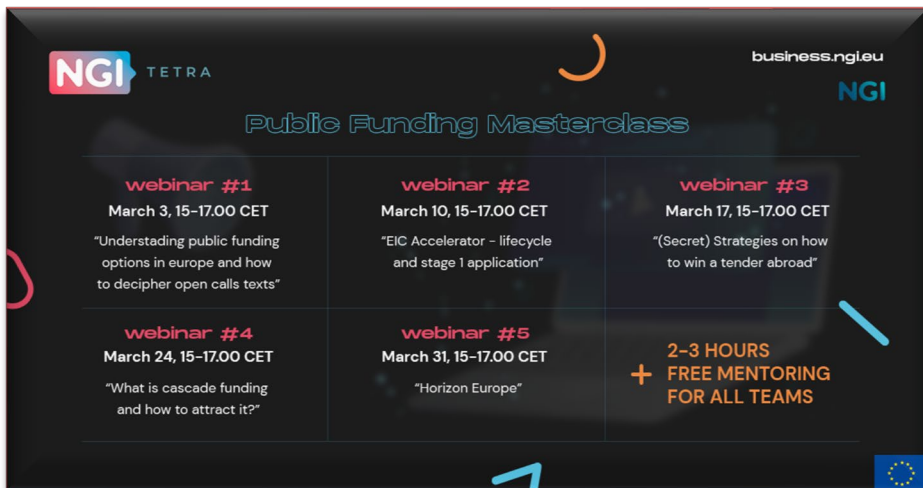
What's next?



How to strengthen your software protection through trademark and design rights

23 March @ 10:00 CET

Registration: <https://business.ngi.eu/join-now/webinars/webinar-41-how-to-strengthen-your-software-protection-through-trademark-and-design-rights/>



Only for NGI participants:

Public Funding Masterclass

3-31 March

Registration: <https://business.ngi.eu/join-now/webinars/public-funding-masterclass-your-gateway-to-public-funding-in-europe-/>

Follow & register for our webinars:

<https://business.ngi.eu> > join-now > webinars

**THANK YOU FOR JOINING US
AND
SEE YOU NEXT TIME!**

More on: <https://business.ngi.eu>



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