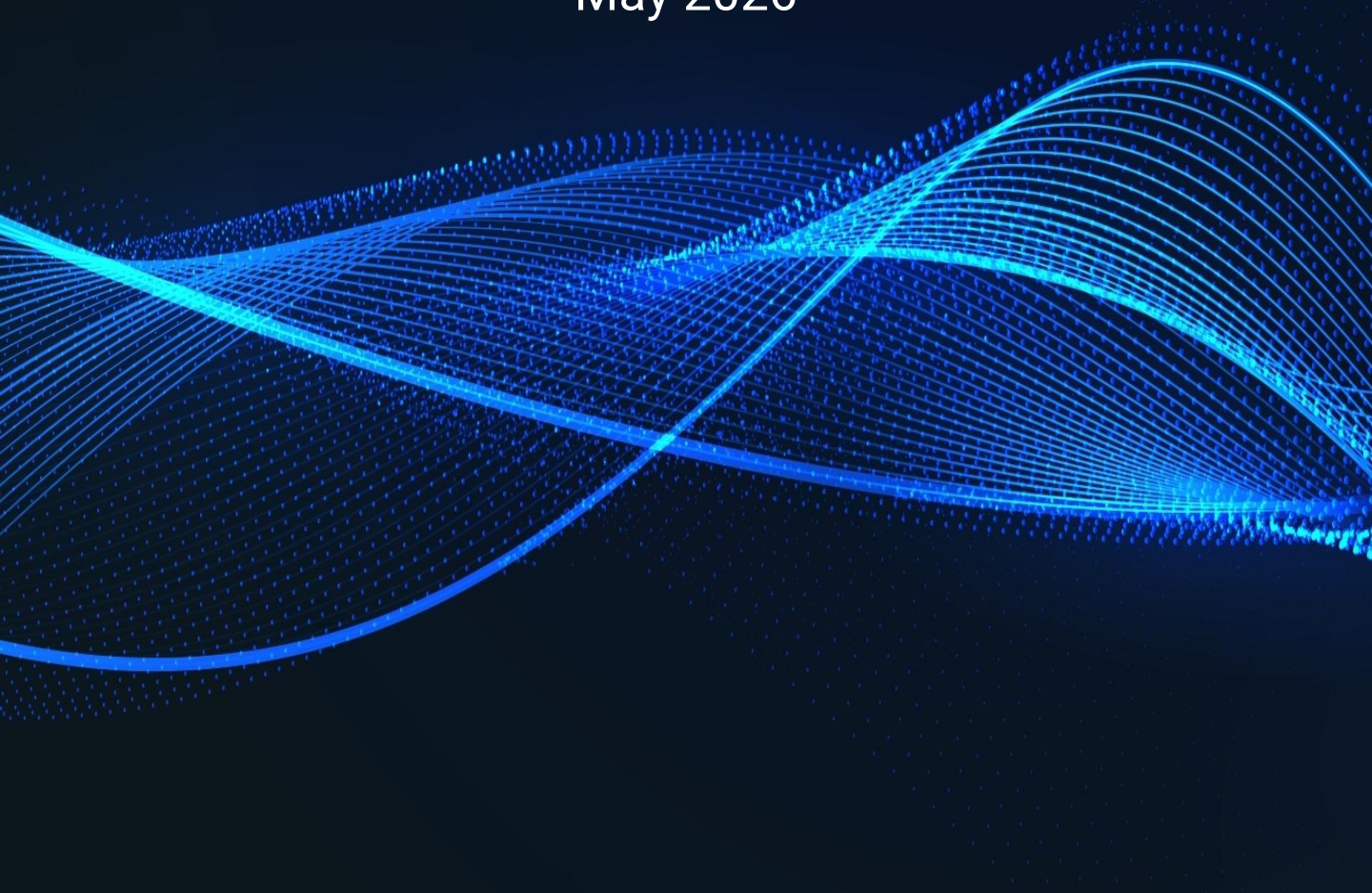


Data Protection, AI & Cybersecurity

Brief

May 2026



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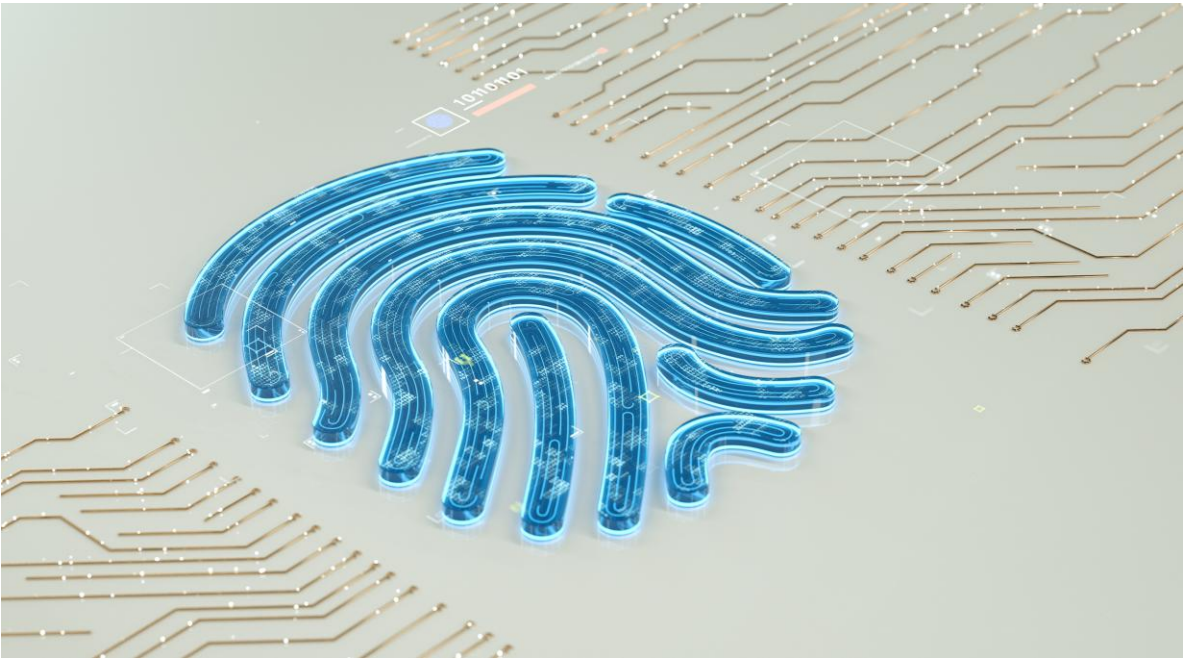
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HDPА's Opinion 4/2026 on legislative proposal regarding biometric identification of public-sector employees



On **May 4 2026**, the Hellenic Data Protection Authority (HDPА) issued Opinion 4/2026 on a Ministry of Interior legislative proposal that would mandate the use of biometric data — specifically biometric identification via smart cards — to record the physical attendance of all public sector employees and to control access to high-security areas.

The Ministry pointed, inter alia, to widespread abuses in working-hour compliance and audits showing 68% of public bodies lack electronic attendance systems.

After an extensive review, the HDPА concluded that the proposed regulation, in its current form, is incompatible with the GDPR and EU law and should not be adopted.

HDPA's Opinion 4/2026 on legislative proposal regarding biometric identification of public-sector employees

The Authority found that the universal and mandatory use of biometric data across all public bodies constitutes a disproportionate and indiscriminate interference with employees' fundamental rights under Articles 7 and 8 of the EU Charter of Fundamental Rights. Key deficiencies identified include the Ministry's failure to demonstrate that less intrusive alternatives (such as electronic attendance logs or personalized cards) were systematically evaluated and found inadequate, the absence of a sufficiently substantiated "substantial public interest" to justify the exception under Article 9(2)(g) GDPR, the merging of heterogeneous purposes without distinct necessity assessments,

and an inadequate Data Protection Impact Assessment that deferred critical risk evaluations to a later stage.

Why this matters: The opinion is significant because it reaffirms the strict limits on the use of biometric data in the workplace within the EU legal framework.

Hamburg DPA Investigates Meta's Ray-Ban AI Glasses

The Hamburg Commissioner for Data Protection (HmbBfDI) has been investigating Meta's Ray-Ban AI glasses since the summer of 2025, following public concern and information received from Ireland's Data Protection Commission (DPC). The inquiry focuses on whether the glasses' built-in camera, microphones, and AI features adequately protect the privacy of users and bystanders, and the authority purchased and

disassembled devices for independent technical testing and legal evaluation.

Key concerns include whether Meta may be using collected data — including audio recordings — to train its AI systems, and whether bystanders can reasonably perceive when they are being recorded given the limitations of the glasses' LED indicator. The HmbBfDI is also assessing compliance with EDPB Opinion 28/2024 on AI models and has submitted questions to the Irish DPC. The final audit report is expected later in 2026 and will be shared with the DPC, which may consider further action against Meta.



HDPa Decision 6/2026: Telecommunications Company and Former Employee Fined for Transparency Failures in Employee Data Transfers

The HDPa issued Decision 6/2026, imposing administrative fines on a telecommunications company (€20,000) and a former senior employee (€2,000) for violations of transparency and information obligations in connection with the transfer and processing of a former employee's personal data. The case arose from a complaint by a former employee who, after filing an employment lawsuit against the telecommunications company, exercised her right of access under Article 15 GDPR and was told her corporate email data had been deleted. However, it emerged that upon a senior executive's departure in 2017, the telecommunications company had transferred the contents of his corporate email account, including personal data of the former employee, to the senior executive.

The former employee only became aware of these emails when they were used in court as evidence in the employment dispute.

Why it matters: The decision reinforces that the “household exemption” in data protection must be interpreted narrowly and cannot justify the retention of professional data for litigation purposes. It also confirms that a natural person may qualify as an independent data controller where they process personal data for their own purposes beyond the scope of their employer's instructions and underscores that controllers must ensure access request responses are complete and accurate, particularly where parallel archives or third-party holdings of employee data may exist.

EDPS Annual Report 2025: protecting people in a changing digital world

On **7 May 2026**, the European Data Protection Supervisor (EDPS) presented its Annual Report for 2025, describing a year marked by the operationalisation of its expanding mandate and guided by the strategic principles of foresight, action and solidarity. The EDPS acts as the competent authority for EU institutions falling within the scope of the AI Act and is tasked with monitoring implementation and respect of the AI Act in EU institutions.

Why it matters: The Annual Report confirms that data protection supervision is increasingly overlapping with AI governance, public-sector digital transformation, and institutional cybersecurity. For organisations dealing with EU institutions, this means that compliance expectations may increasingly be shaped by both traditional data protection principles and AI Act-specific governance standards.



Commission consultation on AI Act Article 50 transparency obligations

On **8 May 2026**, the European Commission published draft guidelines on the implementation of transparency obligations for certain AI systems under Article 50 of the AI Act. The draft guidelines are intended to assist competent authorities, providers, and deployers in ensuring consistent, effective, and uniform compliance with Article 50 transparency obligations, which will become applicable on **2 August 2026**. The Commission prepared the draft guidelines in parallel with the Code of Practice on marking and labelling of AI-generated content, and the draft guidelines address legal obligations and aspects not covered by that code. Stakeholders may provide feedback through the targeted consultation until **3 June 2026**.

The consultation targets companies ranging from start-ups and SMEs to large companies, as well as other organisations that develop or deploy AI systems interacting with individuals or generating synthetic content.

Why it matters: Article 50 is one of the most immediate AI Act compliance priorities since its rules apply from **2 August 2026**. Providers and deployers should assess how their products disclose AI interaction, how synthetic content is marked, and how transparency notices are delivered to individuals in practice.

EUIPO and EIF Memorandum of Understanding on IP-backed finance

The European Union Intellectual Property Office (EUIPO) and the European Investment Fund (EIF) have recently signed a Memorandum of Understanding to help turn intellectual property assets into concrete financing opportunities for SMEs and innovators. The initiative follows EUIPO's recent study on IP-backed finance and represents the first concrete implementation step after that report. According to the EUIPO, many European businesses hold significant value in IP assets, but these assets remain underused when accessing finance. The collaboration will focus on helping businesses better leverage IP rights, including

trademarks and designs, as strategic assets when seeking financing.

The cooperation will include improving IP valuation approaches, strengthening links between SMEs and financial instruments, and supporting the development of IP-backed financing solutions. The EIF plays a central role in improving access to finance for SMEs through guarantees, venture capital and microfinance instruments. The initiative also contributes to the EUIPO's Strategic Plan 2030 by strengthening the connection between the IP and financial ecosystems.

EUIPO and EIF Memorandum of Understanding on IP-backed finance

Why it matters: This development is important for start-ups, scale-ups and SMEs whose core value may lie in intangible assets rather than traditional collateral. It also reflects a broader shift in IP practice from registration and enforcement to valuation, financing

and commercialisation. Companies seeking investment or debt finance should review their IP portfolios, ownership records, licences and valuation evidence so that IP rights can be presented as credible business assets.



The General Court nullifies EUIPO Decision in Obelix Trademark Dispute

On **May 13 2026**, the General Court of the European Union annulled a decision by the European Union Intellectual Property Office (EUIPO) that had refused to invalidate the word mark "Obelix" registered by a Polish entrepreneur for firearms, ammunition, and explosives. Les Éditions Albert René, the publisher of the iconic *Astérix & Obélix* comic book series, had challenged the registration on the basis of its earlier EU trade mark OBELIX and the damage to that mark's reputation. The Court found that EUIPO's assessment of the earlier mark's reputation was incomplete and erroneous, notably by failing to properly account for products bearing the ® symbol alongside "Obelix" and by wrongly disregarding evidence of use in combination with the "Asterix" sign.

The Court also held that EUIPO had not sufficiently assessed the link between the two marks, including the degree of distinctiveness acquired through use.

Why it matters: This ruling reinforces that trademark reputation must be assessed globally — considering market share, intensity of use, and promotional investment — even where no single factor alone is decisive. For brand owners, the judgment signals that EU courts will hold EUIPO to rigorous standards and will not accept piecemeal reasoning when evaluating well-known marks.

Greece Introduces New Framework for AI Use in Secondary Education

A new Joint Ministerial Decision (No. 55909/2026), recently published in the Greek Government Gazette, establishes a regulatory framework for the use of Artificial Intelligence (AI) systems in secondary education across Greece, covering both in-person and distance learning environments. The regulation aims to integrate AI into teaching while ensuring adequate safeguards for students and teachers against risks such as misinformation, algorithmic bias, harmful content, and breaches of personal data protection.

Under the framework, AI tools may only be used as supportive educational aids and cannot replace teachers or students' active participation.

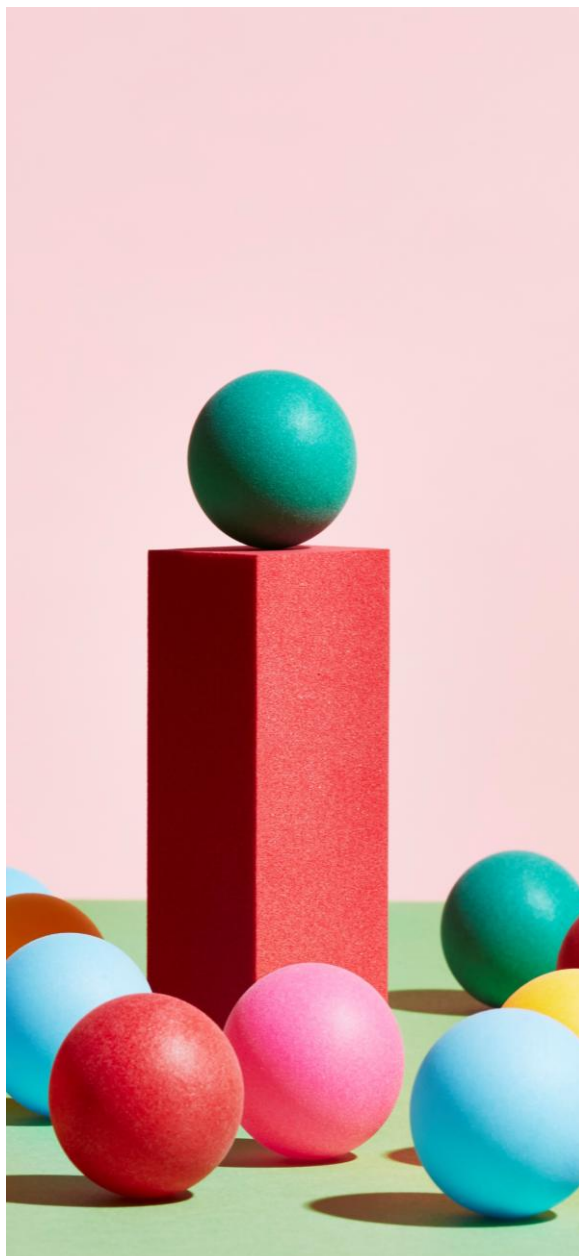
Participation in AI-related activities is voluntary, subject to prior information and training. The decision also prohibits fully automated assessment of students or teachers and the creation of AI-based profiling systems. Particular emphasis is placed on generative AI, with students required to remain active participants in the learning process. The framework is grounded in principles of transparency, accountability, human oversight, equal access, and data protection.

Why it matters: This decision marks one of the first comprehensive regulatory approaches in Greece specifically addressing the use of generative AI in schools, aiming to balance educational innovation with legal and ethical safeguards.

EUIPO Publishes First Guidelines on Geographical Indications for Craft and Industrial Products

The EUIPO announced the publication of the first edition of its Guidelines for the examination of geographical indications (GIs) for craft and industrial products on **21 May 2026**. The Guidelines provide practical guidance on application procedures, registration requirements, opposition and cancellation proceedings, amendments, and issues related to the Geneva Act framework.

Why it matters: The publication marks an important step in implementing the EU's new protection system for craft and industrial geographical indications, helping artisans, producers, and SMEs protect products linked to regional know-how and authenticity. The Guidelines also aim to improve legal clarity and consistency for applicants across the EU.



Greek Supreme Court Rules on Use of Private Surveillance Footage as Evidence

The Greek Supreme Court (Areios Pagos) recently issued decision AP 163/2025, addressing the admissibility of video surveillance footage recorded in a private space as evidence in criminal proceedings. The Court held that such material is not automatically unlawful or inadmissible, even if it involves personal data or was obtained without the consent of the recorded individual. Instead, its admissibility must be assessed on a case-by-case basis, applying the principles of necessity and proportionality.

Why it matters: The ruling is significant because it clarifies how courts should balance the right to privacy and data protection against the need to establish the truth in criminal trials. By confirming that illegally or improperly obtained footage is not per se excluded, the decision strengthens judicial discretion and sets clearer limits on when private surveillance evidence can be used.

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