

Data protection statement on the processing of personal data in the context of quantifying user-specific usage of the MyEPO Portfolio service and publishing the Top Digital Champions of the MyEPO Portfolio service on epo.org

Protecting your privacy is of the utmost importance to the European Patent Office (EPO). We are committed to protecting your personal data and ensuring respect for data subjects' rights when performing our tasks and providing our services. All data of a personal nature that identify you directly or indirectly will be processed lawfully, fairly and with due care.

The processing operations described below are subject to the EPO Data Protection Rules ([DPR](#)).

The information in this statement is provided in accordance with Articles 16 and 17 DPR.

MyEPO Portfolio is a web-based online service for parties to proceedings before the EPO that allows users to work with the EPO on portfolios of applications and patents.

For information on the processing of personal data for the MyEPO Portfolio service when conducting patent-grant and related proceedings pursuant to the European Patent Convention (EPC) and the provisions applicable under it, and likewise proceedings under the Patent Cooperation Treaty (PCT), please refer to the "[Data protection statement on the processing of personal data for the 'MyEPO Portfolio' online service for parties to proceedings before the EPO \(PGP\)](#)".

This data protection statement explains how personal data are processed in order to establish a list of the Top Digital Champions for publication on the EPO website (epo.org).

This data protection statement also explains how the data are processed to identify users (i.e. companies, applicants or patent attorney firms) who use the MyEPO Portfolio services to quantify their usage of MyEPO Portfolio.

1. What is the nature and purpose of the processing operation?

The Top Digital Champions of the MyEPO Portfolio service are determined by tracking MyEPO Portfolio usage metrics. The number of downloads of communications in the MyEPO Portfolio Mailbox is taken as basis for measuring usage metrics.

The number of downloads of communications in the MyEPO Portfolio Mailbox is counted on a rolling quarterly basis.

In addition, the numbers of the following types of replies to EPO communications via MyEPO Portfolio are counted:

- replies to communications under Rule 71(3) EPC about the intention to grant
- replies to communications from the examining division under Article 94(3) EPC
- responses to extended European search reports
- replies to invitations to clarify the subject-matter for search (CLAR)
- replies to PCT search reports

The companies, applicants or patent attorney firms with the highest total number of downloads plus replies will appear in descending order in a publicly available list of the Top Digital Champions.

The processing is not intended to be used for any automated decision-making, including profiling.

Your personal data will not be transferred to recipients outside the EPO which are not covered by Article 8(1), (2) and (5) DPR unless an adequate level of protection is ensured. In the absence of an adequate level of protection, a transfer can only take place if appropriate safeguards have been put in place and enforceable data subject rights and effective legal remedies for data subjects are available, or if derogations for specific situations as per Article 10 DPR apply.

2. What personal data do we process and why?

The following categories of personal data are processed:

- Country
- Full name
- MyEPO Portfolio account ID
- Company entity

The above data are processed to establish a list of the Top Digital Champions for publication on the EPO website and to identify the user categories accessing the MyEPO Portfolio service (i.e. companies, applicants or patent attorney firms) and quantify usage metrics.

3. Who is responsible for processing the data?

Personal data are stored, accessed and processed only on systems hosted on EPO premises.

Personal data are processed under the responsibility of DG 1's PD 1.5 Customer Journey and Key Account Management acting as the EPO's delegated data controller.

Personal data are processed by the EPO staff involved in managing the Top Digital Champions initiative of Departments 4.5.3.2 (PGP and Support) and 1.5.1 (Customer Journey) referred to in this statement.

4. Who has access to your personal data and to whom are they disclosed?

Personal data are disclosed on a need-to-know basis to the EPO staff working in DG 1's PD 1.5 Customer Journey and Key Account Management and DG 4's PD 4.5 CTO, which is part of BIT.

Personal data will only be shared with authorised persons responsible for the necessary processing operations. They will not be used for any other purposes or disclosed to any other recipients.

5. How do we protect and safeguard your personal data?

We take appropriate technical and organisational measures to safeguard and protect your personal data from accidental or unlawful destruction, loss or alteration and unauthorised disclosure or access.

All personal data are stored in secure IT applications in accordance with the EPO's security standards. Appropriate levels of access are granted individually only to the above-mentioned recipients.

Personal data are processed only on systems hosted on EPO premises, for which the following core security measures generally apply:

- user authentication and access control (e.g. role-based access control to the systems and network, principles of need-to-know and least privilege)
- logical security hardening of systems, equipment and network
- physical protection: EPO access controls, additional access controls to datacentre, policies on locking offices
- transmission and input controls (e.g. audit logging, systems and network monitoring)
- security incident response: 24/7 monitoring for incidents, on-call security expert

6. How can you access, rectify and receive your data, request that your data be erased, or restrict/object to processing? Can your rights be restricted?

You have the right to access, rectify and receive your personal data, not to be subject to a decision based solely on automated processing, to have your data erased and to restrict and/or object to the processing of your data (Articles 18 to 24 DPR).

If you would like to exercise any of these rights, please write to the delegated data controller at DPOexternalusers@epo.org. In order to enable us to respond more promptly and precisely, certain preliminary information must always be provided with your request. We therefore encourage you to fill in this [form](#) and submit it with your request.

We will reply to your request without undue delay and in any event within one month of receipt of the request. However, Article 15(2) DPR provides that this period may be extended by two further months where necessary in view of the complexity and number of requests received. We will inform you of any such delay.

7. What is the legal basis for processing your data?

Personal data are processed on the basis of Article 5a DPR (processing is necessary for the performance of a task carried out in the exercise of the official activities of the European Patent Organisation or in the legitimate exercise of the official authority vested in the controller, which includes the processing necessary for the EPO's management and functioning).

8. How long do we keep your data?

Personal data will be kept only for the time needed to achieve the purposes for which they are processed.

Personal data processed for this purpose will be deleted five years after the date of collection.

In the event of a formal appeal/litigation, all data held at the time the formal appeal/litigation was initiated will be retained until the proceedings have been closed.

9. Contact information

If you have any questions about the processing of your personal data, please write to the delegated data controller or to our Data Protection Officer. Both can be contacted at DPOexternalusers@epo.org.

10. Review and legal redress

If you consider that the processing infringes your rights as a data subject, you have the right to request review by the controller under Article 49 DPR and, if you disagree with the outcome of the review, the right to seek legal redress under Article 50 DPR.