

Data protection statement on the processing of personal data for SEARCH tool for National Patent Offices

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.

This record of processing activity relates to the management of the Search tool used for the registered users, patent examiners from the National Patent Offices. The data in scope of searching is published patent information only. The Search tool offers registered users the possibility of searching prior-art patent information data by using complex search expressions. Search-related information and annotations entered by a user are visible only to the user him/herself and are not shared to any other user.

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

This data protection statement relates to the processing of personal data within the context of Search tool.

Personal data are processed for the delivering to National Offices patent examiners a Search Tool, operating and maintaining the Search tool's itself, monitoring the Search tool's availability and performance, performing technical troubleshooting and manage security incidents, deriving reports, capacity planning and licence management purposes.

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?

The following categories of personal data are processed for registered users, patent examiners from the National Patent Offices:

- User Account Information: User ID, Application Specific User Role, Membership Permissions
- Browsing Information: IP Address, URL, Cookie Information, Browser User Agent, Browser Type, Browsing Date and Time
- Network/Application Interaction Data: Session Content, Session Details, Session Metadata
- System Logs: Audit Logs, File Data, Firewall/Router/Switch Logs, Ports, Registry Data, Running Processes, System-, Application-, Security-related Server Logs, Transaction- related Details, Web Servers Logs
- Personal Identification: Full Name
- Contact Information: Working E-Mail Address, Country

3. Who is responsible for processing the data?

Personal data are processed under the responsibility of EPO Principal Directorate CIO, acting as the EPO's delegated data controller.

External contractors involved in providing services may also process personal data, which can include accessing it.

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 BIT.

Personal data may be disclosed to third-party service providers for maintenance and support purposes.

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.

For systems hosted on EPO premises, the following basic 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.

In principle, the EPO has adopted a paperless policy management system; however, if paper files containing personal data need to be stored on EPO premises, they are locked in a secure location with a restricted access. When data are outsourced (e.g. stored, accessed and processed), a privacy and security risk assessment is carried out and the following general statement might be included in this field:

For personal data processed on systems not hosted on EPO premises, the providers processing the personal data have committed in a binding agreement to comply with their data protection obligations under the applicable data protection legal frameworks. The EPO has also carried out a privacy and security risk assessment. These systems are required to have implemented appropriate technical and organisational measures such as: physical security measures, access and storage control measures, securing data at rest (e.g. by encryption); user, transmission and input control measures (e.g. network firewalls, network intrusion detection system (IDS), network intrusion protection system (IPS), audit logging); conveyance control measures (e.g. securing data in transit by encryption).

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, you always need to provide certain preliminary information with your request. We therefore encourage you to fill in this [form](#).

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 5 (a) of the DPR i.e. 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 Office'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 it is processed.

9. Contact information

If you have any questions about the processing of your personal data, please write to the delegated data controller at DPOexternalusers@epo.org.

You can also contact our Data Protection Officer at DPOexternalusers@epo.org.

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.