

Data protection statement on the processing of personal data in the context of the PATLIB network and its centres

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 statement refers to the processing of personal data in the context of the PATLIB network and its centres.

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

Personal data are processed only for the purpose of carrying out the administration, collaboration and communication involving the PATLIB centres.

This privacy statement refers only to the data processed for the purposes stated in this section. Personal data processed through the use of MS 365 are subject to the EPO data privacy policy for the processing of personal data in MS 365.

Personal data processed through the use of MS Forms are subject to the EPO data privacy policy for the processing of personal data in MS Forms.

The EPO processes personal for the purposes of:

- communicating within the PATLIB network and with its partners
- keeping an online directory of PATLIB centres and experts. The directory, which is available to the public, can be used to find IP-specific support and contains contact details of the PATLIB centres and their experts. The centres themselves decide on the type and amount of disclosed details
- collaborating with PATLIB network staff
- collaborating with third parties
- administering the PATLIB network
- PATLIB Committee related activities
- ad-hoc PATLIB related meetings
- PATLIB News related activities
- identifying participants and contributors to PATLIB activities

- organising PATLIB and other IP-related EPO meetings, events and training courses
- organising the participation of data subjects with certain recorded skills within the PATLIB network as experts, speakers, consultants etc.
- organising the participation of data subjects and their contributions to other EPO-led activities where input from PATLIB centres is likely to be beneficial
- organising the participation of data subjects in third-party activities commissioned and/or authorised by the EPO
- keeping records of data subjects' participation in activities organised within the PATLIB network or by the EPO, and of the business cases submitted and any feedback received
- documenting exchanges within the PATLIB network and partners
- exchanging information on events on the PATLIB network events calendar
- self-assessments from PATLIB centres
- annual reports from PATLIB centres
- creating and distributing video and sound recordings of data subjects for the purpose of promoting knowledge-sharing in the area of IP and patent-related matters.

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, such 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 (not all categories are processed for every data subject):

- availability / opening hours
- area of responsibility
- contact information
- financial information
- health data
- browsing information
- education and skills
- employment information

- financial information
- government identifiers
- personal identification
- professional experience and affiliations
- social media related information
- travel and expense related information
- user account information
- other information provided by data subjects
- author link for uploaded, distributed and/or shared data (files)
- feedback received on data subjects, for example from participants where the data subject is a trainer
- linking services to specific PATLIB centres and staff
- self-assessed skill portfolio of PATLIB centres
- video and sound recordings of data subjects together with associated metadata

3. Who is responsible for processing the data?

Personal data are processed under the responsibility of the Principal Director of the Patent Intelligence Principal Directorate acting as delegated EPO data controller. Personal data are processed by EPO staff working in the Patent Intelligence Principal Directorate and EPO staff in charge of maintaining the underlying technical platforms and associated services.

Personal data may also be processed by external service providers supporting the EPO.

The EPO takes all the appropriate safeguards in order to guarantee that such service providers follow the EPO instructions on how to process your personal data in compliance with all data protection requirements.

Personal data will only be used for the purpose of the contracted work, and will be destroyed after completion of the work.

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 following recipients:

- participants in the PATLIB network and in PATLIB activities
- PATLIB collaboration partners
- EPO staff members and non-EPO staff working with EPO and/or PATLIB centres undertaking relevant duties
- staff of national patent offices

Personal data will not be disclosed to any other recipient.

The part of personal data disclosed in the online directory is available to the public without restriction.

The PATLIB centre is responsible for the accuracy of its own data in the PATLIB directory and a mechanism is in place to facilitate correction of inaccurate data.

Any third-party is directly responsible for misusing the publicly accessible data in the PATLIB directory. 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 corresponding processing operations and are not used for any other purposes nor disclosed to any other recipients.

Video and sound recordings of data subjects together with associated meta data may be made available to the general public.

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

We take appropriate technical, IT security and organisational measures to safeguard and protect your personal data from accidental or unlawful destruction, loss, 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 apply:

- user authentication and access control (e.g. role-based access to the systems and network, need-to-know and least privilege principles)
- logical security hardening of systems, equipment and network
- physical protection: EPO access controls, additional access controls to the data centre, 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 operates 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 restricted access.

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.

External providers are required to have implemented appropriate technical and organisational measures, such as physical security measures, access and storage control measures, data security measures (e.g. encryption); user, transmission and input control measures (e.g. network firewalls, network intrusion detection system (IDS), network intrusion protection system (IPS), audit logging); and conveyance control measures (e.g. securing data in transit by means of 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?

As a data subject, 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, external users should write to DPOexternalusers@epo.org, otherwise contact the delegated data controller at PDPatentIntelligence-DPL@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](#) (for externals) or this [form](#) (for internals) and submit it with your request.

Please bear in mind that data protection is not an absolute right. It must always be balanced against other fundamental rights and freedoms and there are circumstances where one or more of a data subject's rights may be refused.

We will reply to your request without undue delay and in any event within one month of receiving it. 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 in accordance with:

- Article 5(a) of the DPR, i.e. if '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'
- Article 5(c) of the DPR, i.e. if 'processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract'

8. For how long do we keep your data?

Personal data will be kept for as long as the data subject is a member of the network or is a collaboration partner and three years thereafter.

In the event of a formal appeal/litigation, all data held when the formal appeal/litigation was initiated will be kept until the proceedings have been concluded.

9. Contact information

External data subjects who have any questions about the processing of their personal data should contact the Data Protection Officer and/or the delegated data controller at DPOexternalusers@epo.org. EPO employees should contact the delegated data controller at PDPatentIntelligence-DPL@epo.org.

Internals may also contact the data protection officer at dpo@epo.org, while externals may 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.