

## **Data protection statement on the processing of personal data within the framework of the delivery of EPO hosted patent knowledge services (Espacenet and European Patent Register).**

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.

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

The European Patent Office (EPO) provides public access to patent knowledge services i.e. Espacenet and the European Patent Register in order to facilitate search, access, retrieval, and analysis of patent data. Users may additionally subscribe to customised services such as alerts.

The data is provided from systems which support the Patent Grant Procedure, and diverse procedural, legal status, post grant, reference, and other data collections of the EPO. The data relates to procedures under the European Patent Convention (EPC) and world-wide jurisdictions.

The European Register includes an "Alert" service for which users may register.

Usage analytics related data are processed in order to support the efficient delivery of the services.

The processing operations are undertaken for the purpose of providing access to the patent knowledge services hosted by the EPO, processing usage analytics and ensuring the correct functioning of the services.

User details are also processed for providing user support. They may additionally be processed for organising user consultations such as surveys, focus groups, and similar.

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

### **2. What personal data do we process?**

The following categories of personal data are processed: for EPO employees and externals (not all the categories are processed for every data subject):

- Browsing Information: Browser User Agent, Browser type, Browsing Time, Cookie Information, IP Address, Network Interaction History, Search Query, Website History;
- Network/application interaction data: Session content, Session details, Session metadata;
- Patent Process Related Data: Patent Record Bibliographic and Meta Data, Personal data potentially included within the content of patent procedure related information and publications;
- Contact Information: Contact Details, Personal Email, Working email address;
- Correspondence: Additional Information which might be provided in the course of exchanges, Personal information provided voluntarily, Feedback received;
- Employment Information: Company Entity, Language preference (of communication);
- General: Answers to surveys, assessments or quizzes;
- Network/application Interaction Data: Session content, Session details, Session metadata;
- Personal Identification: Full Name, Gender;
- Ticketing: Ticket related data;

- User Account Information: Account Age, Account Number, Account Password, User ID;

### **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 the EPO staff of the Patent Intelligence Principal Directorate as well as PD CTO/ BIT and PD CIO / BIT involved in providing, maintaining and managing the services referred to in this statement.

External contractors involved in providing and maintaining certain 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?**

The patent record content can be made available to anyone who uses the service. These users may be worldwide.

If necessary to perform their tasks, non-patent personal data may be shared on a need-to-know basis with staff undertaking duties in the following areas of the EPO and external contractors: Patent Intelligence, Finance, BIT, DG1, PD General Administration, PD European and International Affairs, Observatory on Patents and Technology, and senior EPO management (VP5 Office, MAC, President's Office).

Personal data will only be shared with authorised persons responsible for the corresponding processing operations and are not 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.

### **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](mailto:DPOexternalusers@epo.org), otherwise contact the delegated data controller at [PDPatentIntelligence-DPL@epo.org](mailto: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.

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 is 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.
- Article 5(b) of the DPR, i.e. processing is necessary for compliance with a legal obligation to which the controller is subject.

## **8. How long do we keep your data?**

User data is retained for up to 7 years after it can be reasonably expected that there is no immediate operational need anymore (e.g. cancellation of registration for an alert service).

Technical service access data can be retained for up to 7 years in order to analyse usage patterns.

Information contained in the patent records is public data which is never deleted.

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**

External data subjects who have any questions about the processing of their personal data should contact the delegated data controller at [DPOexternalusers@epo.org](mailto:DPOexternalusers@epo.org). EPO employees should contact the delegated data controller at [PDPatentIntelligence-DPL@epo.org](mailto:PDPatentIntelligence-DPL@epo.org).

Internals may also contact the Data Protection Officer at [dpo@epo.org](mailto:dpo@epo.org), while externals may contact our Data Protection Officer at [DPOexternalusers@epo.org](mailto: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.