

Data protection statement on the processing of personal data in the scope of the *study on European Patent Applications to produce statistics on the gender of inventors*

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 data on the names, surnames and addresses of inventors of patent applications filed at the EPO as of 2020. This data protection statement explains the way in which these data will be processed and used.

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

Personal data are processed for the following purposes: the data will be used to report statistical results, in the context of the Patent Index, on the gender of inventors (using an algorithmically-attributed gender) listed in European patent applications.

The processing is not intended to be used for any automated decision making and your personal data are not going to be transferred to recipients outside the European Patent Office which are not included in Article 8 (1), (2) and (5) of the DPR not ensuring an adequate level of protection.

2. What personal data do we process?

The categories of personal data processed are as follows: names, surnames, gender and country of residence of the inventors of patent applications filed as of 2020.

3. Who is responsible for processing the data?

The processing of personal data is carried out under the responsibility of the Chief Economist acting as the EPO's delegated data controller.

Personal data are processed by the EPO staff involved in the management of the respective initiative, project, activity of the Chief Economist and Chief Business Analyst Units.

External contractors involved in algorithmic attribution of a gender to inventor data may also process, including access the personal data.

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

The personal data are disclosed on a need-to-know basis to the EPO staff working in the Chief Business Analyst Unit.

Personal data on the names and country of residence of the inventors will be disclosed to third-party service providers for algorithmic attribution of a gender to inventor data. The external providers will delete the personal

data after processing it for the purpose of gender attribution, and the data returned to the EPO will not contain data on the name and country of residence of the inventors.

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, alteration and unauthorised disclosure or access.

All personal data are stored in secure IT applications according to the EPO's security standards. Appropriate levels of access are granted individually only to the abovementioned recipients.

A data protection agreement has been put in place with the third-party service providers in order to ensure their compliance with the planned process, including deletion of the data on the name and country of residence of the inventors.

For systems hosted at EPO premises, the following base 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 to lock offices
- Transmission and input controls (e.g., audit logging, systems and network monitoring)
- Security incidence response: 24/7 monitoring for incidents, on-call security expert.

For personal data processed on systems not hosted at EPO premises, the provider(s) processing the personal data has committed in a binding agreement to comply with its data protection obligations stemming from the applicable data protection legal framework(s). Furthermore, a privacy and security risk assessment has been carried out by the EPO. These systems are required to have implemented appropriate technical and organisational measures..

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, to have your data erased and to restrict and object to the processing of your data, as outlined in Articles 18 to 24 of the EPO Data Protection Rules.

If you would like to exercise any of these rights, please write with details of your request to the delegated data controller at CEU-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](#) 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, according to Article 15(2) of the DPR, that period may be extended by two further months if necessary, taking into account 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) 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.

Personal data are processed on the basis of the following legal instrument: Decision of the President of the European Patent Office dated 13 December 2021 concerning the processing of personal data in patent-grant and related proceedings

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.

Personal data will be deleted after algorithmic attribution of gender variable to each inventor. The data returned from the providers (anonymous gender attribution) will be kept for 12 months after receipt and then deleted.

In the event of a formal appeal/litigation, all data held at the time of the formal appeal/litigation shall be retained until the completion of its process.

9. Contact information

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

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

Review and legal redress

If you consider that the processing infringes your rights as 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.