

Data protection statement on the processing of personal data in the context of the EPO Academic Research Programme

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?

This data protection statement relates to the processing of personal data in the context of the EPO Academic Research Programme (ARP).

Our Academic Research Programme is designed to encourage more research on patent related topics and promote the dissemination of research results. The results of academic research will support informed policymaking and business decisions.

Under the current call, researchers can submit up to one research project proposal per stream (research stream A: Advanced methods for forecasting patent applications and research stream B: Local ecosystems of academic inventors and universities). Proposals for research projects can be submitted by individual research institutes based in a [member state of the European Patent Organisation](#) or by groups of institutes. With regard to groups, the partner institutes can be based anywhere in the world, as long as the official project applicant (contracting partner) is based in a member state of the European Patent Organisation.

Personal data are processed for the following purposes:

The personal data specified under point 2 is processed for the purpose of selecting the research schemes awarded a grant under the EPO Academic Research Programme (EPO ARP). In the case of award of a grant, all such data will form part of the EPO ARP agreement.

The contact details of applicants, researchers, co-researchers and other involved staff will be kept and processed so that such persons can be sent communications about the EPO ARP and/or other activities carried out by the Chief Economist Unit at the EPO (e.g. during the research project, subject-matter experts from EPO units will be available to support and share their expertise with the research teams). This applies in

respect of all applications made, regardless of whether the research scheme in question is awarded a grant or not.

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).

The processing activity may leverage the use of artificial intelligence (AI) in its services. More specifically, the EPO may use AI systems to enhance security, automate processing, drafting of documents etc. The deployment and use of AI in this processing activity adheres to stringent requirements in the processing of personal data.

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:

- applicant data, e.g. the research institute with which the EPO will enter into an agreement: name of the legal representative/signatory of the contract with the EPO, email address
- researcher's and co-researcher's data e.g. name, academic title, nationality, occupation, role in the project, email address
- CVs of applicants, researchers, co-researchers and other involved staff

3. Who is responsible for processing the data?

Personal data are processed under the responsibility of the Principal Director Patent Research and Policies, acting as the EPO's delegated data controller.

Within Principal Directorate Patent Research and Policies, the Directorate of the Chief Economist acts as the point of contact and coordinator for all activities relating to the ARP referred to in this statement. The data itself is processed by the EPO staff members involved in managing the project.

External contractors involved in (for example providing a platform, 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?

Personal data are disclosed on a need-to-know basis to the EPO staff having an interest in this specific field of IP and who might be collaborating with the applicant in the research scheme (e.g. Chief Economist Unit, Principal Directorate Legal Affairs, Principal Directorate Patent Law and Procedures, Business Information Technology unit).

Personal data may be disclosed to third-party service providers for external peer reviewers assessing the research scheme application according to selection criteria communicated on the [ARP website](#).

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.

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).

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?

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: [form](#) (for externals) 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 5(a) of the 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 Office's management and functioning.

8. How long do we keep your data?

Personal data processed by the data controller is stored and kept for the period of time necessary to achieve the purpose for which it is processed, including the possibility to control that it has actually and duly been the case.

With regard to research programmes, the following applies: The retained candidates data will be included in the Agreement and kept as long as the Agreement is kept according to the EPO's retention policy for contracts (presently 12 years).

Personal data of unsuccessful candidates are retained for any communication purposes and will be kept for one year after its submission. The data subjects may at any time withdraw their agreement to such mailings and ask for the latter to be discontinued by contacting DPOexternalusers@epo.org.

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 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.