

Privacy Notice for Individuals who are Clients, Inventors, Designers, or Applicants for IP Rights

We hold and process information about individuals as Applicant(s), Inventor(s) and Designer(s), Client(s) (including prospective and ex-Clients), Director(s) of Client(s), and Beneficial Owner(s) of Clients, in order to provide IP services to our Clients and, in particular, to apply for IP Rights such as patents and designs, and to provide legal advice in relation to IP in the UK and worldwide.

You are an individual who is an Applicant, an Inventor, or a Designer of IP Rights managed by, or on which advice has been sought from Capella IP Ltd, or who is a Client, or Director or Beneficial Owner of a Client, of Capella IP Ltd. As an Appendix to this Privacy Notice is a spreadsheet informing you how we process data under the General Data Protection Regulation (GDPR) that came into force in the UK on 25 May 2018 and our legal bases for doing so.

Under GDPR we must process personal data:

- a) Lawfully, fairly and in a transparent manner;
- b) Collected for specified, explicit and legitimate purposes and not further processed in a way incompatible with those purposes;
- c) In an way that is adequate, relevant and limited to what is necessary for those purposes;
- d) Accurately kept up to date;
- e) Kept in a form for no longer than needed to meet the purposes;
- f) Securely.

You have the right to be informed, hence this Privacy Notice, and the rights of access, rectification, erasure, restrict processing, data portability, the right to object to processing in certain circumstances, and the rights related to automatic profiling. For more information see the [Information Commissioner's Office website](#).

We provide Applicant, Inventor, and Designer details e.g. names and addresses, on the basis of **Legal Obligation** to identify the Applicant for, Inventor of, and Designer of, IP Rights to:

- the UK IP Office;
- the European Patent Office;
- the EU IP Office;
- the World IP Office (WIPO);
- third party IP Attorney and Law Firms so they may provide advice or supply the information to a foreign IP office in other countries including countries outside the EU.

We hold and process information about individuals as Client(s), Director(s) of Client(s), and Beneficial Owner(s) of Clients, (including prospective Client(s)), on the basis of **Contract** to provide services to our Clients.

We may provide personal data of Client(s), Director(s) of Client(s), Beneficial Owner(s) of Clients on the basis of **Contract** to third party IP Attorney and Law firms in the UK and abroad, when we receive client instructions to do so. We may provide personal data of Applicant(s), Inventor(s), and Designer(s) e.g. names and address on the basis of **Legitimate Interest** to third party IP Attorney and Law Firms in the UK and abroad, when we receive Client instructions to do so.

We hold and process information about individuals as Client(s), Director(s) of Client(s), Beneficial Owner(s) of Clients on the basis of **Legal Obligation** under the Money Laundering Regulations 2017 e.g. to conduct Client Due Diligence during which we may provide your details to credit reference agencies, government agencies etc.

Should no formal contractual arrangement result, or the contractual arrangement end, then we shall continue to hold and process information about individuals as Client(s), Director(s) of Client(s), Beneficial Owner(s) of Clients (including prospective and ex-Client(s)) on the basis of **Legitimate Interest** where the interests, rights and freedoms of the individual(s) are not outweighed in doing so.

We share our Client(s) and Applicant(s) information e.g. names and address details, on the basis of **Legitimate Interest** where the interests, rights and freedoms of the individual(s) are not outweighed in doing so, with our accountants (typically via copies of our invoices), our bank, and occasionally other professional advisors e.g. credit reference agencies, solicitors and debt collectors, and government agencies.

The data we process is stored electronically and on paper. We use both local computers and an experienced, reputable third party IT supplier to provide IT services to us to manage the IP rights and documents under our care.

Security

We take the security and confidentiality of all data including personal data, client data and information very seriously. We are required to do so by our regulatory body, the IP Regulation Board.

Please contact us if you require more information about how we manage your data.

Capella IP Ltd

t: 44 (0) 1463 225 749

e: email@capellaip.com

Personal Data Mapping

What we hold and where, our basis for processing, and how long we hold it for.

Last updated: May 2020

What Data do we hold?	Where do we hold it?	Basis for Processing	How long will we hold the data?
<p>Applicant(s) Details for patent or design - natural legal person</p> <ul style="list-style-type: none"> • Name • Address • Email • Phone numbers <p>Letters, emails, Forms and documents with Applicant Details</p>	Electronic and paper file	<p>Legal Obligation We need to process the personal data to comply with a statutory obligation to identify the Applicant(s) and Inventor(s) for a patent e.g. s7 PA77 s13(2), s15(1)(6) PA77 EPC Art. 60, Art. 81 and R19(1).</p> <p>Legitimate Interest – we may provide personal data to third party IP attorney firms in the UK and abroad on client instructions</p>	<p>We shall hold this data for a period of at least six years (the statutory limitation period). Typically we will hold the data until expiry of the IP Right plus 6 years.</p> <p>Where a patent or design has been filed, we may hold this data for a period of at least 27 years for patents (up to 21 years life plus 6 years of statutory limitation period), or at least 31 years for designs (up to 25 years plus 6 years of statutory limitation period).</p>
<p>Inventor(s) and Designer(s) Details - natural legal person</p> <ul style="list-style-type: none"> • Name • Address • Email • Phone numbers <p>Letters, emails, Forms and documents with Inventor and Designer Details</p>	Electronic and paper file	<p>Legal Obligation We need to process the personal data to comply with a statutory obligation to identify the Applicant(s) and Inventor(s) for a patent e.g. s7 PA77 s13(2), s15(1)(6) PA77 and EPC Art. 60, Art. 81 and R19(1), and the Designer of a design.</p> <p>Inventors may waive their right for their address and, with reasons, name and address to be mentioned on a UK patent application under R11 PA77. The Inventor must contact the Controller of Patents directly.</p> <p>Legitimate Interest – we may provide personal data to third party IP attorney firms in the UK and abroad on client instructions</p>	<p>We shall hold this data for a period of at least six years (the statutory limitation period).</p> <p>Typically we will hold the data until expiry of the IP Right plus 6 years.</p> <p>Where a patent or design has been filed, we may hold this data for a period of at least 27 years for patents (up to 21 years life plus 6 years of statutory limitation period), or at least 31 years for designs (up to 25 years life plus 6 years of statutory limitation period).</p>

<p>Details of Client(s) and Prospective Client(s) (Enquirer), Details of Director(s) and Beneficial Owner(s) of Client(s) and Prospective Client(s) – natural legal persons</p> <ul style="list-style-type: none"> • Name • Address • Email • Passport / Driving Licence • Utility Bill • Phone numbers • Financial data • Sensitive Data including offences and alleged offences, criminal proceedings, outcomes and sentences <p>Letters, emails, Forms and documents with (Prospective) Client Details</p>	<p>Electronic and paper file</p>	<p>Contract We need to process our Clients' personal data to fulfill our obligations to Clients or prospective Clients. This processing is necessary to provide services</p> <p>Legitimate Interest Should no formal contractual arrangement result or the contractual arrangement end, then we shall continue to hold the data on the basis of Legitimate Interest.</p> <p>Legal Obligation - we must know who our Clients, or prospective Clients, are to conduct Client Due Diligence to comply with Money Laundering Regulations.</p> <p>Consent – we may provide marketing communications with consent.</p>	<p>We shall hold this data for a period of at least six years (the statutory limitation period). Typically we will hold the data until expiry of the IP Right plus 6 years.</p> <p>Where a patent or design has been filed, we may hold this data for a period of at least 27 years for patents (up to 21 years life plus 6 years of statutory limitation period), or at least 31 years for designs (up to 25 years life plus 6 years of statutory limitation period).</p> <p>We shall continue to hold the data on the basis of Legitimate Interest for a period of at least 6 years in case issues are raised within the statutory limitation period and so that we can address these.</p> <p>Money Laundering Regulations e.g. Regulation 40 of MLR 2017 requires us to keep Client Due Diligence documents for 5 years.</p> <p>We shall hold data used to provide marketing communications for five years, or until consent is withdrawn. If consent is not renewed after 5 years we shall delete the data.</p>
--	----------------------------------	--	--