

PRIVACY NOTICE

At Forresters we take privacy seriously and we are committed to protecting it.

This policy explains when and why we collect personal data about individuals, how this information is used, the conditions under which it may be disclosed to others and how it is kept secure.

This policy may change from time to time so please check this page occasionally to ensure that you're happy with any changes. This policy was last updated on 4 January 2021.

1. WHO WE ARE

Forresters group is made up of following companies:

- Forresters IP LLP (company number OC416271) and Forrester Ketley Limited (company number 04229509), both with registered office at 148 Edmund Street, Birmingham, B3 2JA; and
- Forresters Munich GmbH (company number HRB 194181) with registered office at Skygarden, Erika-Mann-Str.11, 80636, Munich, Germany.

Whenever dealing with either of our companies, the relevant company that corresponds with details above is the data controller in relation to the processing activities described below. A “data controller” is an organisation that decides why and how your personal data is processed.

Where this policy refers to “**Forresters**”, “**we**”, “**our**” or “**us**” below, unless it mentions otherwise, it's referring to the particular company that is the controller of your personal data.

2. PERSONAL DATA WE COLLECT AND HOW WE COLLECT IT

Personal data you give to us We collect personal data about you that you give to us via our website, our social media platforms, and/or by corresponding with us by phone, post, email or otherwise and is provided entirely voluntarily. It includes personal data that you may provide at the time of contacting us in relation to our services, when making an enquiry about our services, during the course of any intellectual property matter, or when requesting further services. We may also ask you for information if you report a problem with our website. If you complete any client surveys that we request you complete for research or feedback purposes, we will collect information in such circumstances as well.

The categories of personal data that may be collected voluntarily includes your contact information (name, email address, address, contact telephone number), identification information, banking/billing information, legal information relating to claims made by you or against you, information contained in our correspondence or other communications with you about our services (including responses to any surveys), and your marketing preferences.

Personal data we collect about you We may collect the information about your visits to our website, including, but not limited to, traffic data, location data, weblogs and other communication data, the resources you access or click on, the number and frequency of your visits We may also automatically collect technical information, including, but not limited to, the Internet protocol (IP) address used to connect your computer or device to the Internet, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform. We may also collect any personal data which you allow to be shared that is part of your public profile or third party social network. Please see our [Cookies Policy](#) for more information.

Personal data we may receive from other sources: We may receive information about you from third parties in connection with our services. For example, we may:

- collect information about you from a third party such as an overseas agent or other professional advisor in order for us to contact you about our services or who may refer you to us;
- collect information from regulatory bodies or enforcement authorities; or
- collect information from publicly available or other sources to verify your identity in connection with our anti-money laundering procedures.

The types of information we may receive includes your contact details, identification information, financial or billing information, employment information, and any details from correspondence and information regarding a matter on which we advise our client.

3. HOW WE USE YOUR PERSONAL DATA

The purposes for which we use your information and the legal basis under data protection laws on which we rely to do this are explained below.

Where it is required to complete a CONTRACT

We may use and process your personal data where we have supplied you (or continue to supply you) with any services, where we have arranged for the supply of another company's products or services to you, or where you are in discussions with us about any new product or service. We will use this information in connection with the contract for the supply of services when it is needed to carry out that contract or for you to enter into it. Please see [Personal data we collect and how we collect it](#) about you above for details of the types of personal data we process for these purposes.

Where you have provided CONSENT

We may use and process your personal data where you have consented for us to do so for direct marketing purposes. Please see section 9 below for further information.

You may withdraw your consent for us to use your information in any of these ways at any time. Please see [Withdrawing your consent](#) at section 12 for further details.

Where there is a LEGAL REQUIREMENT

We will use your personal data (including your identification information) to comply with our legal obligations: (i) to carry out any anti-money laundering checks as required by money laundering laws (including the Money Laundering Regulations 2017); (ii) to assist any public authority or criminal investigation body; (iii) to identify you when you contact us; and/or (iv) to verify the accuracy of data we hold about you.

We may use information about to which we collect from publicly available or other sources to verify the information that you give to us for this purpose.

Where there is a LEGITIMATE INTEREST

We may use and process your personal data where it is necessary for us to pursue our **legitimate interests** as a business, or that of a third party, for the following purposes:

- for marketing activities and to inform you about relevant events, products, updates and announcements you may be interested in (other than where we rely on your consent to contact you by email or text as explained in the [Marketing](#) section below);
- to correspond or communicate with you;
- to verify the accuracy of data that we hold about you and create a better understanding of you as a client;
- for network and information security in order for us to take steps to protect your information against loss or damage, theft or unauthorised access;

- for analysis to inform our business and/or marketing strategy, to help us understand how our website is used and by whom, and to assist, enhance and personalise your client experience (including to improve the recommendations we make to you on our website);
- to monitor the quality of our support to clients and your communications with us;
- for business administration and management purposes, including to manage and deliver internal projects and for business improvement;
- for undertake analysis and to assess and improve our service to clients and to provide staff training within the business;
- for prevention of fraud and other criminal activities;
- to comply with a request from you in connection with the exercise of your rights (for example where you have asked us not to contact you for marketing purposes, we will keep a record of this on our suppression lists in order to be able to comply with your request);
- for the management of queries, complaints, or claims; and
- for the establishment and defence of our legal rights.

4. OTHERS WHO MAY RECEIVE OR HAVE ACCESS TO YOUR PERSONAL DATA

Third party suppliers and service providers

We may disclose your personal data to our third party service providers, agents, subcontractors and other organisations for the purposes of providing services to us or directly to you on our behalf. Such third parties may include information technology providers, case management system / CRM providers, marketing agencies, cloud service providers (such as hosting and email management), data analytics providers, data backup providers, security services providers, advertising agencies, and administrative services.

When we use third party service providers, we only disclose to them any personal data that is necessary for them to provide their service and we have a contract in place that requires them to keep your personal data secure and not to use it other than in accordance with our specific instructions or for a specified purpose.

Certain third party product providers may share your personal data with us, which we will use in accordance with this policy. In some cases, they will be acting as a controller of your personal data and therefore we advise you to read their privacy policy.

Client satisfaction surveys

As client satisfaction is important to us, we may ask a third party consultancy agency or research company to contact you on our behalf for the sole purpose of gathering general information and specific information relating to us and our services.

Others involved in your case or matter

We may share your personal data with others in order to manage your case, including applicable Intellectual Property Offices or organisations who may use your personal data in connection with your application (whether before or after grant).

We may also pass your personal data, including details of your registered rights to CPA Global and attorneys acting on their behalf for the issue of renewal reminders unless explicitly instructed not to do so.

In the course of instructing foreign attorneys it will be necessary to pass details of you to them to enable them to prosecute applications and take other actions on your behalf.

Credit/debit card payment processors

Where you elect to pay an invoice by way of bank transfer, your credit/debit card payment is processed by a third party payment processor, who specialises in the secure online capture and processing of credit/debit card transactions. If you have any questions regarding secure transactions, please contact us using the details at the end of this policy.

Other ways we may share your personal data

We may transfer your personal data to a third party as part of a sale of some or all of our business and assets to any third party or as part of any business restructuring or reorganisation. We may also transfer your personal data if we're under a duty to disclose or share it in order to comply with any legal obligation, to detect or report a crime, to enforce or apply the terms of our contracts or to protect the rights, property or safety of our visitors and customers. We will always take steps with the aim of ensuring that your privacy rights continue to be protected.

5. WHERE WE STORE YOUR PERSONAL DATA

All personal data you provide to us is stored on our secure servers which are located within the United Kingdom and/or the European Economic Area (EEA).

There may be certain instances where the personal data you provide to is transferred to countries outside the United Kingdom and EEA. By way of example, this may happen where if any of the servers of our third party service providers are from time to time located in a country outside of the United Kingdom and EEA, or where we have shared your personal data with other agents and patent offices outside the United Kingdom and EEA for the purposes of managing your cases and/or enquiries. These countries may not have similar data protection laws to the UK and EEA.

If we transfer your personal data to a 'third country' outside of the EEA or the United Kingdom in this way, we will take steps to ensure that appropriate security measures are taken with the aim of ensuring that your privacy rights continue to be protected. These steps include imposing contractual obligations on the recipient of your personal data or ensuring that the recipients are subscribed to 'international frameworks' that aim to ensure adequate protection.

There will also be instances where the personal data you provide us is transferred between the EEA and the United Kingdom. For example, when your personal data is transferred from our German office to our UK office, or from other agents and patent offices located in other countries. We have taken steps to ensure that we have appropriate safeguards and contractual obligations in place for any applicable transfers between the EEA and a third country as required by applicable law.

Please contact us using the details at the end of this policy for more information about the protections that we put in place and to obtain a copy of the relevant documents.

If you use our services whilst you are outside the United Kingdom or the EEA, your personal data may be transferred outside the United Kingdom or the EEA in order to provide you with those services.

6. HOW LONG WE KEEP YOUR PERSONAL DATA FOR

If we collect your personal data, the length of time we retain it is determined by a number of factors including the purpose for which we use that information and our obligations under other laws. We do not retain personal data in an identifiable format for longer than is necessary.

We maintain internally a full schedule of types of data we hold and the specified period of time for which we will retain this. Typically, the retention period for queries, complaints, and claims is a minimum of 7 years in case we need your personal data to establish, bring or defend legal claims. The only exceptions to the above are where:

- to comply with a legal or regulatory requirement;

- the law requires us to hold your personal data for a longer period, or delete it sooner;
- you exercise your right to have the information erased (where it applies) and we do not need to hold it in connection with any of the reasons permitted or required under the law (see further [Erasing your personal data or restricting its processing](#) below); or
- in limited cases, the law permits us to keep your personal data indefinitely provided we put certain protections in place.

When it is no longer necessary to retain your personal data, we will delete the personal data that we hold about you from our systems. After that time, we may aggregate the data (from which you cannot be identified) and retain it for analytical purposes.

7. SECURITY AND LINKS TO OTHER SITES

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your information transmitted to our website and any transmission is at your own risk. Once we have received your personal data, we put in place reasonable and appropriate controls to ensure that it remains secure against accidental or unlawful destruction, loss, alteration, or unauthorised access.

Where we collect any sensitive personal data, we will apply additional security controls to protect that data.

Our website may contain links to other websites run by other organisations. This policy does not apply to those other websites, so we encourage you to read their privacy statements. We cannot be responsible for the privacy policies and practices of other websites even if you access them using links that we provide. In addition, if you linked to our website from a third party website, we cannot be responsible for the privacy policies and practices of the owners and operators of that third party website and recommend that you check the policy of that third party website.

8. COOKIES

Like many other websites, our website uses cookies (including analytics cookies) to obtain an overall view of visitor habits and visitor volumes to our website. 'Cookies' are small pieces of information sent to your computer or device and stored on its hard drive to allow our websites to recognise you when you visit. For more information on how we use cookies and how to switch them off on your device, please use the Cookie tool on our website or visit our [Cookies Policy](#).

9. MARKETING

We may collect your preferences to receive marketing information directly from us by email if you subscribe to our newsletter.

We may contact you with marketing information by post by using your personal data, unless you object.

We may also contact you with marketing information by email. However, where you deal with us in your capacity as an individual (rather than through your company or organisation), we will only contact you by email or text with direct marketing material if:

- you make an enquiry or engage with us in respect of our services, unless and until you indicate you would prefer not to hear from us; or
- you have consented to receive such marketing information directly from us.

We will only share your information with our third party service providers or marketing agents in order for them to send marketing materials on our behalf or capture any requests to unsubscribe from our marketing information. We have a contract in place with such service providers or marketing agents that requires them to keep your personal data secure and not to use it other than in accordance with our specific instructions.

From time to time, we may ask you to refresh your marketing preferences by asking you to confirm that you consent to continue receiving marketing information from us.

You have the right to opt-out of our use of your personal data to provide marketing to you in any of the ways mentioned above. Please see [Withdrawing your Consent](#) and [Objecting to our use of your personal data and automated decisions made about you](#) below for further details on how you can do this.

10. EMAIL TRACKING

Some of the marketing information we send to you via email may contain a 'web beacon pixel' (clear GIFs) or tracked links which allows us to identify when you have opened the email and to verify which links contained in the email you have accessed. We use this information for analysis purposes to help inform our marketing strategy and determine which parts of our emails are of most interest to you.

Please see our [Cookie Policy](#) for further details and instructions on how to delete this pixel.

11. USE OF AGGREGATED DATA

Your personal data may be converted into statistical or aggregated data in such a way as to ensure that you are not identified or identifiable from it. Aggregated data cannot be linked back to you as a natural person. We may use this data for analytical and research purposes.

This information may be collected by cookies placed on our website. Please see our [Cookie Policy](#) for further details.

12. YOUR RIGHTS

You have a number of rights in relation to your personal data under data protection law. In relation to certain rights, we may ask you for information to confirm your identity and, where applicable, to help us to search for your personal data. Except in rare cases, we will respond to you within one month from either (i) the date that we have confirmed your identity or (ii) where we do not need to do this because we already have this information, from the date we received your request.

- **Accessing your personal data:** You have the right to ask for a copy of the personal data that we hold about you by emailing or writing to us at the address at the end of this policy. We may not provide you with a copy of your personal data if this concerns other individuals or we have another lawful reason to withhold that personal data.
- **Correcting and updating your personal data:** The accuracy of your personal data is important to us. If you change your name or address/email address, or you discover that any of the other information we hold is inaccurate or out of date, please let us know by emailing or writing to us using any of the details described at the end of this policy.
- **Withdrawing your consent:** Where we rely on your consent as the legal basis for processing your personal data, as set out under [How we use your personal data](#), you may withdraw your consent at any time by contacting us using the details at the end of this policy. If you would like to withdraw your consent to receiving any direct marketing, you can do so using our unsubscribe tool within the email or by emailing or writing to us using any of the details described at the end of this policy. If you withdraw your consent, our use of your personal data before you withdraw is still lawful.
- **Objecting to our use of your personal data:** Where we rely on your legitimate business interests as the legal basis for processing your personal data for any purpose(s), as out under [How we use your personal data](#), you may object to us using your personal data for these purposes by emailing or writing to us at the address at the end of this policy. Except for the purposes for which we are sure we can continue to process your personal data, we will temporarily stop processing your personal data in line with your objection until we have investigated the matter. If we agree that your objection is justified in accordance with your rights under data protection laws, we will permanently stop using your data for those

purposes. Otherwise we will provide you with our justification as to why we need to continue using your data.

You may object to us using your personal data for direct marketing purposes and we will automatically comply with your request. If you would like to do so, please use our unsubscribe tool within the email or by emailing or writing to us using any of the details described at the end of this policy.

- **Erasing your personal data or restricting its processing:** In certain circumstances, you may ask for your personal data to be removed from our systems by emailing or writing to us at the address at the end of this policy. Unless there is a reason that the law allows us to use your personal data for longer, we will make reasonable efforts to comply with your request.

You may also ask us to restrict processing your personal data where you believe it is unlawful for us to do so, you have objected to its use and our investigation is pending or you require us to keep it in connection with legal proceedings. In these situations, we may only process your personal data whilst its processing is restricted if we have your consent or are legally permitted to do so, for example for storage purposes, to protect the rights of another individual or company or in connection with legal proceedings.

- **Transferring your personal data in a structured data file:** Where we rely on your consent as the legal basis for processing your personal data or need to process it in connection with your contract, as set out under [How we use your personal data](#), you may ask us to provide you with a copy of that personal data in a structured data file. We will provide this to you electronically in a structured, commonly used and machine readable form, such as a CSV file. You can ask us to send your personal data directly to another service provider, and we will do so if this is technically possible. We may not provide you with a copy of your personal data if this concerns other individuals or we have another lawful reason to withhold that information.
- **Complaining to the relevant data protection regulator:** You have the right to complain to the relevant data protection regulator, which in the United Kingdom is the Information Commissioners Office (ICO), if you are concerned about the way we have processed your personal data. Please visit the [ICO's website](#) for further details.

13. CHANGES TO THIS POLICY

We may review this policy from time to time and any changes will be notified to you by posting an updated version on our website and/or by contacting you by email. Any changes will take effect 7 days after the date of our email or the date on which we post the modified terms on our website, whichever is the earlier. We recommend you regularly check for changes and review this policy whenever you visit our website. If you do not agree with any aspect of the updated policy, you must immediately notify us and cease using our services.

14. CONTACT US

Please direct any queries about this policy or about the way we process your personal data to our Compliance Committee using our contact details below.

If you wish to write to us, please write to: Forresters Compliance Committee, 148 Edmund Street, Birmingham, B3 2JA.

Our email address for data protection queries is GDPR-Contact@private.forresters-ip.com. If you would prefer to speak to us by phone, please call +44 (0)20 7283 8989.