**Online Privacy Notice and Legal Disclaimer**

Wynne-Jones IP Limited is registered in England and Wales with company number 10797524 and has its registered office at:

Southgate House

Southgate Street

Gloucester

Gloucestershire

GL1 1UB

UK

Our appointed representative in the European Economic Area (EEA) under Article 27 of the General Data Protection Regulation (2016/679) of the European Parliament and the Council (‘GDPR’) is:

Willans Data Protection Services

2 Pembroke House

28-32 Upper Pembroke Street

Dublin

Ireland

D02 EK84

Tel: +353 1 447 0402

Email: wynne-jones@willansdps.com

(‘WDPS’ or ‘EU Representative’)

**HOW TO CONTACT US**

If you have any questions or concerns about this online privacy notice, our privacy policy for Wynne-Jones IP or its implementation, you may contact Fiona Watkins at [Wynne-JonesIP@wynne-jones.com](https://www.wynne-jones.com/media/1888/Wynne-JonesIP@wynne-jones.com). If at any time you decide that we should no longer hold any of your personal data, or wish to change the use to which any such data can be put, please let us know by emailing us at [Wynne-JonesIP@wynne-jones.com](https://www.wynne-jones.com/media/1888/Wynne-JonesIP@wynne-jones.com).

Our EU Representative holds the record of our processing activities as required under Article 30 of the GDPR and serves as a point of contact between Wynne-Jones IP and data subjects or supervisory authorities within the EEA. Any enquiries by data subjects or supervisory authorities in the EEA should be directed our EU Representative.

**THE PURPOSE OF THE PROCESSING**

We may collect and process personal information about you including information:

* that you provide by filling in forms on our website or other opt-in/consent forms, posting material, requesting further services or reporting a problem with our website
* that you provided by communicating with us by phone, email, live chat, social media or otherwise
* that you provide when you use our professional services as a client
* received in correspondence that you send to us
* concerning your visits to our website (including but not limited to traffic data) and the resources that you access

We may also collect information about you in other ways, for example:

* if you are a customer of one of our clients, and we are undertaking legal services on our client’s behalf
* if you have any other dealings with one or more of our clients which are related to legal services which we are providing to our client or on our client’s behalf
* indirectly, through one of our people, a client or a third party
* if you are a supplier of ours, from that supplier relationship
* from publicly available sources, for example the electoral roll, LinkedIn, trade mark registries or Companies House
* from third party data sources, including databases, where they have a legal basis for providing information to us
* where you attend events or functions that are organised or sponsored by us, including where images of you are captured by photography or videography during such events or functions

**WHAT DATA IS BEING COLLECTED AND THE LAWFUL BASIS FOR DOING SO**.

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are “special categories” of more sensitive personal data which require a higher level of protection.

We need your personal data primarily to allow us to perform our contract with you[\*] and to enable us to comply with legal obligations[\*\*]. In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties (including our clients) [\*\*\*], provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below. We have indicated by asterisks the purpose or purposes for which we are processing or will process your personal information, as well as indicating which categories of data are involved.

* In order to comply with legal requirements to name applicant, inventors and designers on patent, trade mark and registered design applications, we collect and process bibliographic information, including the name, address and nationality of applicants, inventors and designers, and ownership information. This data will normally become published as part of the patent, trade mark or registered design application process and could be held on our client portal.\* If you are sharing other people’s information with us for these purposes, please ensure that you have their consent to do so.
* We collect and process personal financial information to manage our accounts, payments and so forth. We view this as being within our legitimate interests in ensuring that our business is soundly managed.\*\*\*
* We collect and process personal and company identification document data in order to enable us to enable us to adhere to anti money laundering legislation checks as required by law. \* \*\*
* We collect and process miscellaneous confidential data as part of our case work for our clients, for example undisclosed invention data information about the parties to a matter, evidence relating to a case etc. Much of this data is covered by legal professional privilege. \* \*\*
* For marketing purposes, we collect and process non client identification and contact data (such us your name, job title, company, sector, email address, telephone number and type of IP work you have shown interest in). We believe it is in our legitimate interest to do so in order to develop our business by furthering our relationship with you.\*\*\*
* For the purposes of taking on clients and managing our activities for and distributing information to clients we collect and process client identification and contact data. To the extent this is not necessary for performing our contract with you, we believe it is in our legitimate interest to manage and further our relationship with you. \* \*\*\*
* To manage complaints, take action to put matters right. It is in our legitimate interests to make sure that complaints are investigated (for example, so that our customers receive a high standard of service and we can prevent complaints from arising in the future.\*\*\*
* To check your instructions to us, to analyse, assess and improve our services, and for training and quality purposes (We may monitor or record any communications between you and us, including phone calls, for these purposes.) It is in our legitimate interests to develop and improve our systems, train our staff, and provide our customers with a high standard of service. \*\*\*
* For the purpose of providing our clients with a trade mark watching service. It is in our clients’ legitimate interests to understand from public records whether trade mark applications have been made which may infringe their own trade marks, and it is in our legitimate interests (as part of our business) to provide our clients with this service.\*\*\*

If you do not agree to provide your personal data to us we may not be able to provide you with legal services or process your application for other services. Where our use of your data is not necessary for one of the purposes outlined above, we may use it in a particular way with your consent (for example if you have registered to attend an event we are hosting or to receive legal updates). Where we ask for your consent you are free to refuse our use of your personal data for those purposes and you may withdraw your consent at any time by contacting us using the details set out below.  This shall not affect the lawfulness of any processing that was based on your consent before you withdrew it.

Data transmitted through our client portal is client specific and further guidelines on use and protecting login credentials is issued through a separate user policy.

We may occasionally collect and process special categories of personal data (data such as biometric data, or criminal records) when it is relevant to the subject matter of our employees or work, e.g. patents for medical devices, enforcement of intellectual property offences. We limit the occasions where we collect and process such data. We will only use this kind of information where:

* we have your explicit consent;
* it is necessary for us to use this information to protect your vital interests or those of another person where it is not possible to obtain consent;
* it is necessary to do so in connection with the establishment, exercise or defence of legal claims or whenever courts are acting in their judicial capacity; or
* in exceptional circumstances, another ground for processing special categories of personal data is met.

Where you have provided us with explicit consent to use special categories of personal data about you, you may withdraw your consent for us to process this data at any time. Please note that if you withdraw your consent for us to process special categories of personal data about you, this may impact our ability to provide our services to you.

**HOW WE USE YOUR DATA**

The way we process your personal data we collect as set out above varies depending on our relationship with you.  In each case the purposes for which we request the information will be clear from the context in which it is acquired. These include:

* providing our services to you or an entity for which you work
* verifying your identity
* keeping a record of the services you have subscribed to and deliver services you may have requested
* administration, billing and record-keeping purposes
* communicating with you by telephone, email, fax or post
* meeting our legal, regulatory and contractual obligations arising from any our relationship with you (for example under anti-money laundering legislation)
* providing and improving customer service and support
* administering our website, enhancing operational capabilities and for internal operations
* verifying or enforcing compliance with this Notice and applicable laws
* where permitted by law, to inform you of legal developments that may affect you or to inform you of other products, services, or events which we think may be of interest to you (unless you have opted out of receiving such marketing communications)

In certain rare circumstances, we must allow personal data to be disclosed to law enforcement agencies without the consent of the data subject, in accordance with GDPR Article 6(1)(c). Also, we cannot guarantee the privacy of personal information you transmit over the web or that may be collectable in transit by others, including your direct electronic correspondence to contractors who provide services to us.

**DISCLOSURE OF YOUR DATA**

We will only disclose your personal information to another person or organisation where we:

* need to share the information to provide a product or service you have requested
* need to send the information to persons or organisations who engage us to conduct legal services on their behalf, including where you are that third party’s customer
* need to send the information to persons or organisations that work on our behalf to provide a product or service to you. Where such a person or organisation does work on our behalf, we will ensure that they are contractually required to take appropriate technical and organisational measures to protect your personal information against unauthorised or unlawful processing and against accidental loss or destruction of, or damage to, personal information and only use the information to provide a product or service on our behalf
* are required to disclose the information to comply with the law or the requirements of a regulatory authority

**STORAGE AND TRANSFER OF YOUR DATA INTERNATIONALLY**

The personal information that we collect from you may be transferred to, and stored at, a destination in and outside the United Kingdom (**UK**) and the European Economic Area (**EEA**).  It may also be processed by staff operating in and outside the UK and the EEA who work for us or one of our suppliers or in circumstances where your instruction has international considerations and/or parties related to your matter are located overseas.  Before we transfer your personal data outside the UK/EEA, we will take all steps reasonably necessary to ensure that any such transfer is made securely and that there is adequate protection in place to protect your personal data, as required by the Data Protection Act 2018 and Chapter V of the UK GDPR. Please contact us if you wish to obtain more information regarding relevant safeguards. By submitting your personal information, you agree to this transfer, storing or processing outside the UK and the EEA.

We engage with some external third parties who are based outside the UK and the EEA so their processing of your personal data will involve a transfer of data outside the UK and the EEA.

Whenever we transfer your personal data out of the UK or the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

* We may transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the Information Commissioner’s Office.
* Where we use certain service providers such as Mailchimp or Twitter, we may use contracts containing clauses approved by the Information Commissioner’s Office which give personal data the same protection it has in the UK.

Please note some countries do not adhere to UK GDPR or EU GDPR (even though we may have put appropriate contracts in place with the recipients of your information in order to protect it) and by submitting your personal information you accept this at your own risk.

Please Contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK and the EEA.

**RETENTION OF YOUR PERSONAL DATA**

We will retain your personal information for a minimum of six years and so long as is reasonably necessary for the purpose for which it was obtained and in accordance with our legal obligations and follow our data destruction policy and processes thereafter. Our policy on retention of personal data is available in our data protection policy.

**YOUR RIGHTS**

Your personal information is protected under data protection law, and you have a number of rights (see below) which you can seek to exercise. Please contact us in writing, by email or telephone using the details shown under ‘Contact and Complaints’ if you wish to do so, or if you have any queries in relation to your rights. If you are based in the EEA, please contact our EU Representative as detailed above. Please note these rights do not apply in all circumstances.

**Right of access –** subject to certain exceptions, you have the right of access to your personal data that we hold.

**Right to rectify your personal information –** if you discover that the information, we hold about you is inaccurate or incomplete, you have the right to have this information rectified (i.e. corrected).

**Right to be forgotten –** you may ask us to delete information we hold about you in certain circumstances. This right is not absolute, and it may not be possible for us to delete the information we hold about you, for example, if we have an ongoing contractual relationship or are required to retain information to comply with our legal obligations.

**Right to restriction of processing –** in some cases you may have the right to have the processing of your personal information restricted. For example, where you contest the accuracy of your personal information, its use may be restricted until the accuracy is verified.

**Right to object to processing –** you may object to the processing of your personal information (including profiling) when it is based upon our legitimate interests. You may also object to the processing of your personal information for the purposes of direct marketing and for the purposes of statistical analysis.

**Right to data portability – y**ou have the right to receive, move, copy or transfer your personal information to another controller when we are processing your personal information based on consent or on a contract and the processing is carried out by automated means.

**Marketing**: If you would like to opt out of receiving marketing messages from us, please contact us at the contact details set out under “Contact Us” or by following the opt out/unsubscribe instructions in the email. Please note that if you opt out of or unsubscribe from receiving marketing messages from us, we may still contact you in connection with a continuing or ongoing relationship, activities, and communications with us.

**Make a Complaint**. You have the right to lodge a complaint with the local data protection authority, which for the UK is the Information Commissioner’s Office. For further information on how to make a complaint to the **ICO**, please see the ICO website (<https://ico.org.uk/>)

**REVISIONS TO OUR ONLINE PRIVACY NOTICE**

We reserve the right to revise this notice or any part of it from time to time. Please review the notice periodically for changes. This policy was last updated in August 2022.

**LEGAL DISCLAIMER**

Thank you for visiting the Wynne-Jones IP website. The information on this website should not be considered as legal advice and is provided only for informational purposes. Should you decide to contact an attorney at Wynne-Jones IP, any unsolicited information you provide will not be considered as confidential. The information provided in this website does not create an attorney-client relationship, and you are not represented by Wynne-Jones IP until you have been formally engaged by an attorney with the firm. Wynne-Jones IP reserves the right to accept or decline representation of any client in any matter. Wynne-Jones IP, its directors, employees, and other representatives will not be liable for damages arising out of or in connection with the use of this site in any way. This is a comprehensive limitation of liability that applies to all damages of any kind, including (without limitation) compensatory, direct, indirect, or consequential damages, loss of data, income or profit, loss of or damage to property and claims of third parties.

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