

## HGF Privacy Policy

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### 1. Introduction

This policy applies to HGF Business Services Limited (UK), HGF Limited (UK), HGF Law LLP (UK), HGF BV (Holland), HGF GmbH (Switzerland), HGF Europe LLP (Germany, Austria and UK), HGF IP Limited (Ireland) and HGF SAS (France) together herein referred to as **HGF**.

HGF is committed to protecting and respecting your privacy.

This policy sets out how we handle the personal data of data subjects whose personal data comes into our possession through our core activities of providing professional and legal services relating to intellectual property matters and through data subjects' use of our website (our Services).

This policy/notice details:

- The types of personal data that we may collect or be provided with
- What we do with that personal data
- Our lawful basis for processing such personal data
- Your rights in relation to your personal data held by us

Please read the following carefully to understand our practices regarding your personal data and how we will treat it.

If we hold personal data about you in relation to our Services, HGF Limited of 1 City Walk, Leeds, LS11 9DX is the controller and responsible for your personal data. Our business is made up of different legal entities, as set out above, together herein referred to as HGF. This privacy notice is issued on behalf of the HGF Group so when we mention HGF we are referring to each company in the group responsible for processing your data.

We have a Data Protection Responsible Person (DPRP) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your rights, please contact the DPRP, currently Martyn Fish, in our [Leeds office](#).

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

### 2. Changes to the privacy notice

This version was last updated in June 2021 and historic versions can be obtained by contacting us.

### 3. Information we may collect from you.

Identity Data - includes first and last name, username or similar identifier, title, date of birth, gender and dietary requirements.

Contact Data - includes billing address, email address and telephone numbers.

Financial Data - includes bank account, payment card details and credit history.

Transactional Data - includes details about payments to and from you and other details of our Services.

Profile Data - includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.

Marketing Communications Data - includes your preference in receiving marketing from us or if you have chosen not to be contacted.

**4. How is your personal data collected?**

We use different methods to collect data from and about you:

- Direct interactions - You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you apply for our Services, create an account on our website; request marketing to be sent to you.
- Automated technologies or interactions - As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, [server logs] and other similar technologies. Please see our cookie policy [here](#) for further details.
- Your employer or similar - When we are instructed by a client in relation to our Services, they may provide us with your personal information where that is relevant to the Services we are to provide.
- From our clients/associates – Relating to the work we are carrying out for them.
- Third parties or publicly available sources - We may receive personal data about you from various third parties and public sources such as:
  - Companies House,
  - your own or your employer’s website,
  - LinkedIn
  - credit reference agencies.

**5. Our use of your personal data**

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract, we are about to enter into or have entered into with you (where you are our direct client).
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

Activity/Purpose	Data	Lawful Basis
To register you as a new client	Identity Contact Financial	Where you are not our direct client - Necessary for our legitimate interests (to provide Services in a lawful manner). Where you are our client - Performance of a contract with you
To administer and protect our business, this website and provide our services (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	Identity Contact Financial (where you are directly our client) Transactional Profile	Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security).
To file and maintain registrations relating to intellectual property	Identity Contact	Where you are not our direct client - Necessary for our legitimate interests (to provide Services in a lawful manner). Where you are our client - Performance of a contract with you.
To conduct legal proceedings on the instructions of our client.	Identity Contact	Where you are not our direct client - Necessary for our legitimate interests (to provide Services in a lawful manner). Where you are our client - Performance of a contract with you.

To deal with complaints or proceedings against us.	Identity Contact Transactional	Necessary for our legitimate interests (to defend our legitimate interests).
Marketing Activity	Identity Contact Marketing Communications	Necessary for our legitimate interests (to market to potential and existing customers in a compliant manner).
Conference administration	Identity Contact	Necessary for the performance of a contract to which the Data Subject is a party.  or  Necessary for our legitimate interests (to arrange a conference to which you have signed up to through your employer/other).

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table above.

**6. Marketing**

Where you unsubscribe from our marketing messages we will not market to you but will retain a record that we are not to send such correspondence to you.

**7. Cookies**

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of our website may become inaccessible or not function properly. For more information about the cookies we use, please see [here](#).

**8. Change of purpose**

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

**9. Disclosures of your personal data**

We may have to share your personal data with the parties set out below for the purposes set out in the table above.

Internal Third Parties

- Other companies in the HGF Group acting as joint controllers or processors and who are based within the EEA.

External Third Parties

- Intellectual Property Offices.
- The Courts.
- Third party IP service providers (i.e. foreign attorney associates, renewal and patent validation services).
- Other parties connected with a deal or litigation (and their professional advisors).
- Other providers of professional services/advisers (for example where there is a case transfer).
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.

- Credit reference agencies.
- Professional Indemnity insurer.
- Service providers acting as processors who provide IT and system administration services.
- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom.
- Printers.
- Creative agencies (Designer & digital).
- Directories.
- Conference organisers and venues.

We may also share your personal data with third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law.

We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 10. International transfers

We engage with some external third parties who are based outside the European Economic Area (EEA) so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of 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 will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

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

## 11. Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 12. Data retention

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

## 13. Your legal right

Under certain circumstances, you have rights under data protection laws in relation to your personal data. You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction** of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

If you wish to exercise any of the rights set out above, please [contact us](#).

#### 14. No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

#### 15. What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

#### 16. Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

#### 17. Changes to our privacy policy

Any changes we may make to our privacy policy in the future will be posted on this page and, where appropriate, notified to you by e-mail.

#### 18. Contact

Questions, comments and requests regarding this privacy policy are welcomed and should be addressed to our DPRP at [mfish@hgf-law.com](mailto:mfish@hgf-law.com).