

## PRIVACY NOTICE

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

This policy explains when and why we collect personal information 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 27 March 2020.

### 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 information is processed.

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

### 2 PERSONAL INFORMATION WE COLLECT AND HOW WE COLLECT IT

**Personal information you give to us** We collect information about you that you give to us by corresponding with us by phone, post, email or otherwise and is provided entirely voluntarily. This includes your contact information, identification information and banking/billing information.

**Personal information we collect about you** We may collect the information about your visits to our website, including 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 information which you allow to be shared that is part of your public profile or third party social network.

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 in order for us to contact you about our services;
- collect information from publically available or other sources to verify your identity in connection with our anti-money laundering procedures.

### 3 HOW WE USE YOUR PERSONAL INFORMATION

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 information 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 information we collect and how we collect it](#) about you above for details of the types of personal information we process for these purposes.

### **Where you have provided CONSENT**

We may use and process your personal information where you have **consented** for us to do so for direct marketing purposes. Please see section 8 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](#) for further details.

### **Where there is a LEGAL REQUIREMENT**

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

We may use information about to which we collect from publically 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 information 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 (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 marketing strategy, and to enhance and personalise your client experience (including to improve the recommendations we make to you on our website);
- 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 INFORMATION**

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

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.

### **Third parties who provide products and services**

When we use third party service providers, we only disclose to them any personal information that is necessary for them to provide their service and we have a contract in place that requires them to keep your information 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 information with us, which we will use in accordance with this policy. In some cases, they will be acting as a controller of your information and therefore we advise you to read their privacy policy.

### **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 information**

We may transfer your personal information 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 information 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.

## **WHERE WE STORE YOUR PERSONAL INFORMATION**

All information you provide to us may be transferred to countries outside the European Economic Area (EEA). By way of example, this may happen where if any of our servers or those of our third party service providers are from time to time located in a country outside of the EEA, or where we have shared your information with other agents and patent offices outside the EEA for the purposes of managing your cases and/or enquiries. These countries may not have similar data protection laws to the UK.

If we transfer your information outside of the EEA 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 as outlined in this policy. These steps include imposing contractual obligations on the recipient of your personal information or ensuring that the recipients are subscribed to 'international frameworks' that aim to ensure adequate protection. 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 EEA, your information may be transferred outside the EEA in order to provide you with those services.

## **5 HOW LONG WE KEEP YOUR PERSONAL INFORMATION FOR**

If we collect your personal information, 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 information in an identifiable format for longer than is necessary.

We may need your personal information to establish, bring or defend legal claims. For this purpose, we will always retain your personal information for 7 years after the date it is no longer needed by us for any of the purposes listed under How we use your personal information above. The only exceptions to this are where:

- the law requires us to hold your personal information 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 information or restricting its processing below); or
- in limited cases, the law permits us to keep your personal information indefinitely provided we put certain protections in place.

## **6 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 information, 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 information, 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 information 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.

## **7 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.

It is possible to switch off cookies by setting your browser preferences. For more information on how we use cookies and how to switch them off on your device, please visit our Cookies Policy at <http://www.forresters.co.uk/cookie-policy/>.

## **8 MARKETING**

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

We may contact you with marketing information by post or by telephone or with targeted advertising delivered online through social media and platforms operated by other companies by using your personal information, or use your personal information to tailor marketing to improve its relevance to you, unless you object.

We may also contact you with marketing information by text or 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 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 partners or marketing agents in order for them to send marketing materials on our behalf or capture any requests to unsubscribe from our newsletter.

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 information 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 information and automated decisions made about you](#) below for further details on how you can do this.

## **9 YOUR RIGHTS**

You have a number of rights in relation to your personal information 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 information. 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 information:** You have the right to ask for a copy of the information 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 information if this concerns other individuals or we have another lawful reason to withhold that information.
- **Correcting and updating your personal information:** The accuracy of your information is important to us and we are working on ways to make it easier for you to review and correct the information that we hold about you. In the meantime, 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 contacting us in 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 information, as set out under [How we use your personal information](#), 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 to which you previously opted-in, you can do so using our unsubscribe tool. If you withdraw your consent, our use of your personal information before you withdraw is still lawful.
- **Objecting to our use of your personal information:** Where we rely on your legitimate business interests as the legal basis for processing your personal information for any purpose(s), as out under [How we use your personal information](#), you may object to us using your personal information 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 information, we will temporarily stop processing your personal information 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 information for direct marketing purposes and we will automatically comply with your request. If you would like to do so, please use our unsubscribe tool.

- **Erasing your personal information or restricting its processing:** In certain circumstances, you may ask for your personal information 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 information for longer, we will make reasonable efforts to comply with your request.

You may also ask us to restrict processing your personal information 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 information 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 information in a structured data file:** Where we rely on your consent as the legal basis for processing your personal information or need to process it in connection with your contract, as set out under [How we use your personal information](#), you may ask us to provide you with a copy of that information 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 information 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 information if this concerns other individuals or we have another lawful reason to withhold that information.
- **Complaining to the UK data protection regulator:** You have the right to complain to the Information Commissioners Office (ICO) if you are concerned about the way we have processed your personal information. Please visit the [ICO's website](#) for further details.

## **10 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.

## **11 CONTACT US**

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

If you wish to write to us, please write to the address given at the start of this policy.

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