



**INFORMATION ON
CONFIDENTIALITY**



Information on Confidentiality

Nordic Patent Institute

Nordic Patent Institute is an Intergovernmental Organisation established by the governments of Denmark, Iceland and Norway.

Nordic Patent Institute acts as International Searching Authority (ISA) and International Preliminary Examining Authority (IPEA) under the Patent Cooperation Treaty (PCT). Nordic Patent Institute also offers customized search and analysis services for international customers and searches and examinations in the patent area for other patent offices around the world.

The operation of the Institute is based on cooperation between the national patent offices of the three contracting states and exploitation of the existing resources and competencies of the national offices.

Confidential Information

The services performed by Nordic Patent Institute often relate to companies commercial development and future earnings. Such information and the communication between Nordic Patent Institute and its customers can therefore be confidential

and of substantial economic and strategic value. The need for protection of confidential information is of utmost importance for Nordic Patent Institute.

Access to documents

The Agreement between the governments of Denmark, Norway and Iceland, on the Establishment of Nordic Patent Institute (hereinafter referred to as the “NPI Agreement”), contains detailed provisions on information excluded from public access and confidentiality. These provisions specifically exclude any public access to confidential information, including access to documents which may damage commercial interests of a natural or legal person if disclosed. The contracting states and the national patent offices of the contracting states, which perform work for Nordic Patent Institute, are also obliged to comply with these provisions.

The Protocol on Privileges and Immunity, which is an integral part of the NPI Agreement, states that all documents and archives belonging to Nordic Patent Institute shall be inviolable, wherever they are located. The protocol also contains detailed

provisions on the immunity of all property, assets and premises of Nordic Patent Institute from all procedural measures.

Confidentiality

According to the NPI Agreement all the employees of Nordic Patent Institute and the employees of the NPO's allocated to perform work for the Nordic Patent Institute are obligated not to disclose or make use of any confidential information, save for the purpose of proper performance of the obligations arising by virtue of the NPI Agreement. This applies to the period of employment and also after employment has ended.

In addition to the aforementioned provisions, all employees of Nordic Patent Institute and the employees of the NPOs sign a contract upon employment which includes a confidentiality clause stating that employees who become acquainted with information which should be treated as confidential information can not discuss this information internally or in public. The confidentiality requirement does not cease upon resignation.

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Additionally, all employees in the public sector of the contracting states are bound to observe professional secrecy in accordance with public administration legislation, which is in most parts equivalent in all the contracting states.

Finally, the duty to observe professional secrecy is directly regulated in the criminal legislation of the contracting states.

Secure File Exchange

To meet the ever increasing demands of higher levels of security for sensitive information, Nordic Patent Institute offers its customers the possibility of using Secure File Exchange, a highly secure system based on a locally hosted SSL-enabled web server, which can be used for all electronic communication and file sharing.

Summary

- Nordic Patent Institute makes it a priority to protect confidential information.
- The Agreement on the Establishment of the Nordic Patent Institute (NPI Agreement) excludes any public access to confidential information, including access to documents which may damage commercial interests if disclosed. The contracting states and the national patent offices of the contracting states are also obliged to comply with these provisions.
- The Protocol on Privileges and Immunity, which is an integral part of the NPI Agreement, contains detailed provisions on the immunity and inviolability of Nordic Patent Institute's property, assets, premises, documents and archives.
- All employees of Nordic Patent Institute and the employees of the NPO's allocated to perform work for the Nordic Patent Institute are

prohibited from disclosing or making use of any confidential information according to the NPI Agreement, save for the purpose of proper performance of the obligations arising by virtue of the NPI Agreement.

- All employees of Nordic Patent Institute and the employees of the NPO's sign a contract upon employment which includes a confidentiality clause stating that employees who become acquainted with information which should be treated as confidential information can not discuss this information internally or in public.
- All NPO employees are as employees in the public sector of the contracting states bound to observe professional secrecy in accordance with public administration legislation.
- Nordic Patent Institute offers its customers the possibility of using Secure File Exchange, a highly secure electronic communication tool.

