

The purpose of this document is to provide guidance on the retention and disposal of documents (including “personal data” under the General Data Protection Regulation 2016/679 (“GDPR”), and the Data Protection Act 2018 (subject to royal assent, the “DPA”)) (together the “Data Protection Laws”). “Documents” in this context means all documents held or controlled by us in any format or media that are located in the UK.

As a matter of law, our documents (including books, records and financial reports) must accurately reflect the underlying transactions and represent the true state of the business. They are an essential part of doing business correctly, honestly and openly and protect us, our customers and those we work with. We must ensure that the record keeping of our documents is accurate, that we store them safely and for the time periods prescribed by the law and that we do not destroy or alter any information or data that must be kept for litigation, an investigation or other legal reasons. Equally, we must not retain documentation where the limitation period has expired and there is no legal justification for retention.

The retention schedule sets out the recommended retention periods for Intellectual Property records. The retention schedule is intended to enable users of this document to simply refer to the relevant type of document that they are interested in and then determine the relevant retention period from that schedule. If a document is not covered by any retention schedule, reference can be made to the items listed in the General Guidance section within the Records Management Policy in determining an appropriate retention period.

SBU/functions should refer to these retention schedules and the general guidance below in reviewing their current existing document retention and disposal practices.

The DPO within the SBU/function has the responsibility for establishing and implementing effective practices and procedures across it to give effect to this document.

Intellectual Property documents

Record description	Retention period	Form in which to be kept	Reason and comments
Documents evidencing assignment of trade marks and designs	6 years after registration ceases	Original	Evidence/limitation.
Certificates of registration of trade marks or designs	6 years after registration ceases	Original	Evidence/limitation.
Intellectual property agreements and licenses	If executed as a Deed, 12 years after expiry. If executed as a simple contract, 6 years after expiry	Original	Evidence/limitation.
Literary, dramatic, musical, artistic works (including photographs and films* for which copyright protection is claimed	70 years after the death of the author (*last to die out of: principal director, author of screenplay, author of dialogue or composer of music specially created for film	Any	Evidence – Copyrights, Designs and Patents Act 1988 (“CDPA”).

Record description	Retention period	Form in which to be kept	Reason and comments
Sound recordings	50 years after recording is made	Any	CPDA
Broadcasts	50 years after broadcast is made	Any	CDPA
Typographical arrangements of published editions	25 years from publication	Any	CDPA
Patent applications and related records	For life of the patent plus 6 years	Any	Evidence/limitation – the information will be useful for prosecuting infringements and defending patents in other ways.
Applications for extension of patents	If granted, for life of patent	Any	As above.
Assignment of patent rights	For life of patent plus 6 years	Original	Evidence/ limitation.
Patent licenses	Term of license plus 6 years	Original	Evidence/ limitation.