

**FOI Release**  
**Information released under the Freedom of Information Act**

**Title:** Information on IPO data produced for re-use

**Date of release:** 15 January 2015

**Information request:**

1. What proportion of the information and data that your organisation produces do you make available for re-use?

- 0%
- 25%
- 50%
- 75%
- 100%

2. How would potential re-users ascertain what data and what information that you hold that may be available for re-use?

- (a) Information Asset Lists
- (b) Publication Schemes
- (c) Information on your website
- (d) Other (please specify)

3. Which or the following open data (information) principles do you follow?

- (a) Public data policy and practice will be clearly driven by the public and businesses that want to use the data, including what data is released when and in what form.
  - (b) Public data will be published in re-usable, machine-readable form
  - (c) Public data will be released under the same open licence which enables free re-use, including commercial re-use
  - (d) Public data will be available and easy to find through a single, easy-to-use, online access point ([www.data.gov.uk](http://www.data.gov.uk))
  - (e) Public data will be published using open standards, and following relevant recommendations of the World Wide Web Consortium (W3C)
  - (f) Public data from different departments about the same subject will be published in the same, standard formats and with the same definitions
  - (g) public data underlying the Government's own websites will be published in re-usable form
  - (h) public data will be timely and fine-grained
  - (i) release data quickly, and then work to make sure that it is available in open standard formats, including linked data forms
  - (j) public data will be available to use in any lawful way
  - (k) public data will be available without application or registration, and without requiring details of the user
  - (l) public bodies should actively encourage the re-use of their public data
  - (m) public bodies should maintain and publish inventories of their data holdings
  - (n) public bodies should publish relevant metadata about their datasets and this should be available through a single online access point; and they should publish supporting descriptions of the format provenance and meaning of the data
4. How do you decide which information you will allow to be re-used?
5. How do you licence the re-use of the information and data that you hold?
- (a) Open Government Licence (OGL)

- (b) Creative Commons Licences (any type)
  - (c) Bespoke Licences
  - (d) By letter
  - (e) By notices on our website
  - (f) Standard licence provisions
6. Of the information and data that you allow to be re-used what proportion is charged for? Note that these are charges in addition to any supply charges you may make under Freedom of Information or indeed where you publish information commercially?
  7. What factors do you take into account when charging for re-use?
  8. Do you support the concept of Marginal Cost Pricing?
  9. What information do you publish about the terms of re-use?
  10. How would re-users find out what your licence and/or re-use terms are?
  11. Under what circumstances would you turn down applications to re-use your information and data?
  12. What categories of information and data would you NOT allow to be re-used?
  13. How do you inform the applicant of your decision (e.g. by email)?
  14. Have you published a statement defining your public task?
  15. How would a re-user complain if he/she was dissatisfied with how you dealt with a re-use request? Do you for example have an established complaints process?
  16. What is the time limit for responding to complaints relating to re-use?
  17. Do you grant any exclusive licences or agreements in respect of the information that you hold?
  18. Under what circumstances would you grant exclusive licences or agreements?
  19. If the answer to question 16 is 'yes' do you publish details of the exclusive agreements you have?
  20. How do you ensure that the terms of re-use are applied consistently to all re-users for similar uses?
  21. How often do you undertake an internal audit of the information that you hold?
  22. Do you maintain an Information Asset Register?
  23. Do you subscribe to the Information Fair Trading Scheme (IFTS)?
    - (a) Yes
    - (b) No
  24. When you publish or make information and data available do you identify which, if any, of the material belongs to third parties?
  25. Have you published a statement of defined Public Task?
    - (a) Yes
    - (b) No

**Information released:**

Q1. Approximately 75%

Q2.

- (c) Via our website &
- (d) information helpline

Q3.

(a) The timing and extent of the release of intellectual property (IP) data is driven primarily by legislation.

(b) Public data is published in part in re-usable form, e.g. a dataset of patent information. Other datasets are in preparation.

(c) This data is released under the same open licence that enables free re-use, including commercial re-use.

(d) Some public data is available via [www.data.gov.uk](http://www.data.gov.uk) , other via the Intellectual Property Office website supported by [www.gov.uk](http://www.gov.uk) .

(e) Yes.

(f) Yes.

(g) Yes.

(h) Yes, within the constraints of IP legislation.

(i) Not understood.

(j) Yes.

(k) Yes.

(l) No, we merely make the information available and re-usable if practicable. However we do charge for some information in accordance with our trading fund and IP legislation.

(m) To some extent, via our FOI publication scheme a publication list available on [www.gov.uk](http://www.gov.uk) .

(n) We do publish supporting description and explanation accompanying our patent dataset and intend to do so for other planned datasets.

Q4. We allow all our published information to be re-used, so long as it is not used in a way that is misleading or infringes any third party copyright.

Q5.

(a) OGL.

(e) By website notices.

Q6. Difficult to estimate the proportion charged for as it depends upon demand for information. Essentially we charge for trade mark file inspection or copies, as well as caveats (i.e. notices to provide information on the progress of an application to register IP rights). We also charge for subscriptions of IP journal information (containing cumulative information of e.g. publication of trade marks and registered designs.) This information is also published online as regular updates of new acceptances. We do not charge for disbursements in connection with FOI requests. We would also be unlikely to charge a fee for providing information under FOI if the cost exceeded the appropriate limit, but would normally refuse under s.12.

Q7. We do not charge for re-use.

Q8. This is not a question we are obliged to answer under the terms of the FOI Act and we decline to comment further.

Q9. See: <https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

Q10. Indicated at bottom of IPO homepage.

Q11. Not applicable as we do not require applications to re-use information.

Q12. We would not permit re-use of such things as the GOV.UK branding or presentation style, or the use of the Royal Crown. This question could be best answered by GOV.UK.

Q13. Not applicable.

Q14. If by “public task” you mean what the Intellectual Property Office (IPO) does, then yes.

Q15. Not applicable.

Q16. Not applicable.

Q17. No.

Q18. Not applicable.

Q19. Not applicable.

Q20. By informing potential re-users. It is up to the individual re-using information to ensure they comply with the OGL and copyright restrictions.

Q21. As required to maintain the FOI publication scheme and when reviewing website content.

Q22. Yes.

Q23. No.

Q24. Yes when publishing, and when we disclose third party information under FOI we remind requesters of their responsibility to comply with copyright law.

Q25. See reply to Q14.