

Managing Intellectual Property

EPO seeks data on green patents

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Companies are being asked to take part in a survey about how they license so-called green patents in the first large-scale empirical study of its kind

The European Patent Office, which is carrying out the work in conjunction with the United Nations Environment Programme (UNEP) and the International Centre for Trade and Sustainable Development (ICTSD), says that the results should help provide inputs and recommendations during international climate change talks to be held in Copenhagen in December.

The study is designed to improve the understanding of the role that IP plays in the transfer, access and deployment of environmentally sound technologies (ESTs). It focuses on the energy sector.

Meir Perez Pugatch of the University of Haifa and research director of the Stockholm Network think-tank is running the survey. He told *Managing IP* that organisations such as the Licensing Executives Society International and the International Chamber of Commerce had helped to identify 2,000 companies in the industry who have been invited to take part, although the online survey is also open to other businesses.

Questions include what proportion of the respondent's patent portfolio is made up of environmentally sound technologies (ESTs), whether there has been a recent shift in licensing strategies, and what factors influence the respondent's decision whether to license an EST to a licensee in a developing country.

The study comes amid calls from a number of developing countries and NGOs for patent rights over green technologies to be limited in attempt to improve access by poorer countries.

In May, a group of companies including GE and Microsoft formed a group called the Innovation, Development, and Employment Alliance (IDEA), to urge governments to respect IP rights over products and technologies that could be used to mitigate climate change.

"I've been exposed to the discussions about IP rights and compulsory licensing that have migrated from the pharmaceutical field to energy but so far they have not been based on empirical data," said Pugatch. "The survey tries to look at practices on licensing without any bias."

Managing IP's 2009 list of the most influential people in IP includes two people who are shaping the debate on green patents. One is an activist campaigning to limit patent rights over green technology and the other is an IP lawyer at one of the world's biggest companies who says that IP rights are essential for low-carbon innovation. Subscribers can read more about them [here](#).