



Standing Committee on **IP and Green Technology**

2017



Date: 12th October 2017

REPORT Standing Committee on

IP and Green Technology

Chair: Guillaume HENRY
Responsible Reporter: Ralph Nack

1) Report on the activities of your Standing Committee during the reporting period

Please provide a general overview of the activities of your Standing Committee over the last 12 months, including at least:

- a) Internal meetings of the Standing Committee during the reporting period (whether by telephone, video conference or in person);

The chair (Guillaume HENRY) and the secretary (Natalie RAFOUL) had a meeting in April 2017 in Paris.

Mmembers of the SC communicated many times by e-mail (informations, etc.).

- b) any external representation on behalf of AIPPI by any member of your Standing Committee;

The COP 22 took place in Marrakech/Morocco, in November 2016. Bertram and Guillaume were present in Marrakech. In parallel to the official COP, a number of side events were planned, inter alia organized by the Moroccan Office of Industrial and Commercial Property (OMPIC), the French Patent Office (INPI) and WIPO GREEN. Guillaume participated to two conferences as speaker, one organized by the French Patent Office (INPI) and the second one organized by an NGO that calls "The Bridge Tank".

- c) any contribution by your Standing Committee to any external consultations; and

not responded

- d) any studies or analyses undertaken or position papers prepared by your Standing Committee, with a brief summary of the outcome(s).

not responded

2) Key issues/developments during the reporting period

Please include any significant case law, legislative or regulatory developments, or policy initiatives, including their relevance and/or any implications for the work of your Standing Committee or for AIPPI more generally.

Our SC welcomed in 2017 2 new members: **Marco ZARDI** from Switzerland, and **David POSTOLSKI** from the US.

Most important event was the COP 22 in Morocco in Novemer 2016.

3) Any recommendations for AIPPI involvement/action for the next 12 months

This need not be limited to recommendations for your Standing Committee but can be recommendations for AIPPI more broadly. For example, please include:

In each case, please explain why such involvement/action is recommended, by whom it should be undertaken and any relevant time frames.

- a) any recommendations for involvement/action in relation to any upcoming or foreshadowed case law, legislative or regulatory developments, or policy initiatives;

not responded

- b) any other recommendations for AIPPI involvement/action;

not responded

- c) any recommendations for the work programme of your Study Committee.

not responded

4) Outline of the work programme of your Standing Committee for the next 12 months

Please set out specific activities and priorities having regard to the matters in 1) - 3) above, including any relevant time frames.

Working programme

1. Study on the fast track examination
2. COP 23 in Bonn

1. Study on the fast track examination

At the Milano Congress, it was decided that the next study of the SC would focus on the fast track patent examination.

In order to work in a more comprehensive way, we decided to propose to statisticians to work on this study with our committee. The study will be held in cooperation with Antoine Dechezleprêtre and the *London School of Economics* (LSE) or the *Ecole des Mines* from Paris.

The study will be held in 2018.

Background

Since 2009, about 10 national offices in the world have set up fast-tracking programs for green patent applications (FTGPA). These FTGPA are heterogeneous and there are very few studies about the success or failure of these national procedures

At present, there are only two existing studies on the topic:

- Antoine Dechezleprêtre, 2013, *Fast-tracking Green Patent Applications*, ICTSD, Issue paper 37.
- Eric L. Lane, 2012, *Building the global green patent highway: a proposal for international harmonization of green technology fast track programs*, Berkeley Technology Law German 27:3.

AIPPI's IP and its Green Technology Commission and Antoine Dechezleprêtre (LSE or Ecole des Mines)

have decided to carry out a joint study on this subject.

Goal of the study

1. Conduct a legal and statistical analysis on fast tracking programs for green patent applications;
2. Based on these analyses, define recommendations for the evolution, the diffusion and potentially the harmonization of fast tracking programs for green patent applications.

Proposed plan of work

1. Conduct a legal analysis of fast tracking programs for green patent applications in order to determine commonalities and discrepancies;
2. Collect feedback from professionals having used the fast track programs for green patent applications (difficulties, advantages, downsides);
3. Conduct a statistical analysis on:
 - the number of patent applications filed and issued;
 - the impact of the programmes on the length of grant procedures;
 - the technological fields concerned;
 - the quality and value of issued patents;
 - the profile of the applicants.
4. Draw conclusions on how to improve the system
 - What are the currently most efficient systems?
 - What harmonization propositions can be made?

Distribution of tasks among partners

The members of AIPPI's IP and GreenTech Commission will handle points 1 and 2.

The LSE (or Ecole des Mines) team will deal with point 3.

Point 4 will be carried out jointly by both teams.

Work schedule

Points 1, 2 and 3 will be carried out by the first half of 2018.

Drafting of point 4 will take place in the second half of 2018.

2. AIPPI as formal UNFCCC observer

In 2017, AIPPI to become has been formally accredited as observer to the UNFCCC Conferences of the Parties (COP), in order to be able to follow closely the debates and the future development of the climate change debate. Guillaume Henry will attend the COP 23 in Bonn in November 2017.

Names and Functions of Committee Members

Chair(s)	Guillaume HENRY	France
Co Chair(s)	Casey Kook-Chan AN	Republic of Korea
Secretary	Natalie RAFFOUL	Canada
Members	Alicia ÁLVAREZ DE BERKENWALD	Argentina
	Mehmet ATBAN	Turkey
	Fabio BOSCARIOL	Italy
	Ursula BARAVALLE	South Africa
	Patricia A. O. BUNYE	Philippines
	Wen CAO	China
	Luis Diego CASTRO CHAVARRÍA	CA-Caribbean Regional-Group
	Estelle DERCLAYE	United Kingdom
	Filippo FERRONI	Italy
	Keiji KONDO	Japan
	Bertram HUBER	Germany
	V.LAKSHMI KUMARAN	India
	Humberto LOPEZ	Mexico
	David MERRYLEES	Brazil
	Tamar MORAG-SELA	Israel
	Clara NEPPEL	Germany
	Alexander ODLE	Netherlands
	Dilek ÜSTÜN EKDIAL	Turkey
David POSTOLSKI	United States	
Margaret WELSH MCINERNEY	United States	
Maco ZARDI	Switzerland	