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## USPTO to Accelerate Green Technology Patents

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Commerce Secretary Gary Locke has announced a new Patent and Trademark Office (USPTO) program to accelerate the examination of "green" technology patent applications. Announced at the beginning of the United Nations Climate Change Conference held in Copenhagen (December 7-18, 2009), the Green Technology Pilot Program is designed to reduce the length of time that a patent application lingers in the USPTO and to bring green technologies to market more quickly. The pilot program is also aimed at enabling inventors to secure funding for new green technologies and to launch businesses. Secretary Locke commented, "By ensuring that many new products will receive patent protection more quickly, we can encourage our brightest innovators to invest needed resources in developing new technologies and help bring those technologies to market more quickly."

Applications may qualify for the program if they pertain to environmental quality, energy conservation, development of renewable energy resources or greenhouse gas emission reduction. Patent applications are normally taken up for examination in the order that they are filed, and the average pendency time for green technology patent applications is now approximately 30 months to a first office action and 40 months to a final decision. Expedited examination of green technology patent applications is

expected to reduce the pendency time by an average of one year.

Petitions to participate in the Green Technology Pilot Program must be filed before December 8, 2010; the USPTO will accept the first 3,000. As an added incentive, the filing fees for the petition are waived for these approved green technologies. In order to qualify, a utility application must comply with certain filing restrictions, such as limits on the number of dependent and independent claims in the application. Further, the claims must be directed to an invention that enhances the quality of the environment, or that contributes to the discovery or development of renewable energy, the more efficient utilization and conservation of energy resources, or to the reduction of greenhouse gas emissions. As long as an application can meet these basic requirements, the Green Technology Pilot Program offers an expedited and more economic way to bring green technology patents to market.

Additional details on the USPTO pilot program are available in the Federal Register and can be accessed by clicking [here](#).

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