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US Patent Office Launches Green Energy Award

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On March 6, 2023, the U.S. Patent and Trademark Office (USPTO) announced the addition of a new category for its **Patents for Humanity** Awards Program: **Green Energy**. The Green Energy category accepts any U.S. patent or patent application directed to green energy technologies, such as wind, solar, green hydrogen, hydropower, geothermal, and biofuel technologies. The program is open to all types of patent holders, patent applicants and licensees.

The Patents for Humanity Awards Program was established in **2012** with the aim of highlighting inventors who are at the forefront of developing innovative methods to provide cost-effective, scalable, and sustainable solutions for the underprivileged. The Green Energy category was newly added in 2023. The award is considered the USPTO's "**top honor**."

To qualify, applicants must describe how their invention is providing an environmental benefit by making energy renewable, sustainable, cleaner, or greener. Applicants are encouraged to tell their invention story and may include a short video or published academic articles.

Applications will be evaluated based on **three criteria**: subject matter (*i.e.*, the technology's effectiveness in addressing climate change by providing an environmental benefit and producing renewable, sustainable, cleaner, or greener energy), commercialization (*i.e.*, applicant must be taking meaningful actions to make the technology available to the public), and impact (*i.e.*, the invention's downstream impacts and its overall benefit to the environment in providing renewable, sustainable, cleaner, or greener energy). Submissions for the Green Energy category of the Patents for Humanity Awards Program will be accepted until **June 1, 2023**. The USPTO intends to determine and publicly announce the winner and honorable mentions within **90 days** of the submission deadline.

A strong dedication to greener technology is not unique to the United States. The United Kingdom's Intellectual Property Office has had its **Green Channel** program up and running continuously since 2009. The Green Channel's mission is essentially identical to the USPTO's Green Technology and Climate Change Mitigation Pilot Programs, providing accelerated patent application review to applicants whose technology is environmentally beneficial. Green Channel applicants must submit a written request detailing how their invention is environmentally friendly in order to be considered for accelerated review. Qualifying inventions are not limited to overtly environmentally-friendly ones, like solar panels, but also include less obvious but still beneficial inventions, such as manufacturing processes that use less energy. The program is quite popular, with **ten written requests** for Green Channel review already submitted in 2023 and thousands having been submitted throughout the program's lifetime.

And now, inventors and manufacturers from around the globe can collaborate to bring green technology to life. In 2022, the World Intellectual Property Organization (WIPO)—the United Nations agency dedicated to promoting intellectual property initiatives across international borders—partnered with the USPTO on its **WIPO GREEN** platform, a database that connects individuals and corporations who are looking for green solutions. For example, a U.S.-based construction company can use WIPO GREEN to connect with a Swedish inventor who creates **technology** designed to remove dust and contaminants from a construction site. Companies without the means to invent these technologies themselves can locate inventors with whom they can coordinate the commercialization of an invention. This free database is available worldwide, and inventors need not have patented their technologies in order to participate, opening the door to broadly promote green technology.

At last September's Global Forum on Intellectual Property in Singapore, USPTO director Kathi Vidal **emphasized** the commitment that innovators are making and must continue to make towards creating a more sustainable society, referencing Patents for Humanity, the Climate Change Mitigation Pilot Program, and WIPO GREEN. But this begs the question of what's next for patents and climate change. We look forward to seeing how the current initiatives will bolster green innovations and what new programs may be in store.

Taking the temperature: This new award category will serve two purposes. First, the award provides **business incentives to support innovative work on the part of those seeking to address climate change. Specifically, winners will receive an **acceleration certificate** to expedite select USPTO proceedings (*e.g.*, a patent application, an *ex parte* re-examination, or an *ex parte* appeal to the Patent Trial and Appeal Board). Moreover, **winners may leverage their certificate to obtain funding or sell it to third parties**. Second,**

the award will showcase success stories, which will hopefully **inspire others to harness innovation** and address the challenges of climate change.