



Green Channel Patent Applications

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The United Kingdom Intellectual Property Office (“IPO”) have a few methods which can facilitate getting a patent granted more quickly; accelerating the usual patent process which on average can take 4 years. A notable accelerated process is the **Green Channel**. The Green Channel was introduced by the IPO on 12 May 2009 and is available for inventions that have some environmental benefit. Notably the IPO was the first country to set up a specific fast track process for ‘green’ innovations. This process serves as an incentive to invest in research and development for environmentally friendly technology which of course can help aid the fight against global warming.

An applicant (or the applicant’s patent representative) must make a request in writing requesting entry into the Green Channel providing a reasonable argument that the invention falls within the Green Channel because it has an environmental benefit. The request must also identify which action they wish to

accelerate. The actions available to accelerate are search, examination, combined search and examination, and/or publication. The request to the IPO can be made when filing the application or it can be requested prior to the action which you wish to accelerate.

There are no official guidelines as to what the IPO considers environmentally beneficial, so it is not limited to specific technology areas or International Patent Classification (IPC) Codes traditionally associated with Green Technology, such as solar power. Therefore, an invention which provides for a more environmentally friendly way of manufacturing a combustion engine could be eligible for the Green Channel, even though a combustion engine would not be considered environmentally friendly per se.

There is no official form to complete or official fee to pay to request entry into the Green Channel. It should also be noted that there is no automatic entry into the Green Channel, so the

IPO will not independently identify applications for the Green Channel and independently accelerate the processing of the application. If an applicant requests the Green Channel at filing, the patent could issue in as little as 9 months. While this could be a benefit for some applicants who are trying to secure funding or are aware of a potential infringer, it needs to be considered carefully as you need to be sure that your invention is fully developed, or the potential uses are fully realised as you will not have the time or opportunity to fine tune or file divisional applications as you would through the traditional methods of GB patents.

To get an idea of what innovations have utilised the Green Channel the IPO has created a **database** that enables a search for published and granted patents which are going through or have gone through the Green Channel. Since its introduction there are 2570 entries in the database, which indicates it is a severely underutilised procedure.

If you would like to find out more about Green Channel Patent Applications, please contact us

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