

*Building the Global Green Patent Highway: A Proposal for International Harmonization of Green Technology Fast Track Programs**

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As governments around the world have recognized the importance of development and implementation of clean technologies in mitigating climate change, they have looked to patenting procedures as a mechanism to promote and accelerate green innovation. In particular, many national intellectual property offices have implemented programs that provide expedited examination of patent applications directed to green technologies.

These green patent fast track programs vary widely in their rules, both in eligibility requirements and process parameters. Due to these disparities, it can be costly and time consuming for applicants and their patent attorneys to select which green technology patent fast track programs to utilize, to determine whether and how to utilize such programs, and to prepare separate submissions for different programs.

I recommend that the disparate fast track programs for green patent applications be harmonized to make eligibility and process requirements uniform across all participating national intellectual property offices. I have conducted a critical analysis of the eligibility and process requirements of existing programs, and, drawing from the analysis, I argue that a standardized set of rules should feature an expansive subject matter eligibility scheme so the system is open to all beneficial green technologies yet should impose reasonable process restrictions as a check on patent office and examiner workload.

A standardized and balanced international system of expedited examination would encourage greater participation in green technology fast track programs. In an increasingly globalized clean tech industry in which patent licensing often drives implementation and international transfer of technology, the proposed “Global Green Patent Highway” would reduce the time to grant for a larger number of green patents, thereby fostering development and diffusion of green technologies.

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