



WORLD
INTELLECTUAL
PROPERTY
ORGANIZATION

WIPO's Contribution to Meeting the Challenges of Climate Change

Humanity's impact on the climate is largely the result of the development of energy and industrial technologies that fueled much of the last century's progress. History shows that society turns to technology – the application of science to the solution of practical problems – as one of the principal means for dealing with challenges and threats confronting the world. Today, climate change is one of the greatest threats we face. Policies that stimulate the creation and diffusion of technology are therefore key in considering how the global community can respond to this threat.

The intellectual property (IP) system has a direct impact on many technologies that can help mitigate climate change. The IP system can contribute to the crafting of the many, diverse solutions needed to address the impact of climate change. The World Intellectual Property Organization (WIPO), as the United Nations agency responsible for cooperation among states in the field of IP and charged with ensuring balance and efficiency in the international IP system, can contribute its expertise to these efforts.

The IP System as Part of the Climate Change Solution

Two major policy objectives need to be prioritized: Encouraging investment in the creation of environment-friendly technologies, and the rapid dissemination of those technologies. In both cases, the IP system, and in particular patents, are fundamental in that they provide a stimulus for investment in green innovation and contribute to a rapid – and global – diffusion of new technologies and knowledge.

Green innovation requires significant private sector investment, which is incentivized through an effective patent system. The IP system makes an invention a tradable good, which can be licensed or assigned, thus facilitating technology partnerships.

Effective patent protection in recipient countries can spur international technology transfer from the private sector. Moreover, since all patents are published, the patent system also provides the most comprehensive public repository of information on latest technologies. It reveals knowledge that already exists, which helps to develop new technologies, and it helps identify technologies that are not protected and thus freely available.

WIPO's Contribution as the UN Agency Responsible for IP

An international response is required to meet the global challenge of climate change. WIPO, as the UN specialized agency in matters relating to IP can make a positive contribution in this respect. WIPO's activities help ensure that the IP system serves as an effective instrument to create and disseminate technologies which reduce greenhouse gas emissions.

In particular, WIPO can contribute in the following areas:

- (a) Serve as the international forum for IP and technology transfer discussions post-Copenhagen.
 - With its comprehensive membership of 184 Member States and over 250 accredited non-governmental organizations and some 70 inter-governmental organizations, WIPO is the key forum for discussions on the role of IP and technology transfer in promoting the creation and diffusion of relevant technologies.

- (b) Provide **patent mapping or “landscaping” services** to help better understand technology profiles and property rights in climate friendly technologies.
- Identification of the relevant technologies is essential for effective technology transfer. WIPO offers tools and services to **enhance access to the relevant technologies** through its patent information resources, such as its PATENTSCOPE® portal, which provides up-to-date information on technological developments in fields relevant to the challenges of global climate change.
 - Such tools and services enable WIPO to carry out systematic analyses/landscapes of trends in patenting activity, identification of emerging players, and a breakdown of public and private sector activity, comparative geographical trends, and assessment of freedom to operate in key technologies.
 - These services can be further developed through the creation of specific databases of green technologies, including public domain technologies, and by improving the contents of and access to existing technology databases, both relating to patents and to non-patent literature.
- (c) Provide **capacity building support** for the management and transfer of technologies reducing greenhouse gas emissions, including assistance in drafting IP clauses in technology transfer agreements.
- Recipients of technology transfer must be able to negotiate, structure and implement technology transfer agreements and to absorb the relevant technology. WIPO can make its extensive IP capacity building experience in this field available to ensure successful transfer of technology.
 - WIPO provides training and practical tools to develop capacity in IP assets management, protection and commercialization, including, among other, patent drafting, agreements relating to licensing and technology transfer, and patent valuation and marketing.
 - WIPO provides advice on how to establish or improve organizational or legal infrastructures necessary for efficient technology transfer and assists in developing projects to support the establishment and management of Technology Transfer Offices in universities and research institutions.
 - WIPO provides technical assistance to developing countries and countries in transition in relation to IP legislation, IP-related flexibilities and public policy options for supporting, inter alia, R&D, innovation promotion, and technology management.
 - The services can be specifically targeted to the transfer of “green” technology.
- (d) Provide targeted **dispute resolution services** in technology transfer agreements.
- WIPO’s long tradition in dispute resolution, through its Arbitration and Mediation Center, provides options for the resolution of international commercial disputes between private parties through Alternative Dispute Resolution (ADR). Developed by leading experts in cross-border dispute settlement, the arbitration, mediation and expert determination procedures offered by the Center are widely recognized as particularly appropriate for technology and other disputes involving IP.
 - These services can be specifically targeted to disputes arising in the transfer of “green” technologies.