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Climate Change, Technology Transfer and Intellectual Property

Green Position Paper

13 key measures to promote innovation and fight climate change

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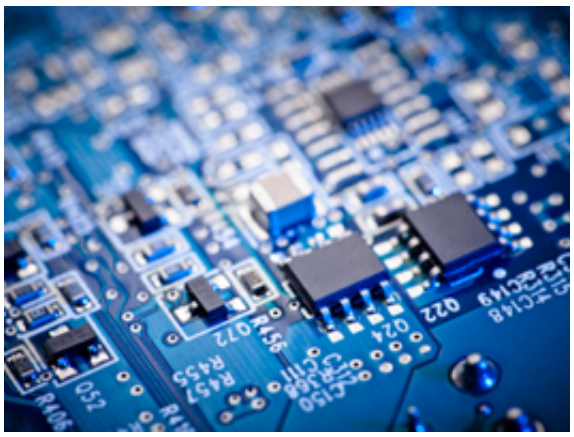
Introduction



Although technological innovation is only part of the overall solution to climate change, it is an essential aspect of it. Innovation is needed to reduce greenhouse gas emissions and to lower the costs of mitigation, be it by improving energy output of existing technologies or by developing less carbon-intensive sources of energy, new renewable energy sources or technologies reducing demands and uses of energy. The transition to a green economy, as all previous energy transitions in history, will be likely driven by cycles of technological discontinuities and innovations. The current situation requires overcoming the dilemma between the need for widespread and rapid diffusion of knowledge and climate technologies to developing countries; and the need for incentives for technology developments and innovations. Greens want to establish the best conditions for innovation and for fast paced and global scale diffusion of new technologies in order to foster the transition to a green economy and to serve the objective of restricting global warming to 2°C by the end of the century. In a business-as-usual situation, patented technologies spread into the global market 20 to 30 years after the patent is filed. "The diffusion time for clean technologies globally will need to be at least halved by 2025 to have a realistic chance of meeting climate

goals". Today, the patenting activity across all clean energy technologies (CETs) is dominated by OECD countries. Japan, US, Germany, Korea, Great Britain and France account for almost 80% of all patent applications in the CETs. The transfer of climate technologies and know-how is enshrined in Article 4.5 of the United Nations Framework Convention on Climate Change (UNFCCC), but although the need for it is globally acknowledged, little transfer actually takes place. Given the growing knowledge and technology gap between the developed countries and a majority of developing and least developing countries, action is required to increase the speed of the transfer of skills, methods of production, technologies and know how, and to promote global collaborative research efforts. Not only do countries need to be able to produce and use climate technologies, but they need to access existing knowledge more rapidly in order to contribute to the innovation and adapt technologies to their local context. The role of intellectual property rights in the diffusion of climate technology is disputed. While the US/EU frame them as essential pre-requisites for innovation, technology development and transfer, developing countries claim that they represent a barrier to the actual transfer of climate technologies. We acknowledge that technology transfer is a complex issue; it does not concern only IPRs but is dependent on many factors such as finance, local absorptive capacity, spreading best practices and an enabling environment. However, since evidence shows that the way exclusive rights over knowledge and information are commonly currently implemented too often constitute obstacles to both technology transfer and global collaborative research efforts, we call, without questioning the general importance of patents, for the EC and European countries to implement and promote a flexible, innovative and effective approach.

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