

## WSGR ALERT

NOVEMBER 2010

### USPTO PROMISES FASTER EXAMINATION OF “GREEN TECHNOLOGY” PATENT APPLICATIONS

The U.S. Patent and Trademark Office (USPTO) has announced that it will broaden its pilot program to provide faster examination of certain “green technology” patent applications. Launched last year, the pilot program initially was limited to patent applications filed before December 8, 2009. The USPTO now has expanded eligibility for the program to unexamined applications regardless of their filing dates, which is expected to allow more applications into the green technology pilot program. The program also is being extended until December 31, 2011.

Under the pilot program, a patent application can be advanced out of turn, which can lead to quicker examination. Patenting green technology innovations sooner may enable entrepreneurs to secure funding, create businesses and jobs, and help bring these technologies to the market more quickly.

This latest expansion of the pilot program follows a change made in May 2010 that eliminated the requirement that a patent application fall within selected

technology categories, allowing more applications to become eligible for the green technology pilot program. The change permitted applicants whose petitions previously were dismissed solely on the basis of not meeting the classification requirement to file renewed petitions.

The USPTO reiterated that it would accept only the *first* 3,000 petitions that met the requirements to participate in the green technology pilot program. According to recent PTO sources, 1,595 requests have been filed by applicants for the program, and 790 of those have been granted. The recent expansion is now expected to allow many more patent applications to enter the program and receive faster examination.

For more information on these recent changes to the green technology pilot program or other patent-related matters, please contact Peter Eng, Vern Norviel, Esther Kepplinger, Ashley Hu, Elaine Kim, or another member of the firm’s IP counseling and patents practice.



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