

## IP Buzz

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### Expiration of the Green Technology Pilot Program

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The Green Technology Pilot Program of the U.S. PTO offers a route for applicants to expedite examination of patent applications, as set forth on the web site of the **U.S. PTO** and in the Federal Register, Vol. 74, No. 234, at [page 64666](#), Vol. 75, No. 98, at [page 28554](#), and No. 217, at [page 69049](#). Under the Program, the time from filing the application to issuance of a first office action may be reduced to 3 to 6 months. The Program requires no additional government fee to request, and encompasses a broad range of environmental remediation, environmental protection, clean energy, and energy conservation technologies. To qualify, the application must have no more than 3 independent claims, 20 total claims, and no multiple dependent claims. This is usually not an unduly restrictive requirement, and the claims may be amended to qualify, if necessary.

The Pilot Program will end soon, however. A notice published on December 15, 2011, in the Federal Register, Vol. 76, No. 241, at [page 77979](#) states that the Green Technology Pilot Program will be extended until 500 additional applications are accorded special status under the Program or until March 30, 2012, whichever comes first. Following the expiration of the Green Technology Pilot Program, applicants seeking accelerated examination may use the Prioritized Examination (Track I) Program, codified by the America Invents Act and set forth in the Federal Register, Vol. 76, No. 185, at [page 59050](#). However, the Prioritized Examination (Track I) Program requires payment of an additional government fee of \$4800 (\$2400 for a small entity).

Therefore, to expedite examination without the payment of a substantial government fee, those interested in protecting technologies that might be characterized as “green” may wish to enter the Green Technology Pilot Program while it is still pending. Applications to be examined under the Green Technology Pilot Program should be filed as soon as possible, and, in all events, by the definitive deadline date of March 30, 2012.