

# Inventing, Protecting, and Incubating Green Technology

*Presented by*

**Bambi Faivre Walters**

**[www.patent-trademark-law.com](http://www.patent-trademark-law.com)**

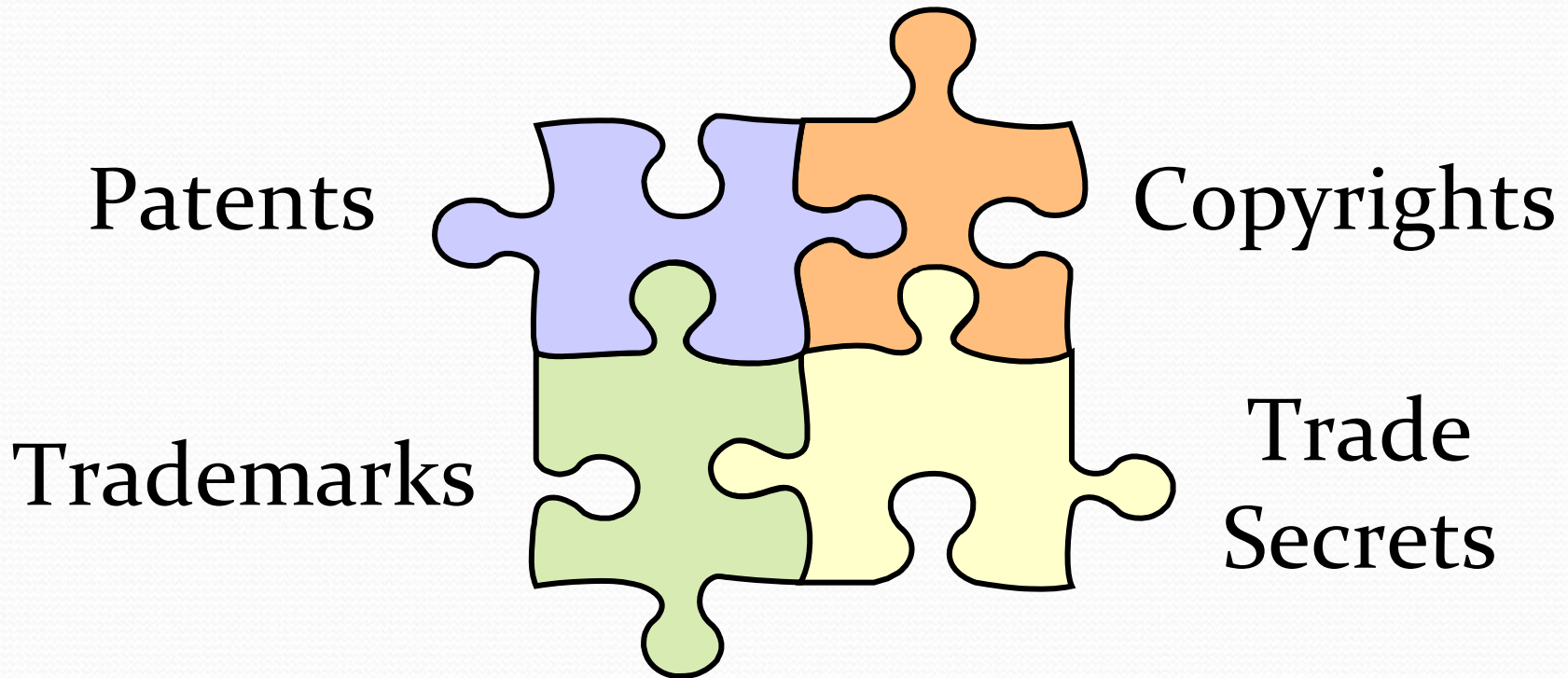
**Skype: bambifaith**

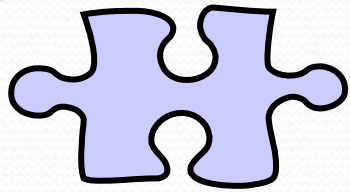
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# Overview of Four Corners of Intellectual Property Protection

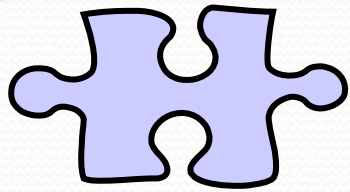
*Intellectual Property is Imagination Made Real . . .*





# PATENTS

1. **Utility patents** protect useful processes, machines, articles of manufacture, and compositions of matter. For example, hydro-electric vehicles, WormWatcher, biofuels, and computer programs.
2. **Design patents** guard the unauthorized use of new, original, and ornamental designs for articles of manufacture. For example, a bicycle helmet, Star Wars characters, shape of a vehicle.
3. **Plant patents** protect invented or discovered, asexually reproduced plant varieties. For example, hybrid flowers, mango that peels like an orange, Silver Queen corn, Better Boy tomatoes.



# PATENTS

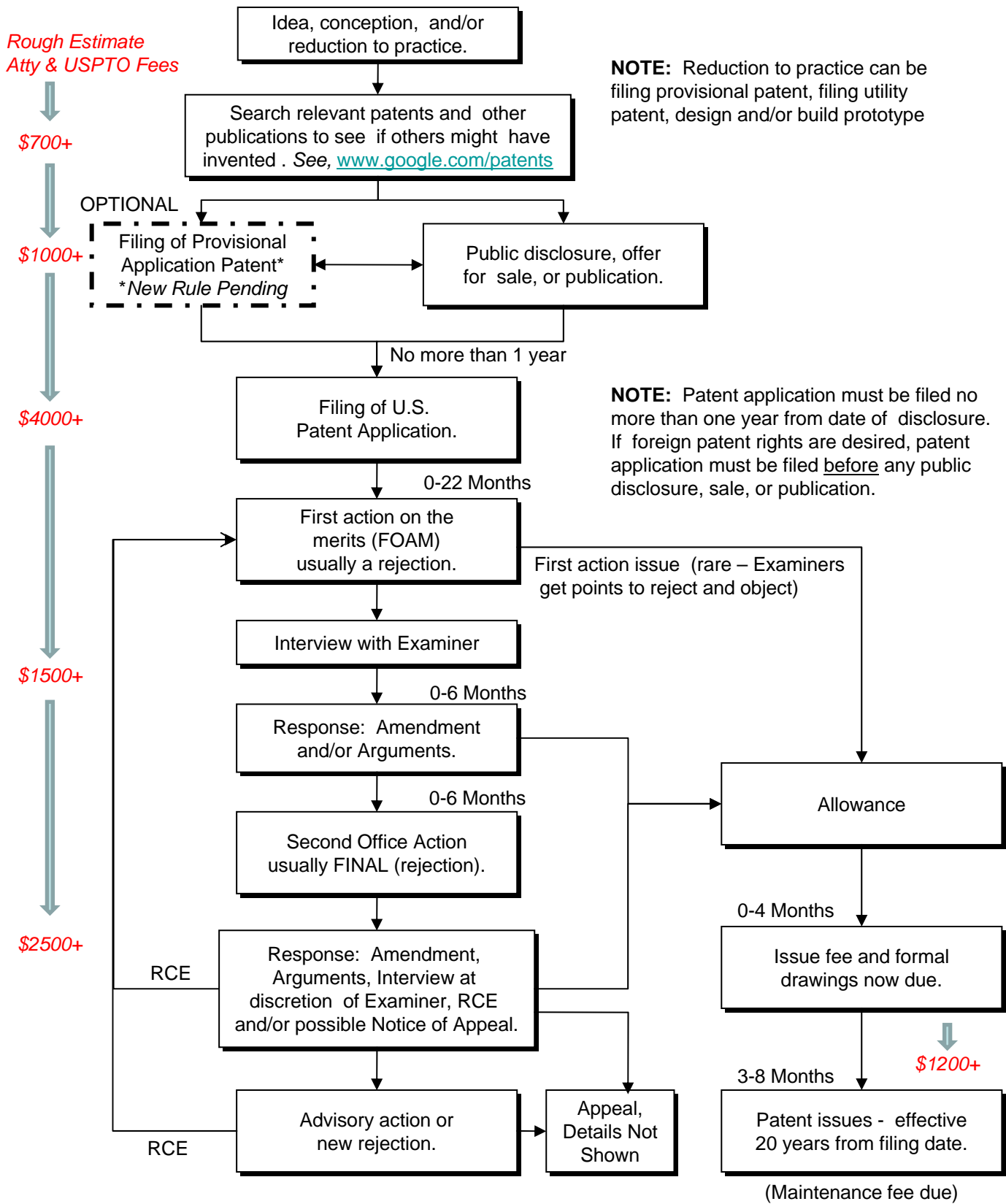
Provisional application patents (PAP) provide a temporary place card holder for up to 12 months from the earlier date of public disclosure or date of filing of PAP. Proposed new PTO rule to extend up to 24 months.

*Why are PAPs important? Because PAPs help the inventor determine feasibility, find investors (if needed), and provide some protection as prototypes evolve.*



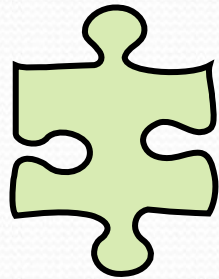
Gina Ridgway, [www.wormwatcher.com](http://www.wormwatcher.com)

## PATENT PROCESS OVERVIEW & ESTIMATED COSTS



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**NOTE:** For informational purposes only! Not intended as a substitute for legal advice  
 \*\*\*Consult with Patent Attorney or Patent Agent for Details\*\*\*

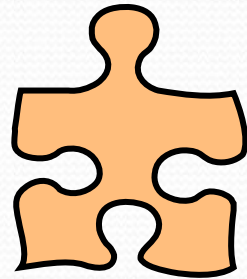


# TRADEMARKS

- Protects words, names, symbols, insignia, sounds, and/or colors that distinguish goods and services.
- Unlike patents that last for 20 years, trademarks can be renewed forever if they are used in business.
- What makes more valuable? Buy the URL (.com), acquire Twitter name, acquire Facebook Fan Page name, and other social media networking user names.

*Examples include: roar of the MGM lion,  
Tiffany blue, flags, names of entertainers,  
GREENBIZ.COM, GREEN CAFFEINE*



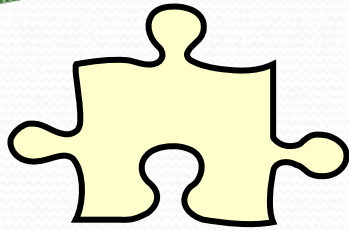


# COPYRIGHTS

- Protect works of authorship, such as weave pattern of solar web, writings, music, works, architectural plans (e.g., Home Performance), art and other mediums that have been tangibly expressed.
- The Library of Congress registers copyrights which last the life of the author plus 70 years.
- Useful Art Doctrine - Brandir Ribbon bicycle rack



e-file on  
[www.copyright.gov](http://www.copyright.gov)  
\$35 for online application



# TRADE SECRETS

- Information that is safe guarded, kept secret or otherwise protected to provide an advantage over competitors. For example, list of suppliers, costs, collections, customers, formula for Coca-Cola. NDA and Non-Compete Agreements.

**If you are an intellectual property owner, you should protect your rights.**

**If you are a user, you should respect them. It is just as wrong to steal intellectual property as it is to break into a home, steal a car, or rob a bank.**

# USPTO GREEN TECHNOLOGY PILOT PROGRAM



- An applicant may have an application advanced out of turn (accorded special status through acceleration) for applications pertaining to green technologies .
- Qualifying applications pertain to:
  - Environmental quality,
  - Energy conservation,
  - Development of renewable energy, or
  - Greenhouse gas emission reduction.

# Green Petition Report Summary

Report Date: 3/25/2010

## Green Petition Report Summary

Report date: 05/03/2010

### Request Summary

Awaiting decision	58
Requests granted	335
Requests dismissed	494
Requests denied	56
Total requests	943

### Total Requests by TC

TC1600	46
TC1700	334
TC2100	42
TC2400	3
TC2600	3
TC2800	235
TC3600	83
TC3700	173
None	24

*The USPTO expects that earlier patenting of these technologies will enable inventors to secure funding, create businesses, and bring vital green technologies into use much sooner.*

# Examples of Green Technology

- Green biology and chemistry (micro-algae)
- Green nanotechnology
- Green building (solar-electric roof, *etc*)
- Sustainable energy use, renewable sources (solar, thermal energy, wave and tidal power)



# Green Technology Continued...

1. **NaturalNano:** the use of proprietary Halloysite materials (HNT(TM)) in high performance energy storage devices called Ultra Capacitors
2. **Yamaha:** hybrid motorcycle based on Gen-Ryu, LUXAIR concepts



# Green Technology under the PCT (Patent Cooperation Treaty) Union

In addition to the USPTO, a number of national trademark offices are giving preferential treatment to applications for green technologies, including the UK, Korea, China, and Australia



# EPA's P3: People, Prosperity, and Planet Awards Program

- What is it? Prestigious competition that motivates college students to research, design and implement innovative solutions to meet today's pressing environmental challenges.
- "One of the neat aspects of the P3 program is that it gives the students freedom to decide where they can advance sustainability," Nolt-Helms said. "They come up with the ideas for how to make the world a better place, and we just facilitate the funding for them to implement their plans."
- Local winner is the Learning Barge in Newport News, a solar and wind-powered floating classroom built to facilitate river clean-up and to inspire ecology education