



Joint Resolution of BUSINESSEUROPE, IIPPF and the Global Intellectual Property Center on Climate Change, Technology, and Intellectual Property Rights

BUSINESSEUROPE, the International Intellectual Property Protection Forum of Japan (IIPPF), and the Global Intellectual Property Center (GIPC) at the U.S. Chamber of Commerce see climate change as one of the major challenges facing the world today.

The development and application of innovative technologies and technology diffusion are decisive to address global climate change. Technological innovation, the robust use of cleaner energy sources, more energy-efficient production processes, and the broad deployment of innovative clean technologies are critical to achieving emissions reduction and climate change adaptation objectives in an economically sustainable way. Clean technology, moreover, is vital to the global economic recovery and is a critical driver for overall competitiveness and the creation of high-skilled employment in the new 'green' economy.

We are therefore concerned about proposals by certain emerging economies countries to weaken the protection of intellectual property rights (IPRs) to climate change-related technologies. IPRs are a key driver of private sector investment in clean technologies and allow inventors and manufacturers to capture the value of their innovative investments. IPRs are also crucial to attracting the necessary investment to build and operate the supporting infrastructure for the uptake of these critical technologies.

IPRs provide the commercial and economic incentives for companies and innovators to disclose and deploy technologies and know-how rather than keeping them secret. Weakening IP will hinder technology diffusion or uptake by developing or developed countries. At the same time, most clean energy technologies are readily accessible, and competition among clean energy technologies and across technology sectors is intense, with the benefits of that competition passed on to consumers. Rather than a barrier to further clean technology development and deployment, IPRs are a key policy tool to drive private sector investment and technology diffusion. IPRs support a large part of total investments in green technologies and achieve economic and environmental goals globally.

Knowledge-based innovation and the further development and deployment of environmentally friendly products and services and cleaner, more energy efficient technologies, underpinned by effective IP protection, are fundamental to achieving global economic development and climate change goals.

The significance of industry in mitigating climate change lies, above all, in its ability to develop the technologies that are essential for implementing low-CO₂ strategies and the inclusion of suitable framework conditions for technology diffusion and deployment in a post-Kyoto agreement is essential.

It is therefore necessary for industry not to be seen as part of the problem where climate change is concerned, but rather part of the solution.

We agree to the following conditions/principles:

- Research and development (R&D) of climate-friendly technologies can best progress under free market conditions that guarantee the protection of IP and the proceeds generated by innovation which promotes competition.
- IP protection is essential for enterprises which have developed the technologies to reach climate targets but still need to further develop them to continue to invest in these technologies and their future application. Weakening the protection of intellectual property, by introducing for e.g. mandatory licensing for technology diffusion, is not appropriate as this would deprive enterprises of the incentives to develop innovative technologies.
- The basic R&D and marketing of energy efficient and low-CO₂ technologies and adaptation technologies in all industrial sectors must be given substantial funding.
- Especially for industry with its long-term investment strategies, additional economic incentives for the development and implementation of cost-efficient measures are an important factor to further investment in climate-friendly technologies.
- Public private partnerships (PPPs) can make a valuable contribution to reaching climate targets. Cross-border technology partnerships in the style of PPPs should be designed, supported and secured by the public sector.
- Obstacles to technology diffusion and deployment as well as investment barriers, procurement restrictions and trade barriers must be dismantled so that cost-efficient and climate-effective solutions can be implemented.

BUSINESSEUROPE, IIPPF, and the GIPC are committed to continue engaging in a constructive dialogue with governments and all relevant stakeholders to address these important issues.

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