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Abbe E.L. Brown

# Environmental Technologies, Intellectual Property and Climate Change

Accessing, Obtaining and Protecting

ELGAR LAW, TECHNOLOGY AND SOCIETY

# Environmental Technologies Intellectual Property And Climate Change Accessing Obtaining And Protecting Elgar

**Matthew Rimmer**



## **Environmental Technologies Intellectual Property And Climate Change Accessing Obtaining And Protecting Elgar:**

*Environmental Technologies, Intellectual Property and Climate Change* Abbe E. L. Brown, 2013-01-01 Many disciplines are relevant to combating climate change This challenging book draws together legal regulatory geographic industrial and professional perspectives and explores the role of technologies in addressing climate change through mitigation adaptation and information gathering It explores some key issues Is intellectual property part of the solution an obstacle to change or peripheral Are there more important questions Do they receive the attention they deserve And from whom This innovative book will play an important role in stimulating holistic discussion and action on an issue of key importance to society *Environmental Technologies Intellectual Property and Climate Change* will appeal strongly to scholars researching IP and climate change as well as to a range of professionals including venture capitalists practising lawyers working in IP environmental and corporate finance law activists within both climate change and human rights and policymakers

**The Elgar Companion to Intellectual Property and the Sustainable Development Goals** Matthew Rimmer, Caroline B. Ncube, Bita Amani, 2024-02-12 Complex geopolitical debate surrounds the role of intellectual property IP in advancing and achieving the UN's Sustainable Development Goals SDGs Summarising and advancing this discourse this prescient Companion is a thorough examination of how IP law interacts influences and impacts each of the seventeen SDGs

**Intellectual Property and Clean Energy** Matthew Rimmer, 2018-10-26 This collection considers the future of climate innovation after the Paris Agreement It analyses the debate over intellectual property and climate change in a range of forums including the climate talks the World Trade Organization and the World Intellectual Property Organization as well as multilateral institutions dealing with food health and biodiversity The book investigates the critical role patent law plays in providing incentives for renewable energy and access to critical inventions for the greater public good as well as plant breeders rights and their impact upon food security and climate change Also considered is how access to genetic resources raises questions about biodiversity and climate change This collection also explores the significant impact of trademark law in terms of green trademarks eco labels and greenwashing The key role played by copyright law in respect of access to environmental information is also considered The book also looks at deadlocks in the debate over intellectual property and climate change and provides theoretical policy and practical solutions to overcome such impasses

Intellectual Property, Climate Change and Technology Abbe E.L. Brown, 2019 Exploring the potential for alignment as well as conflict between IP and climate change *Intellectual Property Climate Change and Technology* encourages a coherent and integrated approach to decision making across the IP climate change and technology landscape This groundbreaking book identifies and challenges the lack of intersection between intellectual property law and climate change law at national level

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*Research Handbook on Climate Change and Trade Law* Panagiotis Delimatsis, 2016-12-30 The

interaction between climate change and trade has grown in prominence in recent years This Research Handbook contains authoritative original contributions from leading experts working at the interface between trade and climate change It maps the state of affairs in such diverse areas as carbon credits and taxes sustainable standard setting and trade in green goods and services or investment from both a regional and global perspective Panagiotis Delimatsis redefines the interrelationship of trade and climate change for future scholarship in this area     The SAGE Handbook of Intellectual Property Matthew David, Debora Halbert, 2014-11-18 This Handbook brings together scholars from around the world in addressing the global significance of controversies over and alternatives to intellectual property IP today It brings together over fifty of the leading authors in this field across the spectrum of academic disciplines from law economics geography sociology politics and anthropology This volume addresses the full spectrum of IP issues including copyright patent trademarks and trade secrets as well as parallel rights and novel applications In addition to addressing the role of IP in an increasingly information based and globalized economy and culture it also challenges the utility and viability of IP today and addresses a range of alternative futures     **The Trans-Pacific Partnership** Matthew Rimmer, 2020-12-25 This book considers the impact of the Trans Pacific Partnership TPP on intellectual property and trade The book focuses upon the debate over copyright law intermediary liability and technological protection measures The text examines the negotiations over trade mark law cybersquatting geographical indications and the plain packaging of tobacco products It explores the debate over patent law and access to essential medicines data protection and biologics and the protection of trade secrets In addition the book investigates the treatment of Indigenous intellectual property access to genetic resources and plant breeders rights     *Indigenous Intellectual Property* Matthew Rimmer, 2015-12-18 Taking an interdisciplinary approach unmatched by any other book on this topic this thoughtful Handbook considers the international struggle to provide for proper and just protection of Indigenous intellectual property IP In light of the United Nations Declaration on the Rights of Indigenous Peoples 2007 expert contributors assess the legal and policy controversies over Indigenous knowledge in the fields of international law copyright law trademark law patent law trade secrets law and cultural heritage The overarching discussion examines national developments in Indigenous IP in the United States Canada South Africa the European Union Australia New Zealand and Indonesia The Handbook provides a comprehensive overview of the historical origins of conflict over Indigenous knowledge and examines new challenges to Indigenous IP from emerging developments in information technology biotechnology and climate change Practitioners and scholars in the field of IP will learn a great deal from this Handbook about the issues and challenges that surround just protection of a variety of forms of IP for Indigenous communities     *Intellectual Property, Human Rights and Competition* Abbe Elizabeth Lockhart Brown, 2012-01-01 Abbe Brown s new work provides a welcome and extremely valuable addition of the human rights dimension to the long standing conflict over essential technologies between intellectual property and competition law Steven Anderman University of Essex UK and University of Stockholm Sweden

Much has been written on the flexibilities available within the intellectual property system to address development and social needs. This book goes a step further; it explores how greater access to essential technologies can be ensured through human rights and competition law. Although the analysis is focused on UK and the European Union, the book provides valuable insights for assessing the situation in other jurisdictions. The author suggests an innovative approach for courts and legislators to overcome, in the light of public interest considerations, the limits imposed by intellectual property rights. This book is a much welcomed contribution to academic and policy debates on the subject.

Carlos M Correa, University of Buenos Aires, Argentina: Intellectual property interacts or clashes with human rights and competition law. The refreshing bit about this book is that a detailed practical approach to the inevitable balancing act is proposed. Abbe Brown explains how a human rights approach is the cornerstone of such a balancing approach and how positive results can be achieved towards unblocking essential technologies. And it can be done in the existing international legal framework even if the latter could be improved. Well researched, challenging and interesting reading.

Paul Torremans, University of Nottingham, UK: Abbe Brown's study starts from the assumption that IP right owners, particularly those of innovative technologies, dispose of a disproportionate strong legal position in relation to that of competitors and customers, which is detrimental to society at large. Brown investigates how the power of the IP right owners can be limited by applying existing human rights law and competition law. To that aim, it is suggested to widen the legal landscape and to develop a more tripartite substantive approach to IP law, human rights law and competition law. Brown's study offers a very welcome new contribution to the literature on the functioning of IP law by stressing the joint role which competition law and human rights law can play in this respect.

F Willem Grosheide, Utrecht University and Attorney at law, Van Doorne, Amsterdam, The Netherlands: This detailed book explores the relationship between intellectual property, competition and human rights. It considers the extent to which they can and must be combined by decision makers and how this approach can foster innovation in key areas for society such as pharmaceuticals, drugs, communications, software and technology to combat climate change. The author argues that these three legal fields are strongly interrelated and that they can be used to identify essential technologies. She demonstrates that in some cases combining the fields can deliver new bases for wider access to be provided to technologies. The solutions developed are strongly based on existing laws with a focus on the UK and the EU and the structures of existing forms of dispute resolution, including the European Court of Human Rights and the dispute settlement bodies of the World Trade Organisation. The final chapters also suggest opportunities for further engagement at international policy and activist level, new approaches to IP and its treaties and wider adoption of the proposals. This timely book will appeal to academics and practitioners in IP, competition and human rights, as well as innovation related industry groups and access to knowledge, health and environment activists.

**Carbon Capture and Storage in International Energy Policy and Law**

Hirdan Katarina de Medeiros Costa, Carolina Arlota, 2021-10-13. Carbon Capture and Storage in International Energy Policy and Law

identifies the main contemporary regulatory requirements challenges and opportunities involving CCS from a comparative and interdisciplinary perspective It draws on the scholarship of renowned researchers across the fields of international energy law and policy to address CCS regulation and its impact on climate change sustainable development and related consequences for energy transition In this vein the book aims to address issues related to energy energy justice and climate changes including CCS technology Contributors discuss the main challenges and advantages concerning international energy and the forms CCS may contribute to energy security climate change adaptation and mitigation of GHG emissions and sustainable development In this light the book discusses CCS as a bridge that integrates international energy climate change and sustainable development Covers contemporary regulatory command and control and market incentive instruments across the local regional and or international spheres in depth and in comparison Reviews deregulatory impacts modern financing of CCS liability of the involved parties and pertinent environmental issues Addresses sociotechnical aspects of CCS and its specific impact on the international arena Discusses the interplay of carbon capture and storage renewables and the overall energy transition current pathways to sustainable development

**Intellectual Property, Cultural Property and Intangible Cultural Heritage** Christoph Antons, William Logan, 2017-12-06

*Intellectual Property Cultural Property and Intangible Cultural Heritage* examines various notions of property in relation to intangible cultural heritage and discusses how these ideas are employed in rights discourses by governments and indigenous and local communities around the world There is a strong historical dimension to the book s exploration of the interconnection between intellectual and cultural property intangible cultural heritage and indigenous rights discourses UNESCO conventions discussions in the World Intellectual Property Organization WIPO the Convention on Biological Diversity and the recent emphasis on intangible cultural heritage have provided various discourses and models The volume explores these developments as well as recent cases of conflicts and cross border disputes about heritage using case studies from Asia Europe and Australia to scrutinize the key issues *Intellectual Property Cultural Property and Intangible Cultural Heritage* will be essential reading for scholars and students engaged in the study of heritage law history anthropology and cultural studies

**3rd Generation Biofuels** Eduardo Jacob-Lopes, Leila Queiroz Zepka, Ihana Aguiar Severo, Mariana Manzoni Maroneze, 2022-06-01 *3rd Generation Biofuels* Disruptive Technologies to Enable Commercial Production is a comprehensive volume on all aspects of algal biofuels offering the latest advances on commercial implementation In addition to the fundamentals the book discusses all applied aspects of 3rd generation biofuels production including design approaches unit operations of the upstream and downstream biomass processing and every potential microalgae based energy product including microbial fuel cells Policy economic environmental and regulatory issues are addressed in a dedicated section Finally the book presents pilot and demonstration scale projects for 3rd generation biofuels production in the format of a white paper Each chapter reviews the state of the art discusses the disruptive technological approaches that will potentially enable large scale production and concludes with

specific recommendations on how to achieve commercial competitiveness The book provides readers with an invaluable reference for researchers graduates and practitioners working in the areas of renewable energy bioenergy and alternative fuels and biotechnology Offers a sequential framework for the design of process plants using 3rd generation feedstock Presents dedicated sections on case studies at pilot and demonstration scales as well as on policy economic and environmental issues Provides a global perspective on biofuels production with more than 40 contributions from world renowned experts

*3D Printing and Beyond* Dinusha Mendis, Mark Lemley, Matthew Rimmer, 2019 This ground breaking and timely contribution is the first and most comprehensive edited collection to address the implications for Intellectual Property IP law in the context of 3D Printing and Additive Manufacturing Providing a coverage of IP law in three main jurisdictions including the UK USA and Australia *3D Printing and Beyond* brings together a team of distinguished IP experts and is an indispensable starting point for researchers with an interest in IP emerging technologies and 3D printing

Climate Change and Human Rights Ottavio Quirico, Mouloud Boumghar, 2015-09-07 Do anthropogenic greenhouse gas emissions affect human rights Should fundamental rights constrain climate policies Scientific evidence demonstrates that anthropogenic greenhouse gas emissions contribute to increasing atmospheric temperatures soon passing the compromising threshold of 2 C Consequences such as Typhoon Haiyan prove that climate alteration has the potential to significantly impair basic human needs Although the United Nations Framework Convention on Climate Change and human rights regulatory regimes have so far proceeded separately awareness is arising about their reciprocal implications Based on tripartite fundamental obligations this volume explores the relationship between climate change and interdependent human rights through the lens of an international and comparative perspective Along the lines of the metaphor of the wall the research ultimately investigates the possibility of overcoming the divide between universal rights and climate change and underlying barriers This book aims to be a useful resource not only for practitioners policymakers academics and students in international comparative environmental law and politics and human rights but also for the wider public

**Intellectual Property and Sustainable Markets** Rognstad, Ole-Andreas, Ørstavik, Inger B., 2021-07-31 Discussing how intellectual property IP rights play a role in tackling the challenge of securing sustainable development renowned scholars consider how the core objective of IP rights to promote innovation and development of new knowledge aligns with the UN Sustainable Development Goals SDGs This timely and thought provoking book provides an in depth analysis of the multi faceted interface between this core objective and the SDGs and argues for sustainable markets as an overreaching and contextual approach to the role of IP rights in tackling the challenges of the UN SDGs

**Climate Change and the Law** Erkki J. Hollo, Kati Kulovesi, Michael Mehling, 2012-12-04 *Climate Change and the Law* is the first scholarly effort to systematically address doctrinal issues related to climate law as an emergent legal discipline It assembles some of the most recognized experts in the field to identify relevant trends and common themes from a variety of geographic and professional perspectives In a

remarkably short time span climate change has become deeply embedded in important areas of the law As a global challenge calling for collective action climate change has elicited substantial rulemaking at the international plane percolating through the broader legal system to the regional national and local levels More than other areas of law the normative and practical framework dedicated to climate change has embraced new instruments and softened traditional boundaries between formal and informal public and private substantive and procedural so ubiquitous is the reach of relevant rules nowadays that scholars routinely devote attention to the intersection of climate change and more established fields of legal study such as international trade law Climate Change and the Law explores the rich diversity of international regional national sub national and transnational legal responses to climate change Is climate law emerging as a new legal discipline If so what shared objectives and concepts define it How does climate law relate to other areas of law Such questions lie at the heart of this new book whose thirty chapters cover doctrinal questions as well as a range of thematic and regional case studies As Christiana Figueres Executive Secretary of the United Nations Framework Convention on Climate Change UNFCCC states in her preface these chapters collectively provide a review of the emergence of a new discipline its core principles and legal techniques and its relationship and potential interaction with other disciplines

**Innovation and Diffusion of Green Technologies: The Role of Intellectual Property and Other Enabling Factors** World Intellectual Property

Organization, 2015-06-10 An overview of issues relevant to debates about solutions to global challenges such as climate change public health and food security *Autonomous Vehicles and the Law* Hannah YeeFen Lim, Autonomous vehicles have attracted a great deal of attention in the media however there are some inconsistencies between the perception of autonomous vehicles capabilities and their actual functions This book provides an accessible explanation of how autonomous vehicles function suggesting appropriate regulatory responses to the existing and emerging technology

**Law and Autonomous Machines** Mark Chinen, 2019 This book sets out a possible trajectory for the co development of legal responsibility on the one hand and artificial intelligence and the machines and systems driven by it on the other As autonomous technologies become more sophisticated it will be harder to attribute harms caused by them to the humans who design or work with them This will put pressure on legal responsibility and autonomous technologies to co evolve Mark Chinen illustrates how these factors strengthen incentives to develop even more advanced systems which in turn strengthens nascent calls to grant legal and moral status to autonomous machines This book is a valuable resource for scholars and practitioners of legal doctrine ethics and autonomous technologies

**The State of Creativity** James Griffin, 2019 Creativity has been of central importance to the development of the modern State and yet creativity is something that has become increasingly side lined This has been particularly apparent with the development of new machinic technologies such as 3D printing This monograph argues that inner creativity combined with the zone of discourse has been endangered by the rise of administrative regulation Griffin investigates how the failure to incorporate creativity into that administrative regulation is

adversely impacting the regulation of technologies such as 3D printing The State of Creativity proposes reforms to ensure that the regulation does take creativity into account

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