



WHAT THEY ARE SAYING: IP UNDER ATTACK IN CLIMATE CHANGE DEBATE

Addressing Global Climate Change Is A Serious Problem That Requires Attention And A Firm Commitment To Innovation From All Countries.

Green Technology Industries Help Produce Millions Of New American Jobs And Billions Of Dollars In Revenue, Growth Which Is Expected To Expand Dramatically In The Future:

- **In 2006, Industries Related To Renewable Energy And Energy Efficiency Technologies Produced 8.5 Million New Jobs And Almost \$970 Billion In Revenue.** “Renewable energy and energy efficiency technologies (RE&EE) are driving significant economic growth in the United States. In 2006, these industries generated 8.5 million new jobs, nearly \$970 billion in revenue, more than \$100 billion in industry profits, and more than \$150 billion in increased federal, state, and local government tax revenues.” (Roger Bezdek, “Renewable Energy And Energy Efficiency,” American Solar Energy Society, 2007)
- **By 2030, Industries With Green-Collar Jobs Could Provide Up To 40 Million American Jobs And Generate Up To \$4.53 Trillion In Annual Revenue.** “By 2030, under an aggressive deployment forecast scenario, there could be more than 40 million Americans employed in these industries—about one in every four working Americans. And in the aggressive scenario, the RE&EE industries could generate \$4.53 trillion in annual revenue.” (Roger Bezdek, “Renewable Energy And Energy Efficiency,” American Solar Energy Society, 2007)
- **Environmental Goods And Services Already Represent Between \$550 Billion And \$613 Billion In The Global Market.** “The global market for environmental goods and services is worth between USD\$550 billion and USD\$613 billion per annum. Of this figure, 35 per cent is in goods and 65 per cent in services.” (Tim Wilson, “Undermining Mitigation Technology,” Institute Of Public Affairs, 8/08)
- **Millions Of American Workers Will Benefit From Efforts To Transform The United States Into A “Green Economy.”** “What is clear from this report is that millions of U.S. workers—across a wide range of familiar occupations, states, and income and skill levels—will all benefit from the project of defeating global warming and transforming the United States into a green economy.” (Robert Pollin and Jeannette Wicks-Lim, “Job Opportunities For The Green Economy,” Political Economy Research Institute At University Of Massachusetts-Amherst, 6/08)
 - **Nearly Four Dozen Occupations That Employ More Than 14 Million People Would Benefit From Increased Investment In Green Technology.** “The national report, which focused on jobs ranging from electricians to chemical engineers, looked at 12 states including Ohio, and identified nearly four dozen occupations employing more than 14 million people that would benefit from increased investment in green technology.” (Mike Boyer, “Small Job Changes Could Help Earth,” *The Cincinnati Enquirer*, 6/3/08)

Creating Green-Collar Jobs Is A Bipartisan Issue That Unites Business And Labor:

- **President Barack Obama Has Proposed Investing \$15 Billion In Green Technologies To Create Up To 5 Million Green-Collar Jobs.** Then-Sen. Obama: “That’s why we’ve got to create jobs. So I’ve already proposed that we are going to invest \$15 billion a year -- \$15 billion a year -- in new green technologies that

can create up to 5 million jobs a year..." (Sen. Barack Obama, Remarks At A Campaign Event, Powder Springs, GA, 7/8/08)

- **Vice President Joe Biden Has Supported Green Jobs, Which He Has Claimed Will Pay More Than Similar Jobs And Save Americans Money.** Vice President Biden: "Investing in green jobs means two critical things for the middle- class families: one, more jobs to keep up the 21st-century needs; and lower energy costs; and I'd add a third -- a much cleaner environment. First, jobs that pay more. According to the President's Counsel on Economic Adviser -- Council of Economic Advisers, green jobs will pay 10 to 20 percent more than other jobs of a similar nature; 10 to 20 percent more. ... And secondly, more green jobs mean more money in the wallet of every American who engages in this at the end of the month." (Vice President Joe Biden, Remarks At A Meeting Of The Middle Class Task Force, Philadelphia, PA, 2/27/09)
- **Sen. John McCain (R-AZ):** "With green technologies, we can create millions of new jobs in America." (NBC's "The Tonight Show," 1/31/08)
- **AFL-CIO President John Sweeney Has Called The Creation Of "Good, Green Jobs" Integral To Saving The Middle Class.** Sweeney: "If our leaders are serious about saving the middle class, then we need an economic agenda that will support good, green jobs like the ones at Republic and hold our financial institutions accountable for their actions." (AFL-CIO, "Statement By AFL-CIO President John Sweeney In Support Of Striking Chicago Factory Workers At Republic Windows And Doors," Press Release, 12/9/08)
- **The Service Employees International Union Proposed Spending \$20 Billion On "Energy Independence And Green Job Creation" To Help Stimulate Economic Growth.** "In particular, the SEIU resolution calls for dedicated investment in programs that would improve the lives of tens of millions of Americans, including: ... A plan for energy independence and green job creation. Estimated cost: \$20 billion over two years." (Service Employees International Union, "SEIU Proposes Multibillion Cash Investment To Revive Economy, Launch New Era Of Hope For Working Families," Press Release, 9/25/08)

Future Growth Of Green Technologies And Green-Collar Jobs Are Dependent On Strong Intellectual Property Rights:

- **Strengthening IP Rights Will Help Create A Suitable Investment Climate For Green Technologies.** "There are a number of measures that governments can take to create a suitable investment climate for energy investment and the adoption of new technologies, such as ... strengthening intellectual property rights..." (Sir Nicholas Stern, "Stern Review On The Economics Of Climate Change," United Kingdom Office Of Climate Change, www.hm-treasury.gov.uk, 2006)
- **Continued Growth In Green Technology Innovation Will Only Be Possible If Strong IP Rights Are Upheld.** "The major investments in research and development that are being made will continue to grow and produce important breakthroughs ONLY if the ability to protect these investments is respected." (Chris S. Israel, "Don't Kill The Green Goose," Institute For Policy Innovation Center For Technology Freedom, 5/08)

Anti-Business NGOs Are Using The Same Tactics From Their Attacks On Pharmaceutical Patents:

- **The Campaign Against Intellectual Property Protections Of Green Technologies Is Being Waged In A Similar Manner To The Successful Efforts To Compulsory License Medicines.** "The campaign to undermine incentives for new research and development is not without precedent. Advocates are using

the successful campaign to compulsory license essential medicines under the TRIPS Agreement as precedent.” (Tim Wilson, “Undermining Mitigation Technology,” Institute Of Public Affairs, 8/08)

- **Indian Environment Minister Shri Raja Supports An Agreement “Paralleling” The Compulsory Licensing Of Pharmaceuticals.** “Shri Raja, the Indian environment minister, wants an agreement ‘paralleling’ what he calls ‘the successful agreement on compulsory licensing of pharmaceuticals’, which has undermined supply, quality and trade.” (Tim Wilson, Op-Ed, “Attacking Patents Is A Way To Halt Progress On Climate Accord,” *The China Post*, 8/29/08)

These Anti-Business NGOs And Their Allies Are Now Leading A Campaign Against The Intellectual Property Rights Of Green Technology:

- **Geneva-Based NGO, The Center For International Environmental Law, Has Claimed That Waiving Patent Protection May Be Necessary To Ensure Availability Of Fuel-Efficient Technologies.** “Dalindyabo Shabalala of the Center for International Environmental Law in Geneva said waiving patents could be necessary to ensure the wider availability of fuel-efficient cars. These vehicles are designed to cut emissions of carbon dioxide, the main gas blamed by scientists for triggering climate change.” (David Cronin, “EU Parliament Urges Change In IP Rules For Environmental Technology,” *Intellectual Property Watch*, 11/29/07)
- **Third World Network’s Martin Khor:** “If there is insistence on the ‘full protection of intellectual property’ in relation to climate-friendly technology, it would be a barrier to technology transfer.” (Ronald Bailey, “Greenpeace: Let Them Eat Cake,” *Reason*, 12/13/07)

Developing Countries Led By India And China, Two Major Emitters, Are Leading The Charge:

- **Shyam Saran, India’s Special Envoy On Climate Change, Claimed That Green Technologies Should Be Treated As A Public Good And Called For Climate Change To Be “Dealt With Similarly [To HIV/AIDS].”** “Shyam Saran, PM’s special envoy on climate change as well as his key nuclear deal negotiator, back from convincing Ireland to support India’s bid at the Nuclear Supply Group, on Saturday said India wants climate change technologies to be treated as public and common goods. Speaking in the capital, Saran said that India was keen to see technologies that could make substantial impact in reducing climate change should be dealt with in the same manner as HIV drugs. ... ‘If climate change is an extraordinary issue like HIV/AIDS was, then it should be dealt with similarly,’ Saran said.” (“Treat Climate Change Tech As Public,” *The Times Of India*, 7/27/08)
- **China Has Claimed The Existing IPR System Does Not Adequately Meet The Needs Associated With Addressing Climate Change.** “The existing IPR system does not match the increasing needs for accelerating D&T&D of ESTs to meet challenges of climate change. Compulsory licensing related patented ESTs and specific legal and regulatory arrangement to curb negative effects of monopoly powers shall be put in place as part of the efforts to implement the UNFCCC.” (China, Submission Of Views On The Elements Contained In The Bali Action Plan, unfccc.int, 9/28/08)
- **A Top Chinese Energy Official Has Claimed That Intellectual Property Is The True Barrier To Developing Countries Acquiring Energy-Saving Technologies.** “I think we have to resolve a lot of barriers on the so-called intellectual property rights issues,’ Zhou Dadi, of China’s Energy Research Institute, told reporters. ‘That means if you really want to help China to speed up the technology transfer process, we have to really think about how to help China cover the high costs. Most of them are not based on material, they’re based on intellectual property rights.’” (Lindsay Beck, “China Says Rethink Of IPR Needed For Energy Saving,” *Reuters*, 11/28/07)

- **In A Submission To A UNFCCC Working Group, China Called For The Consideration Of “Compulsory Licensing For Patented [Environmentally Sound Technologies].”** “In submissions to a working group of the UNFCCC countries submitted their ideas of what should be included in a post-Kyoto agreement. Submissions from a number of countries identified the need for looking at the role patents play in technology transfer. The submission from China called for policy instruments to be considered, including ‘compulsory licensing for patented ESTs (environmentally sound technologies), etc.’” (Tim Wilson, “The Debate Surrounding Patents And Low Carbon Technology Is Heating Up,” cleanip.com.au, 4/20/09)
- **UN Assistant Secretary-General For Economic Development Jomo Kwame Sundaram Has Claimed That Reforms To IP Rights Will Need To Be Addressed In The Climate Change Debate.** “Already, there has been some regression on trade-related aspects of intellectual property rights (TRIPS) and pharmaceuticals—the major inducement to bring developing countries back to the negotiating table after Seattle to resume the World Trade Organization (WTO) talks at Doha after 9/11. Reform to the current IPRs regime will need to be addressed to make possible the extensive use of technological solutions to address climate change.” (Jomo Kwame Sundaram, “The Climate Change Challenge,” *UN Chronicle*, www.un.org, 1/26/08)

Global Climate Change Requires Measured, Balanced And Long-Term Solutions That Do Not Trample On IP Rights.

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