

Energy



Energy team

Technological progress is critical for maintaining energy supply and security in the future. At HGF we have experience in protecting the vast range of technologies which harness and exploit the planet's energies, from alternative energy to zonal isolation.

With a keen eye on the industry's economic and technological development and an awareness of the commercial realities facing our clients, the HGF team provide a bespoke and informed patent and trade mark service for the energy industry.

Here, we share some recent developments affecting energy intellectual property and answer some common questions.



Craig Watson
Partner, Aberdeen Office
Head of the Energy Team

Energy around the world

European Patents

A European Patent filed today now covers up to 40 EU and non-EU states with a total gross domestic product of more than \$18,000 trillion. That's more than the USA.

Green Channel

The UK Intellectual Property Office now offers a "Green Channel", where patent applications relating to renewable technology may be expedited through examination. If you would like us to make this request on your behalf, please let us know.

Software Patents

The UK High Court has confirmed that Halliburton can gain patent protection for patent applications relating to drill bit simulation. They had previously been refused by the Intellectual Property Office because they were alleged to include only subject matter which is excluded from patent protection – computer programs and mathematical models. The judge confirmed that patent applications can be refused only if the subject matter relates "solely" to these exclusions.

HGF Aberdeen

HGF's Aberdeen office offers a local base to many North-East Energy companies, seeking local attorneys with decades of experience in protecting oil and gas inventions.

Norway Patent Protection

With nearly 7 billion barrels of proven oil reserves, Norway has more oil reserves than the European Union put together. Gaining patent protection in Norway is easier than one may think – whilst not in the European Union, Norway is now a full member of the European Patent Convention, meaning that a single European Patent Application prosecuted in English can extend to Norway, just as it can extend to the United Kingdom.

UK

Under the UK's Patent Box regime, profits from patented inventors may be taxed at a rate as low as 10%. HGF's Box Clever® package is designed to maximise the benefit of the Patent Box Regime.

USA

More than half of the patents granted in the United States are to foreign applicants. Under the America Invents Act, it is now possible to request an Inter-Parties-Review of a third party patent, somewhat akin to the European opposition procedure. This can save the expense of challenging an invalid US patent through the US courts.

International Patent

Applications

Saudi Arabia and Iran have joined the International Patent Co-operation Treaty (PCT) meaning gaining patent protection in these countries is more straightforward and can be delayed until later in the patent prosecution procedure.

Gulf Co-operation Council (GCC)

A single GCC patent application can be filed to cover the Gulf States of Saudi Arabia, Kuwait, Qatar, United Arab Emirates, Bahrain and Oman. The application needs to be translated into Arabic and various papers legalised by a Gulf consulate. We can take care of all of this, but you should allow plenty of time before the deadline if you are interested in protecting your inventions in the Gulf.

Australia

It is possible to gain a short term "innovative patent" in Australia within 1 month. Such patents have a lower validity threshold but once examined (before or after grant) can be enforced and provide the same relief against infringement as standard patents.

What our clients say

"[We] selected HGF from a spectrum of companies, and chose HGF as being the 'Best of Breed' for our sector, that is energy with particular emphasis on renewable energy. From the exceptional quality of service that we have received, we are delighted with our decision."

"HGF has provided exceptional strategic IP advice based on a strong understanding of the commercial context of our business. Their flexible approach has matched the service to our needs at every stage of our growth"

"I have been a client of HGF for a number of years. They are incredibly professional patent lawyers with an ability to listen very carefully to a client's needs and provide a very clear customised response."

We are very grateful to clients who are willing to give us such kind quotes and obtain written approval before using them in any of our material, if you wish to know who the quote is from please contact marketing@hgf.com

Frequently asked questions

I have an idea, but I am not sure if it is new. How can I find out?

At www.espacenet.com you can do an informal search to get a better feel for how new your invention is, before incurring professional fees. See www.hgf.com/energy for some searching tips for the energy industry. We are happy to conduct a professional search if you prefer. Note, as virtually any public disclosure before filing for a patent will be relevant to its validity, no search can be exhaustive.

I have disclosed my invention, can I still patent it?

If you have made a full public disclosure which sufficiently shows or describes how the invention works, then a subsequently filed patent in most countries (except USA) would not be valid over this disclosure. Contact us to discuss whether your disclosure would fall into this category or if other aspects of your invention may still be validly protectable. Note, certain disclosures are disregarded in the USA so protection there may be possible for a limited period of time – contact us as soon as possible if you are interested in protection in the USA.

I am combining two known tools, can I get a patent for such a combination?

If the combination isn't obvious then generally, yes, you can gain a patent towards a new combination of known tools.

Can you patent a method?

Yes. A patent doesn't need to protect tangible devices but can protect pure methods or procedures, for example a modified well treatment process or a new way to manufacture an existing tool.

My idea seems obvious so I understand that means it's unpatentable?

Whilst the idea will need to be 'not-obvious' to be validly patentable, we find that innovators are often rather modest about what they regard as 'obvious' and often anticipate the bar for this to be higher than it is. Commercial success can also help support an argument that your idea is not obvious. Do discuss your idea with us before dismissing it as obvious and unpatentable.

I have a new use for a known tool, can I get a patent for that?

If the new use isn't obvious then generally, yes, you can gain a patent towards the new use of a known tool.

Choose HGF

Our formidable energy team understand energy technology. Coupled with the HGF values of first-class client service, prompt responses, relationship building and a local presence; we believe we deliver the best patent and trade mark service in the country.

By providing the best service available, HGF has gained and retained the clients to allow it to become one of the top five patent and trade mark firms in the United Kingdom, in less than twenty years.

We serve new tech start-ups, established service companies and numerous UK universities.

From Aberdeen to London, and throughout the United Kingdom, we are enthusiastic, local attorneys, with relevant experience and expertise.

Recommended by



For more information or a discussion please contact Craig Watson at cwatson@hgf.com or on +44 (0)1224 258510.

Find out more about our teams online at hgf.com/energy

Connect



HGF Limited



@hgf_IP

hgf.com



enquiries@hgf.com

HGF Limited

@hgf_IP