

IP & Offshore Wind

How Far Does Your Patent
Reach?

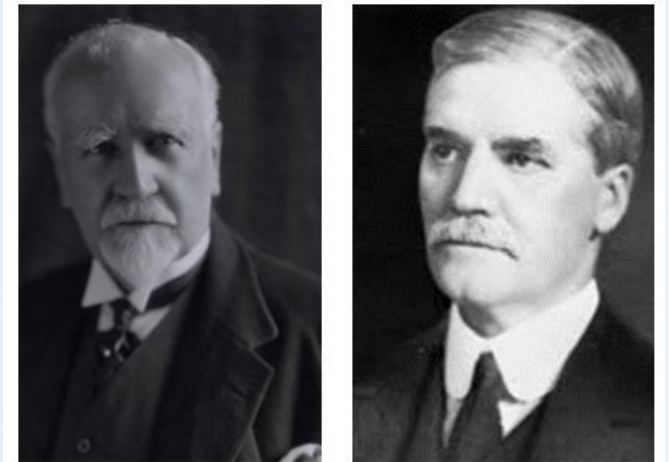
About Marks & Clerk

Founded in 1887 - for more than a century, Marks & Clerk has been a leading global intellectual property firm.

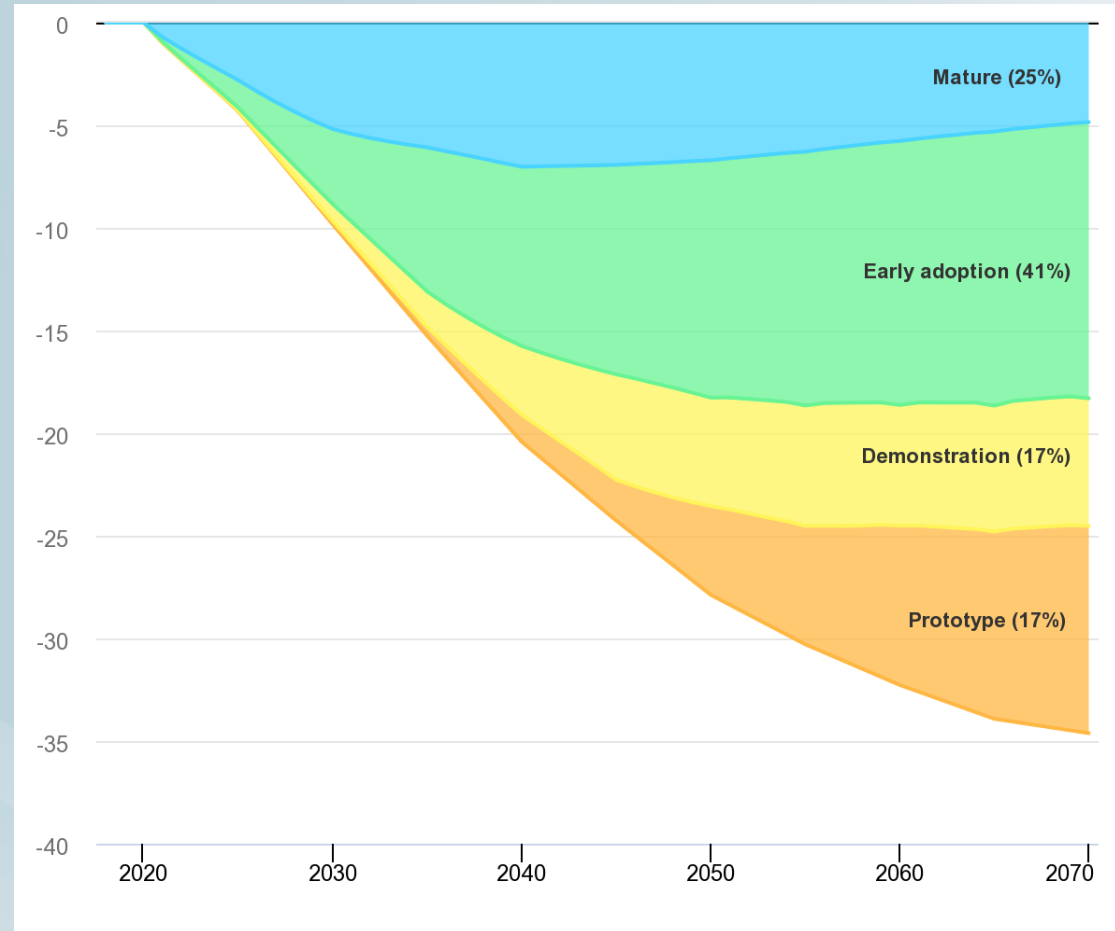
Full service firm – we provide businesses of all shapes and sizes with people whose legal, commercial and technical expertise exactly meets their needs.

300 practitioners around the world - our large team of patent attorneys, trade mark attorneys, commercial lawyers and IP litigators has helped thousands of businesses all over the world protect, enforce and maximise the value of their intellectual property.

Global rankings - we are consistently ranked in the top tier for Chambers & Partners UK and Legal 500 UK.



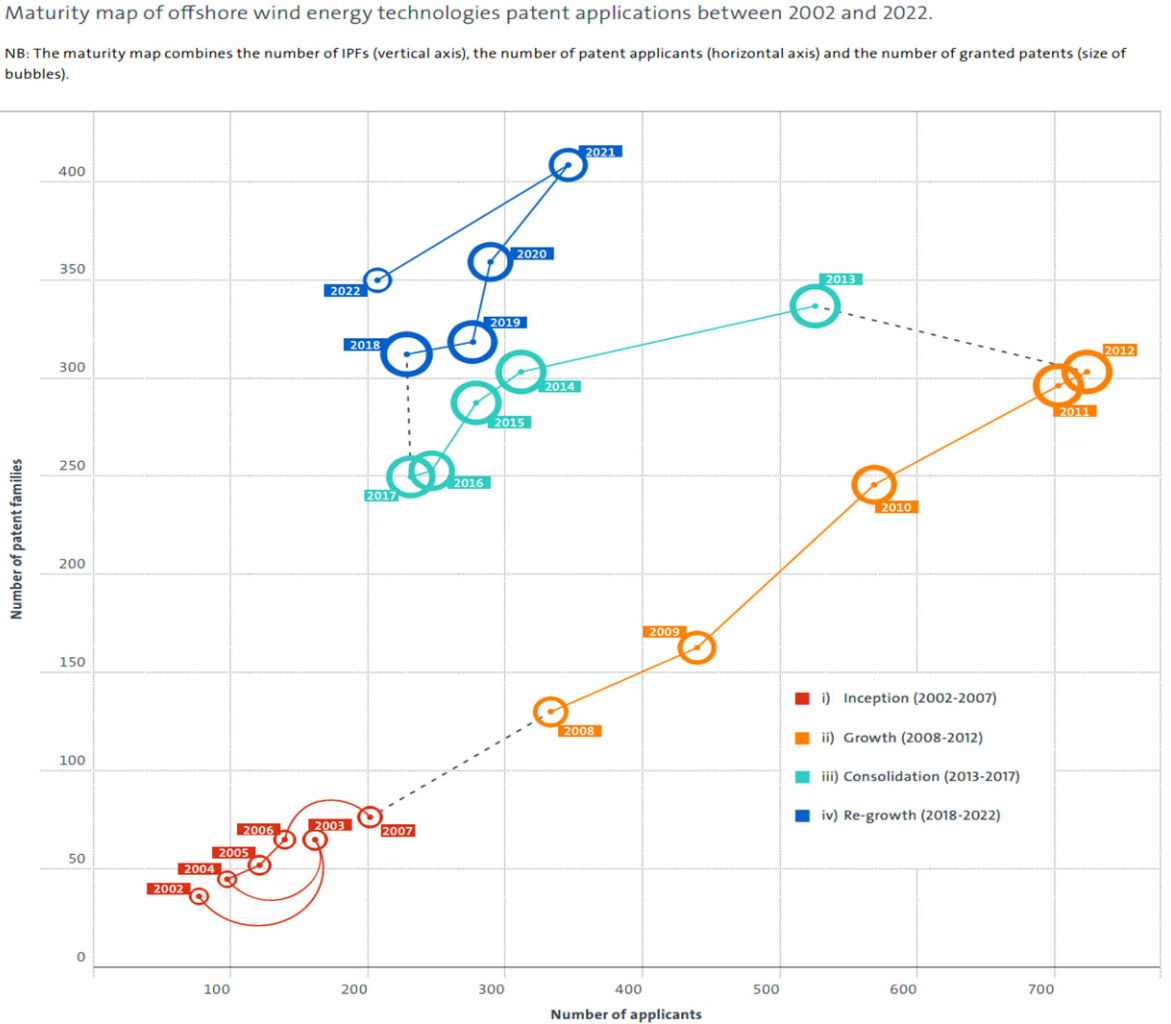
Technology Readiness



Global energy sector CO2 emissions reductions by current technology readiness category in the Sustainable Development Scenario relative to the Stated Policies Scenario, 2019-2070

<https://www.iea.org/data-and-statistics/charts/global-energy-sector-co2-emissions-reductions-by-current-technology-readiness-category-in-the-sustainable-development-scenario-relative-to-the-stated-policies-scenario-2019-2070>

Patent Filing Trends in Offshore Wind

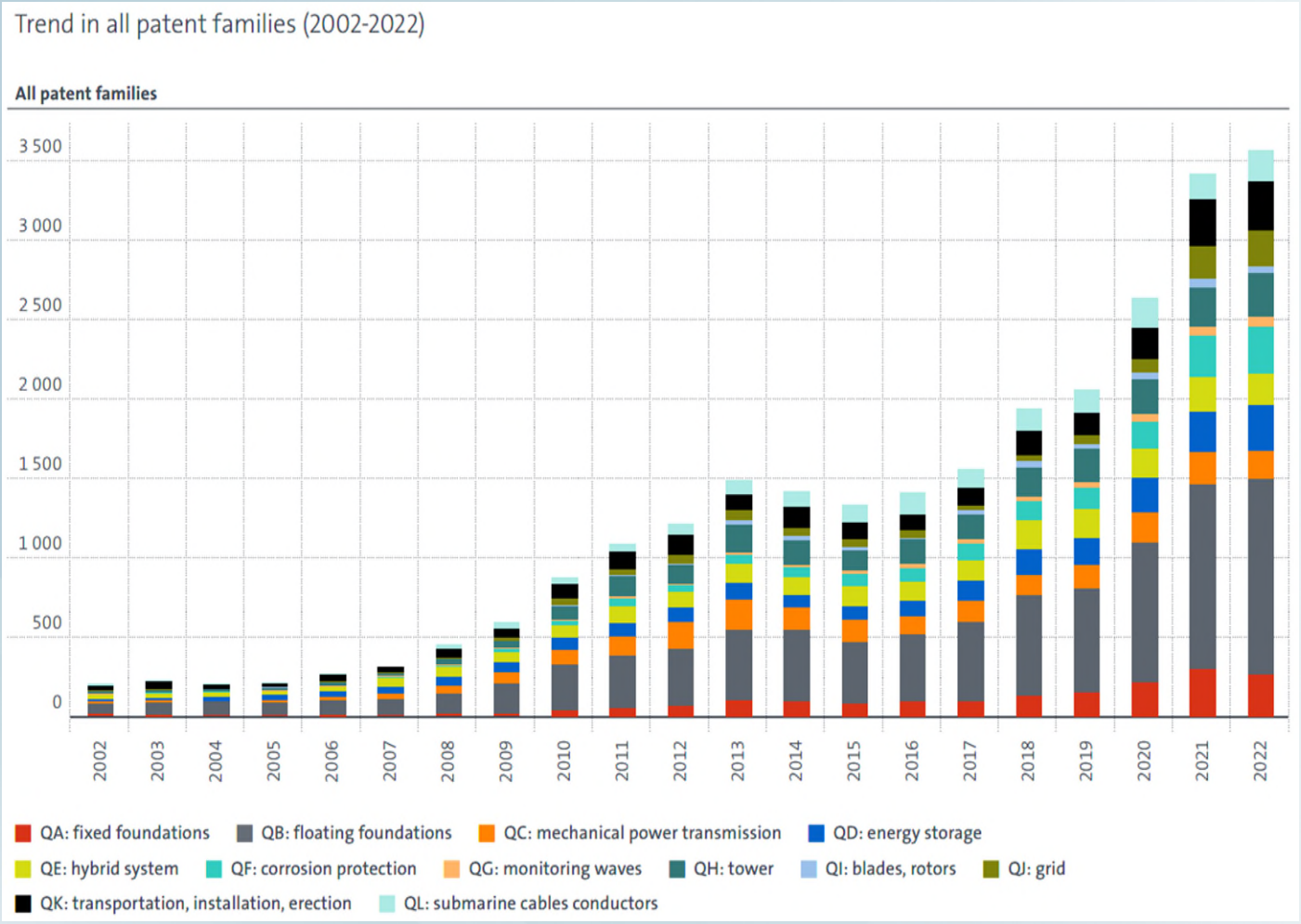


EPO/IRENA Offshore Wind Energy Report – Figure 3.1.5

<https://link.epo.org/web/business/patent-insight-reports/en-offshore-wind-energy-2023.pdf>



Patent Filing Trends in Offshore Wind

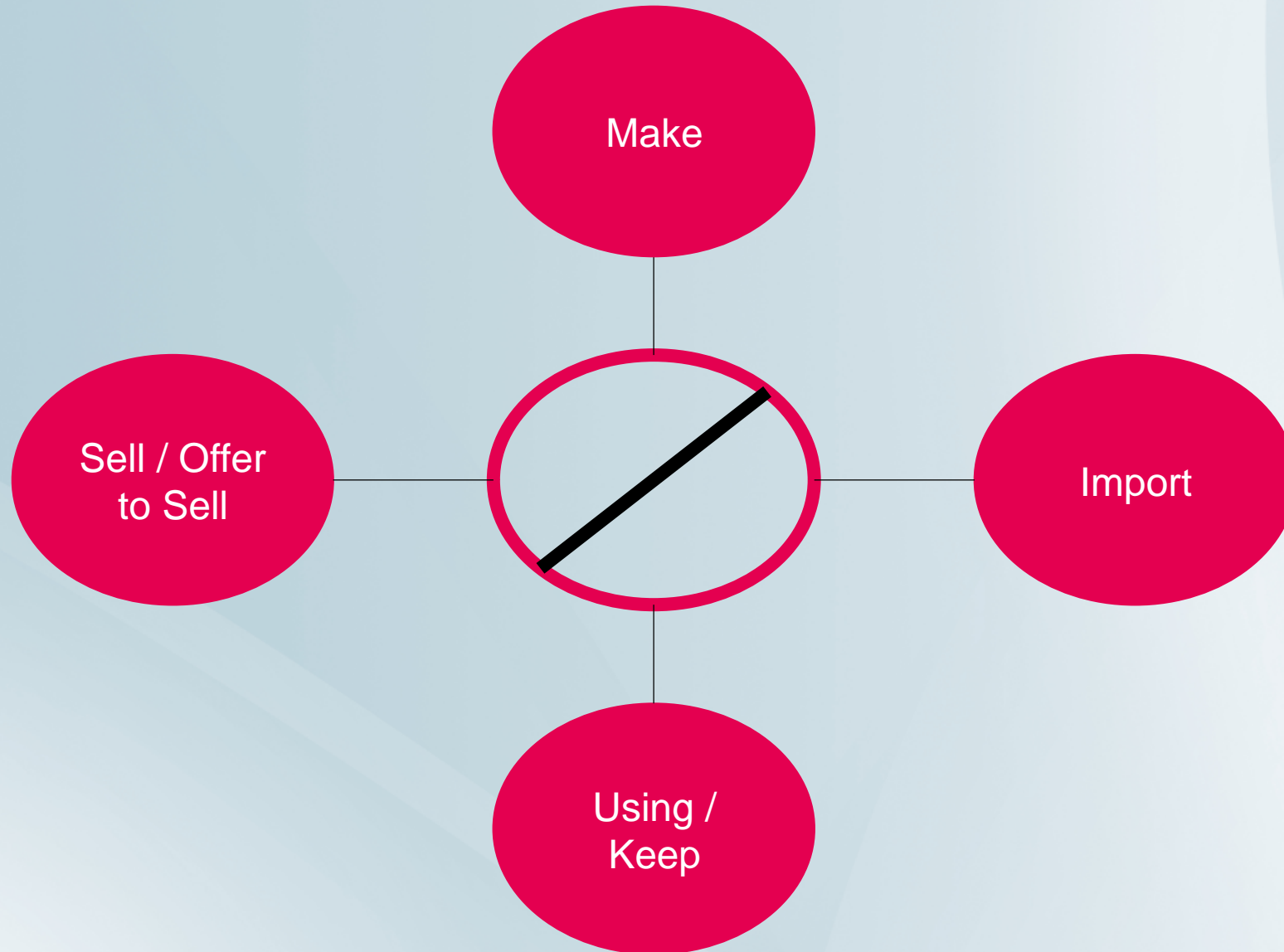


EPO/IRENA Offshore Wind Energy Report – Figure 3.1.1

<https://link.epo.org/web/business/patent-insight-reports/en-offshore-wind-energy-2023.pdf>



Patent Infringement

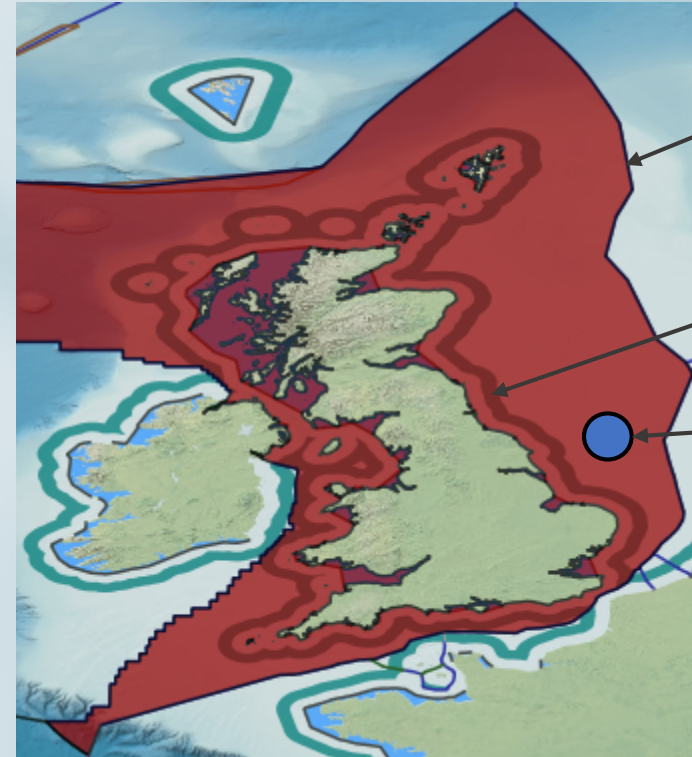


Dogger Bank Wind Farm

- The Patents Act provides for specified areas outside of UK territorial waters and within the UK exclusive economic zone (EEZ) to be subject to the Patents Act, but these are “purpose limited” to:

“activities connected with the exploration of, or the exploitation of the natural resources of, the shore or bed of waters to which this section applies or the subsoil beneath it“

- Does anchoring of wind turbines into the sea bed does amount to the required "exploitation"?



UK Exclusive Economic Zone (EEZ)

- up to 370km from shore

UK territorial waters

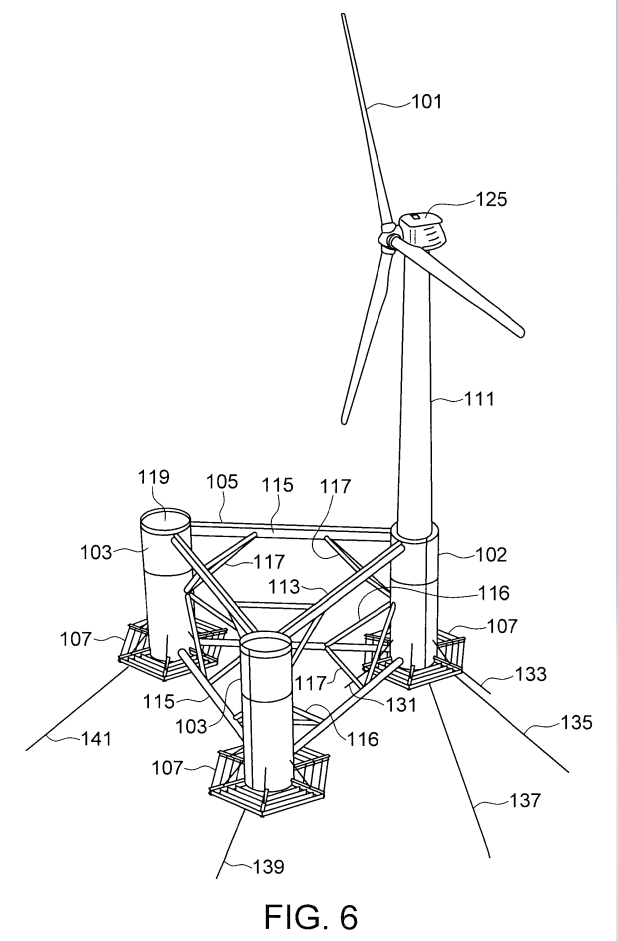
- 22km from shore

Dogger bank wind farm

- 130-190km from shore

EP 2271547 B1

1. A floating platform (105) comprising:
 - a) at least three stabilizing columns (102, 103), each column having an upper and a lower end, and an internal volume for containing a ballast fluid;
 - b) main beams (115) interconnecting the at least three stabilizing columns;
 - c) water-entrapment plates (107), each of the plates is rigidly attached to the lower end of one of the stabilizing columns; **characterized by**
 - d) a ballast control system (201) that moves the ballast fluid between the internal volumes of the at least three stabilizing columns (102, 103) to adjust a vertical alignment of the at least three stabilizing columns.
 - e) a tower (111) having an upper end and a lower end that is attached to the top of one of the stabilizing columns,
 - f) a turbine rotor 101 coupled to an electrical generator, the turbine rotor and the electrical generator are mounted proximate to the upper end of the tower.



Lessons Learned – Next Steps



- Increased innovation in offshore technology especially in certain key sectors
- Patents form an important part of any innovation strategy
- Risk associated with patent enforcement
- Considered preparation and management of your patent portfolio can mitigate this risk

Thank you

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