



Patents in the Arctic

How to protect your invention in Greenland

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In recent years, the interest in extraction of oil and gas as well as mining of minerals and rare metals in Greenland has grown considerably. This means that large investments are required in new technologies to be developed for e.g. off-shore oil and gas extraction and mining in arctic conditions.

This also entails an increased demand for patent protection with effect in Greenland for these technologies. At HØIBERG we have experienced an increased interest in obtaining patent protection in Greenland and receive numerous inquiries concerning the legal situation concerning patent protection in Greenland.

Facts and Conditions

Greenland is an autonomous country within the Kingdom of Denmark. The Kingdom of Denmark consists of Denmark, Greenland and the Faroe Islands. Denmark is a contracting state to the European Patent Convention (EPC), but Greenland and the Faroe Islands are not parties to the EPC.

Consequently, a European patent with effect for Denmark, i.e. a European patent validated in Denmark or a European patent with unitary effect does not cover Greenland and the Faroe Islands.

Filing Strategies

The territorial protection of a national Danish patent extends to Greenland, and an application for obtaining a Danish patent can be filed directly with the Danish Patent Office with or without claiming priority or as a national entry of a PCT-application before 31 months from the earliest priority date.

The territorial protection of a Danish utility model likewise extends to Greenland and may be applied for directly or via the PCT route.

Furthermore, a Danish utility model may be branched off from a pending European patent application before 10 years from the filing date of the European patent application as the maximum duration of a Danish utility model is 10 years from the date of filing.

Enforcing a patent in Greenland

Greenland has its own legal system and cases regarding patent infringement in Greenland must be brought before a Greenlandic court.

Need to know more?

If you are considering securing patent protection in Greenland, or if you have any questions concerning filing in Greenland or other aspects of IPR, please do not hesitate to contact us at HØIBERG.



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