

Microeconomic Analysis

Term Paper

経済学研究科

23A18014 Reio TANJI 丹治伶峰

I review the following paper, as the term-paper in the microeconomic analysis :

‘Characteristics of patent litigation : a window on competition’

Lanjouw and Schankerman (2001) *RAND Journal of Economics*

1 Summary

This paper summarized the pattern of individuals’/firms’ litigation strategies about intellectual properties, depending on the characteristics of the patents, patent owners, or the field of industries involved. Using cases in the U.S., they showed some hints to consider the degree of exposure to litigation risk.

1.1 Framework

1.2 Data

They constructed patent-case-level data in the U.S. about whether the patent had been taken into the court or not, how often cited, the characteristics of their patentee and so on. The dataset is obtained from the U.S. Patent and Trademark Office (PTO), covering the period 1975-1991 and including 5452 (3887 is that in the U.S.) patent cases. For matching estimation, they created a control group from the population of all U.S. patents.

One possible issue is selection bias, caused by lack of report from U.S. federal courts to PTO. Especially in 1977-1979, only 22% of patent disputes were recorded. They had dealt with this problem by checking differences between the reported groups and unreported ones.

1.3 Result : Description

1.4 Result : Econometric Analysis

1.5 Conclusion

2 Comment

2.1 Contribution

2.2 Extention

There should be needed some following research, revising dataset used in this paper. Even though the selection bias check was conducted, they did not made any time-series research for testing the robustness. As is mentioned in 1.2, as much as 78% of the cases were dropped for 1977-1979, while 85% of the all cases was collected for 1985-1987. Now we can obtain the latest information from PTO, so following research to the paper can give some contribution.

As is described in the article, patent is one of the important factor for strategic decision-making of the firms. Especially in recent study, the influence of the intellectual property on the competition or entry/exit is getting larger.