

# Strategic Concealment in Innovation Races

---

Yonggyun Kim and Francisco Poggi

May 5, 2023

# Introduction

Consider two firms engaging in an innovation race.

- The first firm to have a breakthrough obtains a prize  $\Pi$ .
- Firms pay a flow cost  $c$  throughout the race.
- Breakthroughs for firm  $i$  arrive at constant rate  $\lambda_i$ .
- Firm A has a piece of knowledge that gives them an advantage:  
 $\lambda_A > \lambda_B$ .

Expected Payoff of firm  $i$ :

$$\frac{\lambda_i}{\lambda_A + \lambda_B} \Pi - \frac{c}{\lambda_A + \lambda_B}$$

# Introduction

Consider two firms engaging in an innovation race.

- The first firm to have a breakthrough obtains a prize  $\Pi$ .
- Firms pay a flow cost  $c$  throughout the race.
- Breakthroughs for firm  $i$  arrive at constant rate  $\lambda_i$ .
- Firm A has a piece of knowledge that gives them an advantage:  
 $\lambda_A > \lambda_B$ .

Expected Payoff of firm  $i$ :

$$\frac{\lambda_i}{\lambda_A + \lambda_B} \Pi - \frac{c}{\lambda_A + \lambda_B}$$

# Introduction

Consider two firms engaging in an innovation race.

- The first firm to have a breakthrough obtains a prize  $\Pi$ .
- Firms pay a flow cost  $c$  throughout the race.
- Breakthroughs for firm  $i$  arrive at constant rate  $\lambda_i$ .
- Firm A has a piece of knowledge that gives them an advantage:  
 $\lambda_A > \lambda_B$ .

Expected Payoff of firm  $i$ :

$$\frac{\lambda_i}{\lambda_A + \lambda_B} \Pi - \frac{c}{\lambda_A + \lambda_B}$$

# Introduction

Consider two firms engaging in an innovation race.

- The first firm to have a breakthrough obtains a prize  $\Pi$ .
- Firms pay a flow cost  $c$  throughout the race.
- Breakthroughs for firm  $i$  arrive at constant rate  $\lambda_i$ .
- Firm A has a piece of knowledge that gives them an advantage:  
 $\lambda_A > \lambda_B$ .

Expected Payoff of firm  $i$ :

$$\frac{\lambda_i}{\lambda_A + \lambda_B} \Pi - \frac{c}{\lambda_A + \lambda_B}$$

# Introduction

Consider two firms engaging in an innovation race.

- The first firm to have a breakthrough obtains a prize  $\Pi$ .
- Firms pay a flow cost  $c$  throughout the race.
- Breakthroughs for firm  $i$  arrive at constant rate  $\lambda_i$ .
- Firm A has a piece of knowledge that gives them an advantage:  
 $\lambda_A > \lambda_B$ .

Expected Payoff of firm  $i$ :

$$\frac{\lambda_i}{\lambda_A + \lambda_B} \Pi - \frac{c}{\lambda_A + \lambda_B}$$

# Introduction

Consider two firms engaging in an innovation race.

- The first firm to have a breakthrough obtains a prize  $\Pi$ .
- Firms pay a flow cost  $c$  throughout the race.
- Breakthroughs for firm  $i$  arrive at constant rate  $\lambda_i$ .
- Firm A has a piece of knowledge that gives them an advantage:  
 $\lambda_A > \lambda_B$ .

Expected Payoff of firm  $i$ :

$$\frac{\lambda_i}{\lambda_A + \lambda_B} \Pi - \frac{c}{\lambda_A + \lambda_B}$$

# Introduction

Suppose Firm A can share knowledge with Firm B, in which case both firms would race with rate  $\lambda_A$ . This would:

1. Reduce race duration.
2. Increase the chance that Firm B wins the race.

Overall, sharing knowledge would be more **efficient**.

**Coase Theorem:** There exists a price  $P$  such that

- Firm B is willing to pay to acquire the knowledge.
- Firm A is willing to accept to share the knowledge with Firm B.

$$P \in \left[ \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi - c)}{2\lambda_A(\lambda_A + \lambda_B)}, \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi + c)}{2\lambda_A(\lambda_A + \lambda_B)} \right]$$



# Introduction

Suppose Firm A can share knowledge with Firm B, in which case both firms would race with rate  $\lambda_A$ . This would:

1. Reduce race duration.
2. Increase the chance that Firm B wins the race.

Overall, sharing knowledge would be more **efficient**.

**Coase Theorem:** There exists a price  $P$  such that

- Firm B is willing to pay to acquire the knowledge.
- Firm A is willing to accept to share the knowledge with Firm B.

$$P \in \left[ \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi - c)}{2\lambda_A(\lambda_A + \lambda_B)}, \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi + c)}{2\lambda_A(\lambda_A + \lambda_B)} \right]$$

# Introduction

Suppose Firm A can share knowledge with Firm B, in which case both firms would race with rate  $\lambda_A$ . This would:

1. Reduce race duration.
2. Increase the chance that Firm B wins the race.

Overall, sharing knowledge would be more **efficient**.

**Coase Theorem:** There exists a price  $P$  such that

- Firm B is willing to pay to acquire the knowledge.
- Firm A is willing to accept to share the knowledge with Firm B.

$$P \in \left[ \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi - c)}{2\lambda_A(\lambda_A + \lambda_B)}, \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi + c)}{2\lambda_A(\lambda_A + \lambda_B)} \right]$$

# Introduction

Suppose Firm A can share knowledge with Firm B, in which case both firms would race with rate  $\lambda_A$ . This would:

1. Reduce race duration.
2. Increase the chance that Firm B wins the race.

Overall, sharing knowledge would be more **efficient**.

**Coase Theorem:** There exists a price  $P$  such that

- Firm B is willing to pay to acquire the knowledge.
- Firm A is willing to accept to share the knowledge with Firm B.

$$P \in \left[ \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi - c)}{2\lambda_A(\lambda_A + \lambda_B)}, \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi + c)}{2\lambda_A(\lambda_A + \lambda_B)} \right]$$

# Introduction

Suppose Firm A can share knowledge with Firm B, in which case both firms would race with rate  $\lambda_A$ . This would:

1. Reduce race duration.
2. Increase the chance that Firm B wins the race.

Overall, sharing knowledge would be more **efficient**.

**Coase Theorem:** There exists a price  $P$  such that

- Firm B is willing to pay to acquire the knowledge.
- Firm A is willing to accept to share the knowledge with Firm B.

$$P \in \left[ \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi - c)}{2\lambda_A(\lambda_A + \lambda_B)}, \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi + c)}{2\lambda_A(\lambda_A + \lambda_B)} \right]$$

# Introduction

Suppose Firm A can share knowledge with Firm B, in which case both firms would race with rate  $\lambda_A$ . This would:

1. Reduce race duration.
2. Increase the chance that Firm B wins the race.

Overall, sharing knowledge would be more **efficient**.

**Coase Theorem:** There exists a price  $P$  such that

- Firm B is willing to pay to acquire the knowledge.
- Firm A is willing to accept to share the knowledge with Firm B.

$$P \in \left[ \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi - c)}{2\lambda_A(\lambda_A + \lambda_B)}, \frac{(\lambda_A - \lambda_B)(\lambda_A \Pi + c)}{2\lambda_A(\lambda_A + \lambda_B)} \right]$$

## What we do

Most times, knowledge has to be acquired and is private.

We study an innovation race with:

- Unobservable interim breakthroughs (knowledge).
- Firms directing R&D efforts in a flexible, dynamic way.

We characterize the equilibrium behavior of firms

- When they can patent and license interim breakthroughs,
- When they cannot.

## What we do

Most times, knowledge has to be acquired and is private.

We study an innovation race with:

- Unobservable interim breakthroughs (knowledge).
- Firms directing R&D efforts in a flexible, dynamic way.

We characterize the equilibrium behavior of firms

- When they can patent and license interim breakthroughs,
- When they cannot.

## What we do

Most times, knowledge has to be acquired and is private.

We study an innovation race with:

- Unobservable interim breakthroughs (knowledge).
- Firms directing R&D efforts in a flexible, dynamic way.

We characterize the equilibrium behavior of firms

- When they can patent and license interim breakthroughs,
- When they cannot.



## What we do

Most times, knowledge has to be acquired and is private.

We study an innovation race with:

- Unobservable interim breakthroughs (knowledge).
- Firms directing R&D efforts in a flexible, dynamic way.

We characterize the equilibrium behavior of firms

- When they can patent and license interim breakthroughs,
- When they cannot.

## Results in a Nutshell

When interim breakthroughs are **public**, patents work:

- Induce firms to share their breakthroughs.
- Induce more efficient R&D resource allocation.

When interim breakthroughs are **private**, patents might be ineffective.

- Firms conceal interim breakthroughs (trade secrets).
- Inefficient allocation of R&D resources.
- Particularly problematic when stakes are high.

## Results in a Nutshell

When interim breakthroughs are **public**, patents work:

- Induce firms to share their breakthroughs.
- Induce more efficient R&D resource allocation.

When interim breakthroughs are **private**, patents might be ineffective.

- firms conceal interim breakthroughs (trade secrets).
- Inefficient allocation of R&D resources.
- Particularly problematic when stakes are high.

## Results in a Nutshell

When interim breakthroughs are **public**, patents work:

- Induce firms to share their breakthroughs.
- Induce more efficient R&D resource allocation.

When interim breakthroughs are **private**, patents might be ineffective.

- Firms conceal interim breakthroughs (trade secrets).
- Inefficient allocation of R&D resources.
- Particularly problematic when stakes are high.

## Results in a Nutshell

When interim breakthroughs are **public**, patents work:

- Induce firms to share their breakthroughs.
- Induce more efficient R&D resource allocation.

When interim breakthroughs are **private**, patents might be ineffective.

- firms *conceal* interim breakthroughs (trade secrets).
- Inefficient allocation of R&D resources.
- Particularly problematic when stakes are high.

## Results in a Nutshell

When interim breakthroughs are **public**, patents work:

- Induce firms to share their breakthroughs.
- Induce more efficient R&D resource allocation.

When interim breakthroughs are **private**, patents might be ineffective.

- firms *conceal* interim breakthroughs (trade secrets).
- Inefficient allocation of R&D resources.
- Particularly problematic when stakes are high.

## Results in a Nutshell

When interim breakthroughs are **public**, patents work:

- Induce firms to share their breakthroughs.
- Induce more efficient R&D resource allocation.

When interim breakthroughs are **private**, patents might be ineffective.

- firms *conceal* interim breakthroughs (trade secrets).
- Inefficient allocation of R&D resources.
- Particularly problematic when stakes are high.

## Results in a Nutshell

When interim breakthroughs are **public**, patents work:

- Induce firms to share their breakthroughs.
- Induce more efficient R&D resource allocation.

When interim breakthroughs are **private**, patents might be ineffective.

- firms *conceal* interim breakthroughs (trade secrets).
- Inefficient allocation of R&D resources.
- Particularly problematic when stakes are high.



## Model

---

# Model

Two firms  $i \in \{A, B\}$  participate in a race.

Time is continuous and infinite  $t \in [0, \infty)$ .

Two technologies:

- An **incumbent** technology  $L$ .
- A **new** technology  $H$  (not available at first).

A firm allocates, at each point in time, a unit of resources to:

- **Research:** try to obtain the new technology.
- **Development:** try to win the race with the current technology.

# Model

Two firms  $i \in \{A, B\}$  participate in a race.

Time is continuous and infinite  $t \in [0, \infty)$ .

Two technologies:

- An **incumbent** technology  $L$ .
- A **new** technology  $H$  (not available at first).

A firm allocates, at each point in time, a unit of resources to:

- **Research**: try to obtain the new technology.
- **Development**: try to win the race with the current technology.

# Model

Two firms  $i \in \{A, B\}$  participate in a race.

Time is continuous and infinite  $t \in [0, \infty)$ .

Two technologies:

- An **incumbent** technology  $L$ .
- A **new** technology  $H$  (not available at first).

A firm allocates, at each point in time, a unit of resources to:

- **Research:** try to obtain the new technology.
- **Development:** try to win the race with the current technology.

# Model

Two firms  $i \in \{A, B\}$  participate in a race.

Time is continuous and infinite  $t \in [0, \infty)$ .

Two technologies:

- An **incumbent** technology  $L$ .
- A **new** technology  $H$  (not available at first).

A firm allocates, at each point in time, a unit of resources to:

- **Research:** try to obtain the new technology.
- **Development:** try to win the race with the current technology.

# Model

Two firms  $i \in \{A, B\}$  participate in a race.

Time is continuous and infinite  $t \in [0, \infty)$ .

Two technologies:

- An **incumbent** technology  $L$ .
- A **new** technology  $H$  (not available at first).

A firm allocates, at each point in time, a unit of resources to:

- **Research:** try to obtain the new technology.
- **Development:** try to win the race with the current technology.

# Model

Two firms  $i \in \{A, B\}$  participate in a race.

Time is continuous and infinite  $t \in [0, \infty)$ .

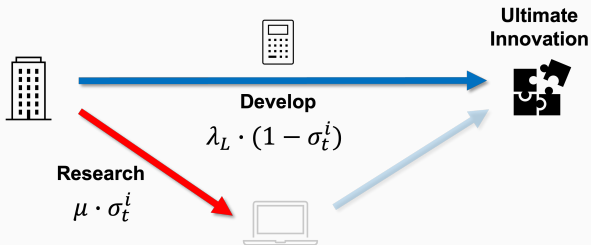
Two technologies:

- An **incumbent** technology  $L$ .
- A **new** technology  $H$  (not available at first).

A firm allocates, at each point in time, a unit of resources to:

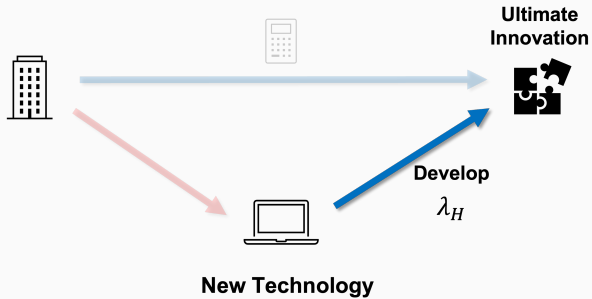
- **Research:** try to obtain the new technology.
- **Development:** try to win the race with the current technology.

# Technology





# Technology



The race ends when one of the firms develops the innovation.

Payoff of firm  $i$ :

$$\Pi \cdot 1_{\{w=i\}} - c \cdot d$$

where

- $\Pi, c > 0$ .
- $w \in \{A, B\}$  is the identity of the race winner,
- $d$  is the duration of the race.

**Assumption:** Incumbent technology is profitable  $\Pi > c/\lambda_L$

The race ends when one of the firms develops the innovation.

**Payoff of firm  $i$ :**

$$\Pi \cdot 1_{\{w=i\}} - c \cdot d$$

where

- $\Pi, c > 0$ .
- $w \in \{A, B\}$  is the identity of the race winner,
- $d$  is the duration of the race.

**Assumption:** Incumbent technology is profitable  $\Pi > c/\lambda_L$

The race ends when one of the firms develops the innovation.

**Payoff of firm  $i$ :**

$$\Pi \cdot 1_{\{w=i\}} - c \cdot d$$

where

- $\Pi, c > 0$ .
- $w \in \{A, B\}$  is the identity of the race winner,
- $d$  is the duration of the race.

**Assumption:** Incumbent technology is profitable  $\Pi > c/\lambda_L$

The race ends when one of the firms develops the innovation.

**Payoff of firm  $i$ :**

$$\Pi \cdot 1_{\{w=i\}} - c \cdot d$$

where

- $\Pi, c > 0$ .
- $w \in \{A, B\}$  is the identity of the race winner,
- $d$  is the duration of the race.

**Assumption:** Incumbent technology is profitable  $\Pi > c/\lambda_L$

## Information:

- Resource allocation is private information.
- Successful development is public.
- Interim breakthrough (finding of the new technology).

Three cases:

(1) Public

(2) Private

(3) Patents.

## Information:

- Resource allocation is private information.
- Successful development is public.
- Interim breakthrough (finding of the new technology).

Three cases:

(1) Public

(2) Private

(3) Patents.

## Information:

- Resource allocation is private information.
- Successful development is public.
- Interim breakthrough (finding of the new technology).

Three cases:

(1) Public      (2) Private      (3) Patents.



# **Observable Interim Breakthroughs**

---

## Proposition

For almost all parameters, there is a unique Markov equilibrium.

- When  $\mu$  is high enough, firms do research ( $\sigma = 1$ ) until obtaining the new technology.
- When  $\mu$  is low enough, firms develop with the incumbent technology ( $\sigma = 0$ ).
- **For intermediate values of  $\mu$ , firms follow fall-back strategies:** they do research until either of the firms obtains the new technology and develop afterwards.

For the rest of this talk, I'll focus on intermediate  $\mu$ .

# **Unobservable Interim Breakthroughs**

---

## Allocation Policy

With unobservable interim breakthroughs, firms cannot condition their allocation on the opponents' technology.

An **allocation policy**  $\sigma_i(t)$  indicates how much resources Firm  $i$  allocates to research at time  $t$ , conditional on that

- Firm  $i$  doesn't have the new technology.
- the race is still on.

$$\sigma_i : \mathbb{R} \rightarrow [0, 1]$$

# Allocation Policy

With unobservable interim breakthroughs, firms cannot condition their allocation on the opponents' technology.

An **allocation policy**  $\sigma_i(t)$  indicates how much resources Firm  $i$  allocates to research at time  $t$ , conditional on that

- Firm  $i$  doesn't have the new technology.
- the race is still on.

$$\sigma_i : \mathbb{R} \rightarrow [0, 1]$$

# Evolution of Beliefs

## Lemma

- Consider that
  - an opponent follows policy  $\sigma$ .
  - the race is ongoing by time  $t$ .
- The probability  $p_t$  that the opponent has the new technology evolves according to:

$$p_0 = 0$$

$$\dot{p}_t = \underbrace{\mu \cdot \sigma(t) \cdot (1 - p_t)}_{\text{ME}} - \underbrace{[\lambda_H - (1 - \sigma(t))\lambda_L] \cdot p_t \cdot (1 - p_t)}_{\text{BU}}$$

# Evolution of Beliefs

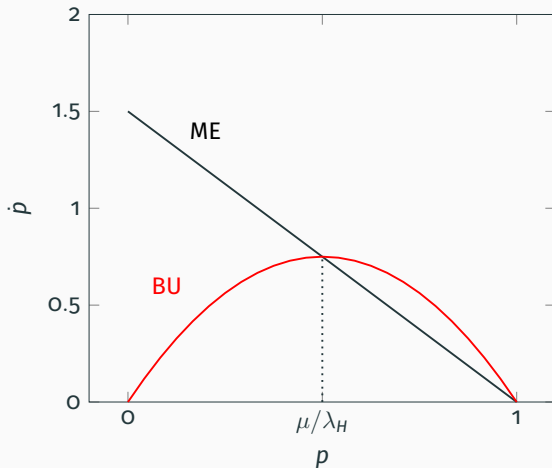
## Lemma

- Consider that
  - an opponent follows policy  $\sigma$ .
  - the race is ongoing by time  $t$ .
- The probability  $p_t$  that the opponent has the new technology evolves according to:

$$p_0 = 0$$

$$\dot{p}_t = \underbrace{\mu \cdot \sigma(t) \cdot (1 - p_t)}_{\text{ME}} - \underbrace{[\lambda_H - (1 - \sigma(t))\lambda_L] \cdot p_t \cdot (1 - p_t)}_{\text{BU}}$$

# Evolution of Beliefs



**Figure 1: Mechanic and Bayesian Updating effects.**  $\sigma_j = 1$ .  $\mu = 1.5$ ,  $\lambda_H = 3$ , and  $\delta = 2/3$ .



# Symmetric Markovian Equilibrium

**Solution concept:** (Pure) Symmetric Markovian Equilibrium (SME).

- Symmetric:  $\sigma^A(t) = \sigma^B(t)$  for all  $t$ .
- Markovian:  $p_t = p_{t'} \Rightarrow \sigma(t) = \sigma(t')$

## Proposition

There is a **unique** SME. In this equilibrium

$$\sigma^A(t) = \sigma^B(t) = \begin{cases} 1 & t < T^* \\ \sigma^* & t \geq T^* \end{cases}$$

for some  $T^* \in [0, \infty]$  and  $\sigma^* \in [0, 1]$ .

# Symmetric Markovian Equilibrium

**Solution concept:** (Pure) Symmetric Markovian Equilibrium (SME).

- Symmetric:  $\sigma^A(t) = \sigma^B(t)$  for all  $t$ .
- Markovian:  $p_t = p_{t'} \Rightarrow \sigma(t) = \sigma(t')$

## Proposition

There is a **unique** SME. In this equilibrium

$$\sigma^A(t) = \sigma^B(t) = \begin{cases} 1 & t < T^* \\ \sigma^* & t \geq T^* \end{cases}$$

for some  $T^* \in [0, \infty]$  and  $\sigma^* \in [0, 1]$ .

# Symmetric Markovian Equilibrium

**Solution concept:** (Pure) Symmetric Markovian Equilibrium (SME).

- Symmetric:  $\sigma^A(t) = \sigma^B(t)$  for all  $t$ .
- Markovian:  $p_t = p_{t'} \Rightarrow \sigma(t) = \sigma(t')$

## Proposition

There is a **unique** SME. In this equilibrium

$$\sigma^A(t) = \sigma^B(t) = \begin{cases} 1 & t < T^* \\ \sigma^* & t \geq T^* \end{cases}$$

for some  $T^* \in [0, \infty]$  and  $\sigma^* \in [0, 1]$ .

# Symmetric Markovian Equilibrium

**Solution concept:** (Pure) Symmetric Markovian Equilibrium (SME).

- Symmetric:  $\sigma^A(t) = \sigma^B(t)$  for all  $t$ .
- Markovian:  $p_t = p_{t'} \Rightarrow \sigma(t) = \sigma(t')$

## Proposition

There is a **unique** SME. In this equilibrium

$$\sigma^A(t) = \sigma^B(t) = \begin{cases} 1 & t < T^* \\ \sigma^* & t \geq T^* \end{cases}$$

for some  $T^* \in [0, \infty]$  and  $\sigma^* \in [0, 1]$ .

# Symmetric Markovian Equilibrium

**Solution concept:** (Pure) Symmetric Markovian Equilibrium (SME).

- Symmetric:  $\sigma^A(t) = \sigma^B(t)$  for all  $t$ .
- Markovian:  $p_t = p_{t'} \Rightarrow \sigma(t) = \sigma(t')$

## Proposition

There is a **unique** SME. In this equilibrium

$$\sigma^A(t) = \sigma^B(t) = \begin{cases} 1 & t < T^* \\ \sigma^* & t \geq T^* \end{cases}$$

for some  $T^* \in [0, \infty]$  and  $\sigma^* \in [0, 1]$ .

# Symmetric Markovian Equilibrium

$T^*$  and  $\sigma^*$  are determined by two conditions:

- Keeping opponent indifferent between R & D.
- Keeping opponent's beliefs constant.

Equilibrium beliefs are strictly increasing until  $T^*$  and then constant.

**Comparative statics:**

- The effects of  $\lambda_L$ ,  $\lambda_H$  and  $\mu$  on  $T^*$  and  $\sigma^*$  are the expected ones.
- $T^*$  and  $\sigma^*$  do not depend on  $\Pi$  or  $c$ .

# Symmetric Markovian Equilibrium

$T^*$  and  $\sigma^*$  are determined by two conditions:

- Keeping opponent indifferent between R & D.
- Keeping opponent's beliefs constant.

Equilibrium beliefs are strictly increasing until  $T^*$  and then constant.

Comparative statics:

- The effects of  $\lambda_L$ ,  $\lambda_H$  and  $\mu$  on  $T^*$  and  $\sigma^*$  are the expected ones.
- $T^*$  and  $\sigma^*$  do not depend on  $\Pi$  or  $c$ .

# Symmetric Markovian Equilibrium

$T^*$  and  $\sigma^*$  are determined by two conditions:

- Keeping opponent indifferent between R & D.
- Keeping opponent's beliefs constant.

Equilibrium beliefs are strictly increasing until  $T^*$  and then constant.

## Comparative statics:

- The effects of  $\lambda_L$ ,  $\lambda_H$  and  $\mu$  on  $T^*$  and  $\sigma^*$  are the expected ones.
- $T^*$  and  $\sigma^*$  do not depend on  $\Pi$  or  $c$ .



# Patents

---

## Model with Patents

Same model as before with the following modifications:

- A firm that has the new technology can **apply for a patent**.
  - Patent applications are public.
- **First-to-invent**: The patent is granted if no other firm had the interim breakthrough before.
- If patent is granted, the patent holder makes a TIOLI offer to the opponent.
- If offer is accepted, both firms race with the new technology onward.

## Model with Patents

Same model as before with the following modifications:

- A firm that has the new technology can **apply for a patent**.
  - Patent applications are public.
- **First-to-invent:** The patent is granted if no other firm had the interim breakthrough before.
- If patent is granted, the patent holder makes a TIOLI offer to the opponent.
- If offer is accepted, both firms race with the new technology onward.

## Model with Patents

Same model as before with the following modifications:

- A firm that has the new technology can **apply for a patent**.
  - Patent applications are public.
- **First-to-invent:** The patent is granted if no other firm had the interim breakthrough before.
- If patent is granted, the patent holder makes a TIOLI offer to the opponent.
- If offer is accepted, both firms race with the new technology onward.

## Model with Patents

Same model as before with the following modifications:

- A firm that has the new technology can **apply for a patent**.
  - Patent applications are public.
- **First-to-invent:** The patent is granted if no other firm had the interim breakthrough before.
- If patent is granted, the patent holder makes a TIOLI offer to the opponent.
- If offer is accepted, both firms race with the new technology onward.

## Model with Patents

Same model as before with the following modifications:

- A firm that has the new technology can **apply for a patent**.
  - Patent applications are public.
- **First-to-invent:** The patent is granted if no other firm had the interim breakthrough before.
- If patent is granted, the patent holder makes a TIOLI offer to the opponent.
- If offer is accepted, both firms race with the new technology onward.

# Ineffective Patents

## Proposition

If stakes are sufficiently high ( $\Pi/c$  large enough), firms don't apply for patents in equilibrium.

The equilibrium allocations and payoffs are the same as in the unobservable case.

Intuition: Coase Theorem fails to hold because patenting changes the outside option of the opponent firm.

# Ineffective Patents

## Proposition

If stakes are sufficiently high ( $\Pi/c$  large enough), firms don't apply for patents in equilibrium.

The equilibrium allocations and payoffs are the same as in the unobservable case.

*Intuition:* Coase Theorem fails to hold because patenting changes the outside option of the opponent firm.



# Ineffective Patents

## Proposition

If stakes are sufficiently high ( $\Pi/c$  large enough), firms don't apply for patents in equilibrium.

The equilibrium allocations and payoffs are the same as in the unobservable case.

**Intuition:** Coase Theorem fails to hold because patenting changes the outside option of the opponent firm.

## Conclusion

We develop a model of innovation race with interim breakthroughs and show that

- Firms might not patent to conceal breakthroughs even when patent holders have all the bargaining power in licensing negotiations.
- Patents for interim breakthroughs are less effective when stakes are high.