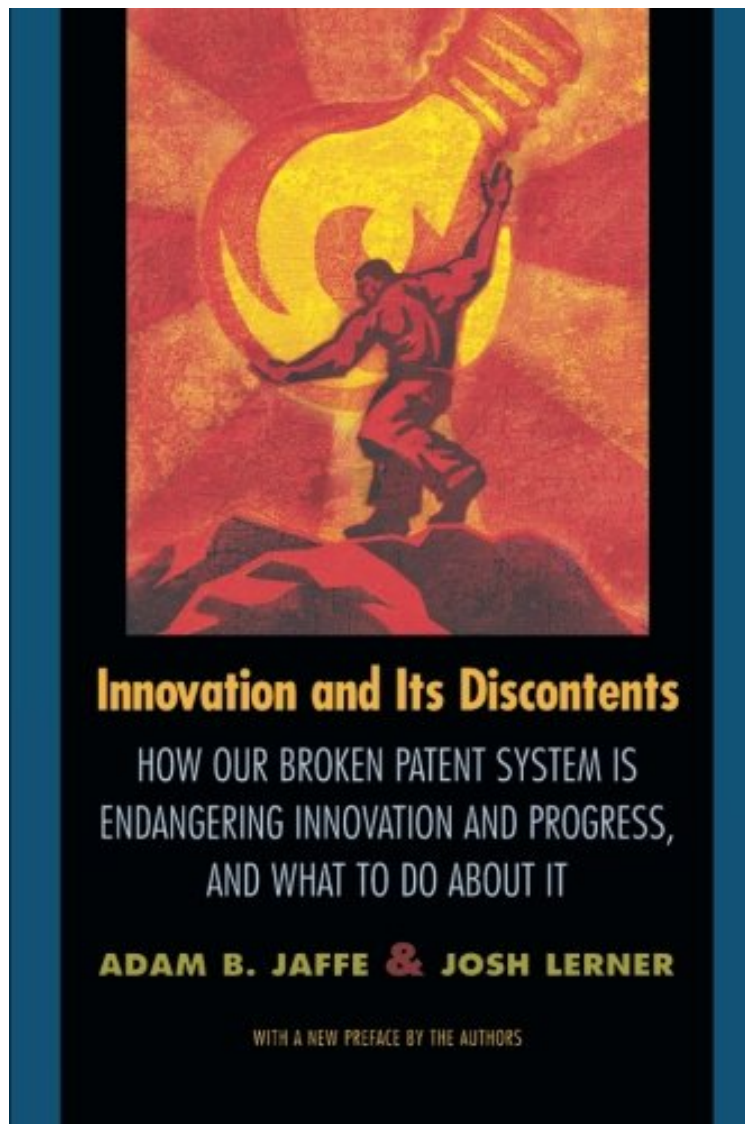


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Innovation and Its Discontents: How Our Broken Patent System is Endangering Innovation and Progress, and What to Do About It

Adam B. Jaffe, Josh Lerner

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#2007370 in Books Adam B Jaffe 2007-01-07 2007-01-07Original language:EnglishPDF # 1 9.21 x .58 x 6.14l, .78 #File Name: 0691127948256 pagesInnovation and Its Discontents How Our Broken Patent System is Endangering Innovation and Progress and What to Do About It | File size: 37.Mb

Adam B. Jaffe, Josh Lerner : Innovation and Its Discontents: How Our Broken Patent System is Endangering Innovation and Progress, and What to Do About It before purchasing it in order to gage whether or not it would be worth my time, and all praised Innovation and Its Discontents: How Our Broken Patent System is Endangering Innovation and Progress, and What to Do About It:

1 of 1 people found the following review helpful. Informative and Humorous
By PHI read this for an Intellectual Property class. Not only was the book clear in its examples and concise in its explanations, but it was practical in its suggested solutions and humorous in its storytelling (anyone who can work drag queens into patent law is truly brilliant not to mention funny!) After reading it from cover to cover (and who can say that about a book that is read for class?), I felt like I had a solid understanding of the material and was entertained while learning--a boon to memory recall on the test later.
6 of 7 people found the following review helpful. it's OK
By Joe Omalley Since the authors are economists I was hoping for an economic analysis of our current patent system like Schiff in his "Industrialization without National Patents" does for the international patent system of the 1800s. Instead it is a work of persuasion meant to sell the author's policy suggestions. This means that the authors spend a lot of time talking about silly granted patents even though the authors later admit such patents are pretty unavoidable. No patent office has the resources to avoid granting some bad patents. The author's policy suggestions include a revised reexamination system where patent owners would have to post \$50,000 bond to defend a reexamination. I am no phyllis schlafly, but such a system would really favor big companies. The authors are right that the creation of the CAFC in 1982 has resulted in a strengthening of patents. A lot of this is just a result of a new post-1982 uniformity in the case law. Some signs of the waning of patents are showing. The CAFC, and now the supreme court, are ruling more for defendants in patent lawsuits. Additionally, in the patent office, the allowance rate of patents has declined from a peak of 71% in 2000 to 54% in 2006.
0 of 0 people found the following review helpful. Adam Van deWalle's Review of Jaffe and Lerner's "Innovation and Its Discontents"
By Arthur M. Diamond, Jr. [[VIDEOID:mo2VUJMCKBAZVB4]] Adam Van deWalle's review was made as part of a critical review assignment for the Spring 2013 Economics of Technology seminar at the University of Nebraska at Omaha, taught by Art Diamond. (The course syllabus stated that part of the critical review assignment consisted of the making of a video recording of the review, and the posting of the review to .)

The United States patent system has become sand rather than lubricant in the wheels of American progress. Such is the premise behind this provocative and timely book by two of the nation's leading experts on patents and economic innovation. *Innovation and Its Discontents* tells the story of how recent changes in patenting--an institutional process that was created to nurture innovation--have wreaked havoc on innovators, businesses, and economic productivity. Jaffe and Lerner, who have spent the past two decades studying the patent system, show how legal changes initiated in the 1980s converted the system from a stimulator of innovation to a creator of litigation and uncertainty that threatens the innovation process itself. In one telling vignette, Jaffe and Lerner cite a patent litigation campaign brought by a semi-conductor chip designer that claims control of an entire category of computer memory chips. The firm's claims are based on a modest 15-year old invention, whose scope and influence were broadened by secretly manipulating an industry-wide cooperative standard-setting body. Such cases are largely the result of two changes in the patent climate, Jaffe and Lerner contend. First, new laws have made it easier for businesses and inventors to secure patents on products of all kinds, and second, the laws have tilted the table to favor patent holders, no matter how tenuous their claims. After analyzing the economic incentives created by the current policies, Jaffe and Lerner suggest a three-pronged solution for restoring the patent system: create incentives to motivate parties who have information about the novelty of a patent; provide multiple levels of patent review; and replace juries with judges and special masters to preside over certain aspects of infringement cases. Well-argued and engagingly written, *Innovation and Its Discontents* offers a fresh approach for enhancing both the nation's creativity and its economic growth.

One of Economist's Best Books , Economics and Business Category for 2004 "A lucid, entertaining and sobering look at the American patent system."--Hal R. Varian, *New York Times* "A disturbing analysis of how the patent system, the heart of the knowledge economy, is rotten. With plenty of examples, the authors explain how America's patent system has become slow and bureaucratic, awarding too many patents for the wrong sorts of things. As a result, it is a threat to this most innovative economy."--Economist "This book sounds an alarm bell that is hard to ignore since this is a policy area, which is very important for the national interests of the United States. The authors maintain that the present patent system in this country is profoundly flawed."--Giuseppe Ammendola, *American Foreign Policy Interests* "This is a timely and concise book that presents a comprehensive and convincing argument about the not-so-explicit changes in U.S. patent law beginning in 1982, changes that the authors argue have broken a patent system that worked previously."--Zainub Verjee, *Leonardo* "Adam Jaffe and Josh Lerner have given us a wonderfully timely book--and also one that is beautifully executed. If Congress is to reform the system, the public ought to understand its current failings."--Rochelle Dreyfuss, *Michigan Law* "The authors should be applauded for their straight-forward approach and their focus on definite practices such as the patent application process. With elucidating, often entertaining examples this book would be appropriate as supplemental text for students and scholars of intellectual property rights."--Erik N. Dean, *Journal of Economic Issues* From the Publisher One of the Economist's Best Books of 2004, Economics and Business Category From the Inside Flap "Jaffe and Lerner's arguments are persuasive and their recommendations sensible. The book makes a very significant contribution to the current debates on patent policy."--Bronwyn Hall, *University of California, Berkeley* "This is a valuable and timely book by two highly regarded experts

in the field. It is an extremely well-written and well argued work that shows how the patent system has evolved in disturbing ways over the past two decades."--Brian Kahin, University of Michigan"Patents are at the heart of the process of economic growth, and the process is suffering from a powerful form of cardiac disease. This fascinating book provides an illuminating diagnosis as well as compelling therapy. Its findings have towering importance, not just for lawyers and economists, but for the future standard of living of us all."--Peter L. Bernstein, author of "Against the Gods: The Remarkable Story of Risk"