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基于博弈模型的专利联营许可行为研究

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Licensing behavior of patent pools based on the game models

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摘要 专利联营许可是专利联营的核心问题,专利联营各类许可过程实质是许可双方之间的博弈过程,博弈结果为是否签订许可契约。本文基于博弈模型,分别从两个侧面探讨专利联营各类许可行为的内在机理,认为无论哪一类许可,博弈双方之间均为竞合关系,其焦点是如何最大化各自利润。只有双方都达到利润预期,才能出现博弈均衡。在此基础上,为我国企业正确对待专利联营许可提供启示。

关键词: 专利联营 许可 博弈 利润 竞合

Abstract: As the core problem of patent pools, patent licensing of all kinds is the gaming process between the two parties in essence with the result is weather for not the contract for licensing is signed. Based on game models, the inner mechanism of patent pool licensing behavior is discussed from two aspects. Regardless of the kind of patent licensing, the relationship between the two parties is both competition and cooperation with the aim at maximizing their own profits. Only when the two parties gain their expected profits, then a gaming balance appears. In view of this, some enlightenment for Chinese enterprises on how to treat patent pool licensing correctly and appropriately are provided.

Keywords: patent pool licensing game profit competition and cooperation

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