



科研管理 2012, Vol. 33 Issue (7) :67-73 论文 DOI:

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技术标准背景下的专利池演进及专利申请行为

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The evolution of patent pools and patent application behavior against the background of technical standards

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摘要 在技术标准大量引用技术专利的背景下,标准联盟以专利池运营其拥有的技术专利,专利池在标准创立及产业化中扮演着日益重要的角色。以典型专利池为研究样本,定量分析专利池中的专利数量变化与专利申请行为;研究表明,专利池创立前后是专利申请的高峰期,这些专利绝大部分为专利池的发起人所控制。对专利引用进行泊松回归,揭示出专利池中的专利质量随时间推移逐步降低,在专利池演进过程中,发起人存在策略性的专利申请行为,倾向于将低价值专利“塞入”专利池中。

关键词: 专利池 技术标准 专利申请 泊松回归

Abstract: Against the background that technical standards cite large amount of patents, standard alliances operate their patents in terms of patent pools, which play more and more important roles in the creation and industrialization of technical standards. Therefore, by taking the typical patent pools as research samples, the quantitative variation of patent and patent applying behavior in patent pools are studied. It shows that there is the peak of patents applications around the creation of patent pool, which is controlled by the pool founders. With the Poisson regression of the patent citation data, it is found that the patent quality decreases with the application time goes by. It is indicated that strategic patent application behavior exists in the evolution of patent pools. The founders of patent pools intend to put low quality patents into the patent pools.

Keywords: patent pool technical standard patent application Poisson regression

Received 2011-07-20;

Fund: 国家自然科学基金资助项目(71172138),2012.1-2015.12;国家自然科学基金资助项目(70872015),2009.1-2011.12;新世纪优秀人才支持计划资助(NCET-08-0084),2009.1-2011.12。

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