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Making Patent Scopes Exceed the Technological Scopes of Scientific Inventions

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Abstract

This paper presents the results of a grounded theory study of the transformation of scientific discoveries into patented inventions. Using an algebraic interpretive approach, the narratives collected during interviews are analyzed as Bayesian inferences and the developed theory is tested. The findings recast the relationship between science and patents as a process in which the way the transformation of the scientific invention is handled has an effect on the breadth of the patent scope. Unleashing patent scope surplus is dependent on processes related to abstraction and cognitive variety, which can be mobilized by patent experts with both an in-depth understanding of the scientific discovery, due to their educational background in the life sciences, and capabilities within the legal framework for patenting. More specifically, the findings reveal previously unreported aspects of the transformation of academic science into patents, particularly how university scientists take a fragmented approach to the patenting process, while scientists employed in private companies can reap the benefits of close interaction with patenting experts ? experts who potentially can assume responsibility for searching in new directions for solutions if challenges of exploitation with regard to the scientific invention arise.

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