

The intertemporal inconsistency of patent policy

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In a global knowledge based economy, research policy has a single aim favouring the development of the key factor, knowledge. But under this unified will, a lot of complexity appears. The core of the problem is between ex ante incentive for creation and ex post one for spreading. During the last decades, some strong politic choices have been taken in favour of stronger patent and more generally stronger IPR. Patents incentives are based on the asymmetries of the repartition of costs and benefits it creates between successful agents and the others. This policy has resulted in a self enforced territorial dynamics where developed countries owned most of the world's patents and where developing countries can not benefit from the spread and therefore get even less likely to patent. Finally the choice in favour of patent lets appear the contradictions necessary to favour knowledge development and turns out patent policy into a temporally inconsistent one. This dynamic way of considering the problem should allow us to propose better solutions for innovation policy.