

# Examining Industry Overlap in Patent Infringement Lawsuits in Europe

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Abstract ID: 227

Inviato: 12/04/2023

Evento: XXI Workshop Annuale SIEPI

Argomento: 6. Innovazione, cambiamenti tecnologici e politiche connesse

Parole chiave: Competition, Innovation, Patent litigation, Patent remedy

This study examines infringement actions initiated between 2010 and 2019 in five large EU jurisdictions (France, Germany, Italy, Netherlands, United Kingdom) where at least one patent granted by the European Patent Office (EPO) is involved.

In this paper, we look at characteristics of the pairs of firms (plaintiffs and defendants) involved in lawsuits. The analysis reveals that the plaintiffs and defendants operate in different industries in almost 75% of cases, with significant variability across industries and technological fields. The econometric results show that these cases are associated with patents of relatively low economic value, that are old and where settlement is less frequent.

Overall our results suggest that manufacturers need to sustain high costs to thoroughly verify that their innovations are not infringing on any existing patents and that, despite these costs, they may infringe *inadvertently*.