

ECO 650: Firms' Strategies and Markets

Innovation

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To innovate enables firm to acquire a competitive advantage toward its rival.

- ▶ Lowering its production cost.
- ▶ Improving its quality.
- ▶ Create a new product (completely new, new variety, new formula, new packaging,...)

Protection-Patent

- ▶ The story of Robert Kearns and its “intermittent windshield wiper”
See The newyorker article: “the-flash-of-genius”: <https://www.newyorker.com/magazine/1993/01/11/the-flash-of-genius>
- ▶ If an innovation is not protected \Rightarrow The innovator fails to appropriate the rent of its innovation because of the risk of imitation
 - ▶ Large fixed cost difficult to recover for the innovator
 - ▶ Uncertainty: Proba for a new medicine to be approved for patient use is about 1/10 000, Proba to be published for a book, ...
- ▶ How to protect an innovation ?
 - ▶ Patents : In the US and EU the term of a patent is 20 years.
 - ▶ Copyright: Longer period \simeq 50 years
 - ▶ Secret: Coca-Cola

https:

//www.uspto.gov/web/offices/ac/ido/oeip/taf/us_stat.htm

Table: Patents in the US

Year	Patent applications	Patents granted	Share
1973	110 000	79 000	71%
1983	112000	62000	55%
1993	189 000	110 000	58%
2003	366 000	187 000	49%
2015	630 000	325 000	52%
2019	669 434	391 103	52%

Trends in patenting 2020

Europe is an **attractive technology market** for European and international companies

Patent applications
 at the European Patent Office 2018 - 2020

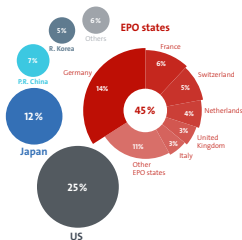


Companies from Europe: Relative growth compared with 2019



EPO states filing more than 1 000 applications; changes in filing volumes greater than +/- 2%

Countries of origin:
 The 38 member states of the EPO account for almost half of all European patent applications

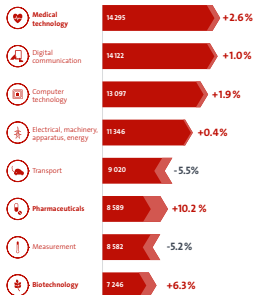


Growth in filings from the five leading patent territories

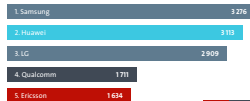


All figures are based on European patent applications. Status: 12/2020. epo.org/patent-index/2020

Top technology fields: Strong growth in healthcare



Top applicants for European patents in 2020



The patent dilemma

- ▶ A patent grants a “temporary” monopoly power to the innovator to protect the innovator and favor innovation
- ▶ The monopoly position creates a dead weight loss

Two key variables to control this balance:

- ▶ The length of the patent
- ▶ The breadth of the patent

The optimal length of a patent

Assumptions

- ▶ Assume an innovation creates a social surplus W at each period.
- ▶ The discount factor is δ .
- ▶ The innovation cost is C and is paid in $t = 0$.

The social value of Innovation is:

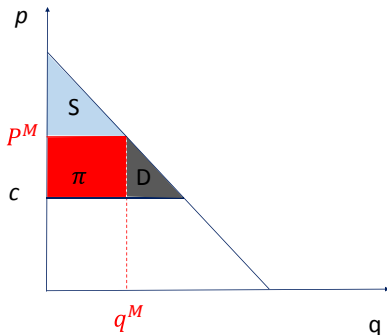
$$V = -C + W[\delta + \delta^2 + \dots + \delta^T]$$

When $T \rightarrow \infty$, $V \rightarrow W \frac{\delta}{1-\delta} - C$. V is increasing with δ . No reason to consider a limited time for the value of innovation.

The optimal length of a patent

Assumptions

- ▶ This innovation is protected by a patent for a length T .
- ▶ From $T + 1$ and on, there is Bertrand competition.
- ▶ We denote $\pi = \alpha W$ with $\alpha \in [0, 1]$ the profit of the monopolist innovator. We have $W = S + \pi + D$. We denote $D = \beta W$.



The social value of an Innovation protected by a brevet for T periods is:

$$V_B = \underbrace{W \frac{\delta}{1-\delta} - C}_{\text{Social Value of innovation}} - \underbrace{\beta W \delta [1 + \delta + \dots + \delta^{T-1}]}_{\substack{\text{Social cost of patent protection} \\ \text{L=Length of the patent}}}$$

The innovator's incentive to innovate is:

$$V_I = \alpha W L - C$$

Comparing V_I and V_B , we obtain :

$$V_I < V_B \\
(\alpha + \beta)L < \frac{\delta}{1-\delta}$$

Using $L = \frac{\delta(1-\delta^T)}{1-\delta}$

$$\Rightarrow \alpha + \beta < \frac{\delta}{1-\delta} \frac{1}{L} = \frac{1}{(1-\delta^T)} > 1$$

True!

- ▶ A single innovator protected by a patent innovates less than what would be socially optimal.
- ▶ The social value of an innovation protected by a patent decreases with L which increases with T .
- ▶ What happens with competition?

Innovation-Patent and competition

Assumptions

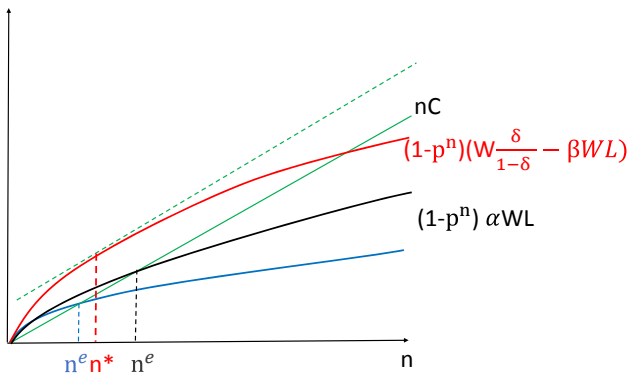
- ▶ Assume that there is free entry
- ▶ n firm can spend the cost C and each of them has a probability p to fail.
- ▶ Even if several firms innovate at the same time, only one gets the patent.

The probability that all firms fail is p^n .

The probability that at least one succeeds is $1 - p^n$.

Each firm has a probability $\frac{1}{n}$ to get the patent in case there is at least one innovation, i.e. $\frac{1}{n}(1 - p^n)$.

- ▶ At the social level, the optimal number of firm n maximizes $(1 - p^n)(W \frac{\delta}{1-\delta} - \beta WL) - nC$
- ▶ FOC: $\frac{\partial((1-p^n)(W \frac{\delta}{1-\delta} - \beta WL))}{\partial n} = \frac{\partial(nC)}{\partial n}$
- ▶ Because of free entry, the number of firms that innovates in equilibrium is such that $(1 - p^n)\alpha WL = nC$.



Remember

- ▶ When the length of the patent is too short, there is less firms that innovate compared to the social optimum.
- ▶ When the length of the patent is too long, there is too much entry. Race for patents leads to an overinvestment!
- ▶ The breadth of a patent defines how similar a product must be to infringe a patent. If the patent breadth is large it reduces the social value of the innovation and increases the profit of the innovator.
⇒ Patent breadth and length are substitutable tools.

Alternative incentive mechanisms: Prizes or Subsidies

- ▶ A reward $R = \alpha WL$ to the innovator: same incentive to innovate as with a patent of length L but no deadweight loss.
- ▶ Offering a reward $R = C + \epsilon$ works also. The innovator is paid back for its innovation cost. But impossible when success is random
- ▶ Prizes require information about W , α and $C +$ government funding \Rightarrow taxes?
- ▶ Prizes are often announced in advance : Lépine awards
- ▶ Numerous examples of targeted prizes:
 - ▶ **1795** : Napoleon 1st had organized a competition to reward the best food preservation process for army! Nicolas Appert invented "tinned food".
 - ▶ **1996** : The X prize (10 millions) to transport humans in space (100 km height)
 - ▶ **2006**: The H prize technical challenges (hydrogen production and storage, hydrogen vehicles, etc...)

Market structure and innovation incentives

The Shumpetarian view is often opposed to the Arrow view.

- ▶ Arrow (1962) shows that paradoxically the innovation incentives of a monopoly might be lower than that of competing firms.
- ▶ Federico, Angus and Valletti (2017) show that the merger may either be reduce or boost the overall level of innovation.
- ▶ Aghion et al (2005) find an inverted U shape between innovation and concentration.

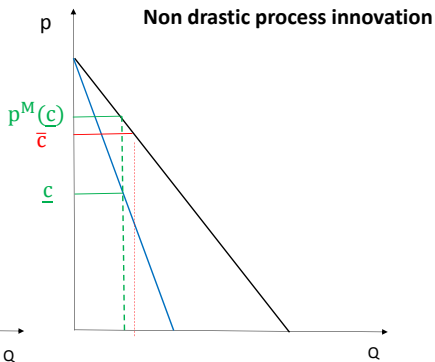
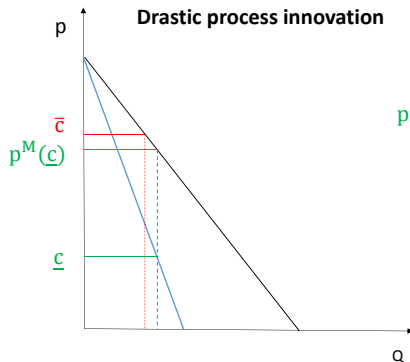
The Arrow replacement effect

Assumptions

- ▶ Initially a firms' marginal cost is \bar{c} .
- ▶ In case of innovation the marginal cost is $\underline{c} < \bar{c}$.
- ▶ The monopoly price is denoted $p^M(c)$. In case of competition, firms compete a la Bertrand.
- ▶ Innovation can either be drastic or non drastic.

Innovation level

- ▶ Drastic innovation: $p^M(\underline{c}) < \bar{c}$
- ▶ Non drastic innovation: $p^M(\underline{c}) > \bar{c}$
- ▶ Monopoly price is such that : $Rm(q) = Cm(q)$



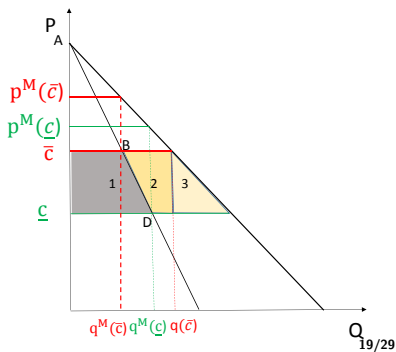
Competition vs Monopoly with drastic innovation

- ▶ Competitive situation [*ex post-ex ante*]
 - ▶ *ex ante*: 0
 - ▶ *ex post*: $(p^m(\underline{c}) - \underline{c})q^m(\underline{c})$
- ▶ Monopoly : [*ex post-ex ante*]
 - ▶ *ex ante*: $(p^m(\bar{c}) - \bar{c})q^m(\bar{c})$
 - ▶ *ex post*: $(p^m(\underline{c}) - \underline{c})q^m(\underline{c})$

It is immediate that incentives to innovate are lower in the monopoly case! This is because the monopoly replaces itself.

Competition vs Monopoly with non drastic innovation

- ▶ Competitive situation [*ex post-ex ante* = (1)+(2)]
 - ▶ *ex ante*: 0
 - ▶ *ex post*: $q(\bar{c})(\bar{c} - \underline{c})$
- ▶ Monopoly : [*ex post-ex ante* = (1)]
 - ▶ *ex ante*: $(p^m(\bar{c}) - \bar{c})q^m(\bar{c})$
 - ▶ *ex post*: $(p^m(\underline{c}) - \underline{c})q^m(\underline{c})$



Federico, Angus &Valletti (2017)

Assumptions

- ▶ Each firm 1 and 2 is a research lab that search for an innovation that will create a new market.
- ▶ A firm innovates with probability λ_i at a convex cost $C(\lambda_i)$.
- ▶ If only one firm succeeds, it obtains Π_1 an the other firm 0.
- ▶ If both firms succeed, each obtains π_2 .
- ▶ We analyze in turn the case in which the two research labs compete and the case of merger.

Federico, Angus &Valletti (2017)

Competition Case

- ▶ Each firm i chooses its innovation level that maximizes its profit, i .e:

$$E(\text{Profit}_i) = \lambda_i((1 - \lambda_j)\Pi_1 + \lambda_j\pi_2) - C(\lambda_i)$$

The FOC is symmetric and in equilibrium λ^* is defined by:

$$(1 - \lambda^*)\Pi_1 + \lambda^*\pi_2 = C'(\lambda^*)$$

Federico, Angus & Valletti (2017)

Merger Case

- ▶ The new merged entity now chooses its level of innovation for its two research labs.
- ▶ If both labs innovate, they do not compete as fiercely as before and thus obtain a profit $\Pi_2 \geq \Pi_1$.
- ▶ Cost convexity ensures that it prefers investing in both labs rather than closing one lab. Given the symmetry, its profits becomes:

$$E(\text{Profit}_m) = 2\lambda((1 - \lambda)\Pi_1 + \lambda^2\Pi_2 - 2C(\lambda))$$

The FOC defines the equilibrium λ^m as:

$$\begin{aligned}(2 - 4\lambda^m)\Pi_1 + 2\lambda^m\Pi_2 &= 2C'(\lambda^m) \\ \Leftrightarrow (1 - \lambda^m)\Pi_1 + \lambda^m(\Pi_2 - \Pi_1) &= C'(\lambda^m)\end{aligned}$$

Federico, Langus &Valletti (2017)

Result

- ▶ The merged entity invests less in innovation than the duopoly firms if and only if $\Pi_2 - \Pi_1 \leq \pi_2$, i.e. when the merged entity incremental gain from a second innovation is smaller than the profit of an innovator when both firms innovate in the pre-merger scenario.
- ▶ In the homogeneous Cournot case for instance π_2 would be the Cournot profit of one firm and innovation being undifferentiated, we would have $\Pi_2 = \Pi_1$. In that case The merger always reduce the level of innovation.
- ▶ The exemple of Hotelling –See Exercise 1– provides an opposite result.

R&D diffusion and Cooperation

- ▶ Patent licensing
 - ▶ Incentive to sell the patent to other firms.
 - ▶ Patent trolls: Self defense system against infringement!
 - ▶ Patent pools : firms put in common their complementary patents often pro competitive (lower prices.)
- ▶ Firms voluntarily release their innovation : The open source software industry!
- ▶ R&D cooperation through "Research Joint Ventures" is often encouraged by antitrust legislation!
 - ▶ Obvious when research costs operate increasing returns to scale (e.g. high fix cost to build a lab)
 - ▶ More ambiguous with decreasing return to scale.

Patent Licensing

Assumptions:

- ▶ An innovation reduces the marginal cost of an innovator from c to $c - x$.
- ▶ The innovator can choose a royalty rate r at which it licenses its new technology.
- ▶ We consider a 3-stage game :
 1. The innovator sets r ,
 2. Other firms decide whether or not to become licensee,
 3. Firms compete à la Cournot.
- ▶ In a Cournot competition with n firms and an inverse demand $P = a - \sum_i^n q_i$, the optimal quantity is:

$$q_i^* = \frac{1}{n+1} \left(a - nc_i + \sum_{j \neq i} c_j \right)$$

Patent Licensing

- ▶ In stage 3), the innovator i has a cost $c - x$ and its $n - 1$ competitors have a cost $c - x + r$.

$$q_i^* = \frac{1}{n+1}(a - (c - x) + (n - 1)r)$$

$$q_i^* = \frac{1}{n+1}(a - 2r - (c - x))$$

and

$$P^* = \frac{a + n(c - x) + (n - 1)r}{n + 1}$$

- ▶ It is straightforward that a licensee accepts any royalty $0 < r \leq x$.
- ▶ The innovator chooses r to maximize its profit:

$$\pi_i = (P - c + x)q_i^* + r(n - 1)q_i^* = (q_i^*)^2 + r(n - 1)q_i^*$$

- ▶ The FOC is:

$$\frac{\partial \pi_i}{\partial r} = 2q_i^* \frac{\partial q_i^*}{\partial r} + r(n-1) \frac{\partial q_i^*}{\partial r} = 0$$

- ▶ We obtain $\frac{\partial \pi_i}{\partial r} = \frac{(n-1)(n+3)(a-c-2r+x)}{(n+1)^2} > 0$. Therefore, the maximum is obtained for $r = x$.
- ▶ With licensing the innovator's profit is

$$\pi_i^* = \frac{(a-c)^2 + (2n+n^2-1)(a-c)x + x^2}{(n+1)^2}.$$

- ▶ Without licensing, the profit of the innovator would be $\hat{\pi}_i = \frac{(a-c+nx)^2}{(n+1)^2}$.
- ▶ $\hat{\pi}_i < \pi_i^*$: Whether the innovator licenses its patent or not, the competitive situation is the same and the marginal cost of the innovator is $c - x$ whereas, at $r = x$, the licensee's cost is c . The innovator now gets the additional profit of licensees.

Open source

- ▶ Firms who sell softwares use object code
- ▶ Open source softwares making the “source code” available for free have grown.
 - ▶ The operating system Linux
 - ▶ Web server Apache,
 - ▶ Web browser Firefox;
- ▶ The main rationale are
 - ▶ The existence of spillovers: the innovator benefits from the feedback of developers who fix bugs but also add developments and extensions.
 - ▶ The existence of a specificity of the software for the innovator (unappropriable component).

References

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