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Configurations of Innovations: Examples of Biomedical Patents in Taiwan

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This paper uses the concept of configuration (or figuration) of Norbert Elias to examine biomedical patent applications in Taiwan. By analyzing two categories of Taiwanese patents: IPC C12N and C12Q, during the period of 1980-2014, I find that domestic applicants had an average of two-year lead to gain patent right. Demanding foreign priority, a strategy that can earn a longer period of patent right in patent application, was rarely utilized by domestic applicants, except for few 'star' scientists from prestigious research centers. However, the applications that claim US priority have no significant advantage to be patented.

Following the findings, the paper gives a case study of two patents applied by a Taiwanese scientist, trained professionally in the US for years. When he just returned to Taiwan, he gave birth to a first patent, with his still strong connection to the US. Several years later, he had his second patent, a purely domestic product. The two patents have different 'configurations,' that is, they are produced in different heterogeneous networks, thus contributing to their different fates.

The paper proposes three different modes of patents: domestic, forward and reverse mode. Each mode stands for a specific configuration. Most academic scientists need patents of the domestic mode to enrich their research profiles, regardless of patent values. Patents of this mode cannot produce a high industrial value. The forward mode aims at foreign technological markets, with more considerations on industrial applications. However, these patents are not that compatible with mainstream bio-economy. The reverse mode are similar to patents produced in the US, with a major consideration on the US market. Since few Taiwanese patents belong to the reverse mode, most patents become a kind of inaccessible asset.

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