

Identifying Information

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Title:	Patents for the People
Abstract:	<p>Patents, as traditionally understood, are vehicles for promoting the financial interests of their holders—they secure the exclusive rights necessary for the commercialization of inventions in exchange for the idea's public disclosure. Massive patent portfolios are used offensively, working to exclude, limit, and intimidate competition, extract rent, and generate profits. For some time, and particularly in the field of biotechnology, commentators have criticized the patent system's privilege of private interests over the public good. The use of biomedical patents to in particular restrict access to health innovations is even said to be inherently unethical. But over the past few years, interesting examples of the use of the patent system by private actors for altruistic purposes have emerged. These include making patent disclosures and donating the claimed invention to the public and including humanitarian development provisions and restrictions on controversial applications in licensing agreements. This Essay illuminates the use of patents to achieve altruistic purposes, and in so doing, challenges traditional accounts—and criticisms—of the patent system that assume its actors always and only choose to use patents to serve their own interests.</p>