
Know-how as alternative intellectual property protection tool in patent wars

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Know-hows start playing an important role as intellectual property protection tools on the rapidly growing markets of technological innovations. Now patents have almost lost their initial mission as traditional intellectual property protection tools, being widely used for unfair competition. Initially patents have provided a monopoly right for the inventor to compensate his efforts and gain an economic income during a limited period of time, but now they are transformed into patent warfare in different areas of high-technology business. This paper identifies the causes of the occurred transformation and studies new alternative approaches to intellectual property protection and technology transfer in science-intensive industries. It provides a comparative analysis of patent rights and trade secrets (know-hows) implementations. Some advantages of know-how implementation the industries with low risk of reverse engineering are discussed, activities for trade secrets leaks prevention are described.

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