

Media Portrayals of the United States Patent System

Lisa A. Dolak

The recent dramatic expansion of intellectual property rights (IPR) acquisition and exploitation around the globe has made IPR a pressing issue of policy debate and a regular item on the Supreme Court's docket. The surge in IPR activity has also drawn increased media attention, including extensive coverage of several high-profile IPR disputes. This study of how the national and international mass media portrays intellectual property rights assesses this coverage, examining the images of IPR constructed by the media as well as how these media images have shaped popular understanding and influenced judicial decision-making.

I am presently focusing (for purposes of refining my study method) on selected newspaper coverage from the last few years, tracking the incidence and nature of errors and negative, positive, and neutral messages relating to the United States patent system. Ultimately, I plan to expand my research to include additional media sources and categories, and to consider questions such as: Are different types of IPR owners represented favorably or unfavorably in the media? Which IPR-related conduct (e.g., acquisition, enforcement, licensing) does the media laud or condemn, and under what circumstances? Is there evidence that media portrayals influence judicial decision-making or legislative policy-making?