

Employee Inventor Compensation: A New Quest for Comparative Law

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Abstract : The evolution of technology, the global scale of economy, and the new short-term employment contracts make a very peculiar set of disposition of raising interest for the legal interpreter: the employee inventor compensation. Around the globe, this issue is differently regulated according to the legal systems; therefore, it is extremely fragmented. Of course, employers with transnational businesses should face this issue from a comparative perspective. Different legal regimes are available worldwide awarding, as a consequence, diverse compensation to the inventor and according to their own methodology. Given these premises, the recourse to comparative law methodology (legal formants, diachronic and synchronic methodology, common core approach) is the best equipped to face all these different national approaches in order to achieve a tidy systematic. This research, so, elaborates a map of the specific criteria to grant the compensation for the inventor and to show the criteria to calculate them. This finding has been the first step to find out a common core of the discipline given by the common features present in the different legal systems.

Keywords : comparative law, employee invention, intellectual property, legal transplant

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