Lemley & Burk Disaggregation Hypothesis
Patent Doctrines by Technology Sector
Patent Doctrines by Technology Sector

= average
Patent Doctrines by Technology Sector

= average

Utility
Patent Doctrines by Technology Sector

= average

Utility

Novelty
Patent Doctrines by Technology Sector

Utility

Novelty

Obviousness

= average
Patent Doctrines by Technology Sector

- Utility
- Novelty
- Obviousness
- Disclosure

= average
Patent Doctrines by Technology Sector

- Utility
- Novelty
- Obviousness
- Disclosure

= average
= software
Patent Doctrines by Technology Sector

- Utility
- Novelty
- Obviousness
- Disclosure

= average

= software
Patent Doctrines by Technology Sector

- = average
- = software
= biotechnology

Utility  | Novelty  | Obviousness  | Disclosure
--- | --- | --- | ---

[Diagram showing the comparison of Patent Doctrines by Technology Sector]
Patent Doctrines by Technology Sector

- = average
- = software
- = biotechnology

- Utility
- Novelty
- Obviousness
- Disclosure
Patent Doctrines by Technology Sector

- Utility
- Novelty
- Obviousness
- Disclosure

= average
= software
= biotechnology

Sophisticated PHOSITA; Mature technology
Patent Doctrines by Technology Sector

- **Utility**
- **Novelty**
- **Obviousness**
- **Disclosure**

- = average
- = software
- = biotechnology

Sophisticated PHOSITA; Mature technology

Unsophisticated PHOSITA; Unpredictable technology
Patent Doctrines by Technology Sector

- Utility
- Novelty
- Obviousness
- Disclosure

= average
= software
= biotechnology

Concern about Patent “thickets”

Sophisticated PHOSITA; Mature technology

Unsophisticated PHOSITA; Unpredictable technology