

## ALAN C. MARCO

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### BIO

Dr. Alan C. Marco is an Associate Professor of Public Policy at the Georgia Institute of Technology and the Chief Economist of Ocean Tomo—a division of J.S. Held—a leader in IP valuation and consulting. He is an economist who specializes in intellectual property, innovation and patent policy, and science and technology policy. He formerly served as the Chief Economist at the U.S. Patent and Trademark Office (USPTO), where his research focused on policy-relevant topics in intellectual property. He has significant econometric expertise, especially in survival time analysis, event study analysis of financial data, and measuring responsiveness to patent fees.

Dr. Marco has published academic articles on the intellectual property marketplace, uncertainty in intellectual property rights, patent valuation, and high-tech mergers and litigation. He is the co-creator of [www.PatentsView.org](http://www.PatentsView.org), a free and open platform for exploring and accessing high-quality patent data. He has testified before the Federal Trade Commission and the International Trade Commission, and has advised many organizations about economic policy including the National Academies of Science, the White House Office of Science and Technology Policy, the U.S. Chamber of Commerce, the Smithsonian Institution, the World Intellectual Property Organization, the IP5, the Organization for Economic Cooperation and Development (OECD), and several national IP offices. He serves on the board of the US IP Alliance and the Georgia IP Alliance. Dr. Marco earned his Ph.D. in economics from the University of California-Berkeley and his B.A. in mathematics and economics from Skidmore College. His TEDx talk, *Why the patent system should look more like Indiana and less like Kentucky*, can be viewed at [youtu.be/HJhSD8ABt3s](https://youtu.be/HJhSD8ABt3s).

### RESEARCH AND TEACHING INTERESTS

Innovation & Patent Policy, Science and Technology Policy, Industrial Organization, Law & Economics, Intellectual Property Strategy and Management, Competition Policy, Regulation, Licensing, Mergers, Litigation, Game Theory, Empirical Legal Studies

## EDUCATION

PhD, Economics, University of California at Berkeley.

Dissertation: *The Economic Consequences of Uncertainty in Intellectual Property Rights*

Adviser: Bronwyn H. Hall

BA, Mathematics and Economics, Skidmore College.

## PROFESSIONAL EXPERIENCE

### Current Positions

Associate Professor, School of Public Policy, Georgia Institute of Technology, August 2017-present.

Director of the Science and Technology program.

Faculty director of the Certificate in Intellectual Property.

<https://spp.gatech.edu/people/person/alan-marco>

### Previous Positions

Chief Economist, Ocean Tomo—a division of J.S. Held, October 2021-June 2026.

<https://www.oceantomo.com/insights/ocean-tomo-welcomes-dr-alan-marco-chief-economist/>

Chief Economist, US Patent and Trademark Office, July 2014-June 2017.

[www.uspto.gov/economics](http://www.uspto.gov/economics)

- Managed budget of \$3 million and staff of 12 economists, programmers, and administrative personnel
- Led the development of [PatentsView.org](http://PatentsView.org), a free platform for disseminating high quality patent data
- Co-led the Cancer Moonshot Patent Challenge, <https://www.challenge.gov/challenge/uspto-cancer-moonshot-challenge/>
- Co-developed the “Big Data for Statistical Agencies” course for federal employees within the Department of Commerce
- Selected inter-agency activities: G-20 Innovation Task Force, White House Cancer Moonshot Task Force, IP5 Statistical Working Group, Science of Science Policy Working Group, IP Statistics for Decision Makers Task Force, Nomination Committee for the Commerce Data Advisory Council, Digital Economy Working Group
- Selected agency activities: Enhanced Patent Quality Initiative, Fee Setting Advisory Committee, Patent Litigation Task Force

Deputy Chief Economist, US Patent and Trademark Office, Jan 2012-Jun 2014 (Acting Chief Economist Feb 2013-Jun 2014).

Expert Adviser, US Patent and Trademark Office, 2010-2011.

Associate Professor of Economics, Williams School of Commerce, Washington and Lee University, 2008-2011.

Associate Professor of Economics, Vassar College, 2007-2008.

Assistant Professor of Economics, Vassar College, 2000-2007.

Graduate student researcher for the Department of Agricultural and Resource Economics, 1999-2000, and the Center for the Study of Law and Society, 1995-1997.

Associate, Law and Economics Consulting Group, 1997-98.  
Intellectual property and contract matters. Copyright policy.

Consultant, The Tilden Group, 1994, 1996-97.  
Antitrust matters, including *ITS v. Kodak* (tying, vertical foreclosure, class certification).

Statistician, Department of Agricultural and Resource Economics, University of California at Berkeley, 1992-93.  
Economic impacts of proposed policy changes as they related to California agriculture.

Research Analyst, Law and Economics Consulting Group, 1991-92.  
Property rights, contract, and antitrust issues.

Analyst, Capital Economics, Washington DC, 1990-91.  
Antitrust, merger, and trade issues.

## **ARTICLES**

Strategic Citation: A Reassessment, with Jeffrey Kuhn and Kenneth Younge.  
*The Review of Economics and Statistics*, January 2023, pp.1-9.  
[https://doi.org/10.1162/rest\\_a\\_01051](https://doi.org/10.1162/rest_a_01051)

Can antitrust law enforcement spur innovation? Antitrust regulation of patent consolidation and its impact on follow-on innovations, with Seokbeom Kwon.  
*Research Policy*, Volume 50, Issue 9, November 2021

<https://doi.org/10.1016/j.respol.2021.104295>

Patent claims and patent scope, with Joshua Sarnoff and Charles DeGrazia.

*Research Policy* V. 48 N. 9, November 2019

<https://doi.org/10.1016/j.respol.2019.04.014>

Patent Examination Quality and Litigation: Is There a Link? with Richard D. Miller.

*International Journal of the Economics of Business* V. 26 N. 1, March 2019 (Special Issue on Intellectual Property)

<https://doi.org/10.1080/13571516.2018.1553286>

The USPTO Patent Examination Research Dataset: A Window on the Patent Process, with Stuart Graham and Richard Miller.

*Journal of Economics & Management Strategy* V. 27 N. 3, Fall 2018, pp. 554-578.

<https://doi.org/10.1111/jems.12263>

Business Dynamics of Innovating Firms: Linking U.S. Patents with Administrative Data on Workers and Firms, with Stuart Graham, Cheryl Grim, Tariqul Islam, and Javier Miranda.

*Journal of Economics & Management Strategy*, V. 27 N. 3, Fall 2018, 372-402.

<https://doi.org/10.1111/jems.12260>

Monetizing Marks: Insights from the USPTO Trademark Assignment Dataset, with Stuart Graham and Amanda F. Myers.

*Journal of Economics & Management Strategy*, V. 27 N. 3, Fall 2018, pp. 403-432.

<https://doi.org/10.1111/jems.12261>

Patent Transactions in the Marketplace: Lessons from the USPTO Patent Assignment Dataset, with Stuart Graham and Amanda F. Myers.

*Journal of Economics & Management Strategy*, V. 27 N. 3, Fall 2018, pp. 343-371.

<https://doi.org/10.1111/jems.12262>

More than BRIC-a-Brac: Testing Chinese Exceptionalism in Patenting Behavior Using Comparative Empirical Analysis, with Jay Kesan and Richard Miller.

*Michigan Telecommunications and Technology Law Review*, Vol. 22, No. 53, 2015 (March, 2016).

<http://repository.law.umich.edu/mttlr/vol22/iss1/2/>

Do Economic Downturns Dampen Patent Litigation? with Shawn Miller and Ted Sichelman.

*Journal of Empirical Legal Studies*, Vol. 12, Issue 3, pp. 481-536, 2015.

<http://dx.doi.org/10.1111/jels.12079>

What is the Probability of Receiving a US Patent? with Michael Carley and Deepak Hegde.  
*Yale Journal of Law & Technology*, Volume 17, 2015, Pages 203-223

[http://yjolt.org/sites/default/files/Carley\\_Hegde\\_Marco-What\\_Is\\_the\\_Probability\\_of\\_Receiving\\_A\\_US\\_Patent.pdf](http://yjolt.org/sites/default/files/Carley_Hegde_Marco-What_Is_the_Probability_of_Receiving_A_US_Patent.pdf)

The USPTO Trademark Case Files Dataset: Descriptions, Lessons, and Insights, with Stuart Graham, Galen Hancock, and Amanda Myers.

*Journal of Economics & Management Strategy*, Vol. 22, No. 4, (Winter 2013). Lead Article.  
<http://onlinelibrary.wiley.com/doi/10.1111/jems.12035/full>

Certain Patents, with Saurabh Vishnubhakat.

16 *Yale Journal of Law & Technology* 103 (2013)

<http://yjolt.org/certain-patents>

Complementarities and Spillovers in Mergers: An Empirical Investigation Using Patent Data, with Gordon C. Rausser.

*Economics of Innovation and New Technology* Volume 20, Issue 3: pp. 207-231 (April 2011).  
<http://www.tandfonline.com/doi/abs/10.1080/10438590903509827>

The Economics of a Centralized Judiciary: Uniformity, Forum Shopping, and the Federal Circuit, with Scott Atkinson and John Turner.

*Journal of Law and Economics* Volume 52, Number 3: 411-443 (August 2009). Lead Article.  
<http://www.journals.uchicago.edu/doi/pdf/10.1086/597561>

The Problem of Shared Social Cost, with Adon S. Van Woerden and Robert M. Woodward.

*Review of Law and Economics* Volume 5, Issue 1, pp. 137-153 (April 2009).

<http://www.bepress.com/rle/vol5/iss1/art6/>

The Role of Patent Rights in Mergers: Consolidation in Plant Biotechnology, with Gordon C. Rausser.

*American Journal of Agricultural Economics*, Volume 89, Issue 1 (February 2008).

<http://dx.doi.org/10.1111/j.1467-8276.2007.01046.x>

The Dynamics of Patent Citations.

*Economics Letters*, Volume 94, Issue 2: 290-296 (February 2007).

<http://dx.doi.org/10.1016/j.econlet.2006.08.014>

Credibility and Credulity: How Beliefs about Beliefs Affect Entry Incentives, with Kieran J. Walsh.

*Economics Bulletin*, Volume 11, Number 1, pp. 1-7 (January 2007).

<http://economicsbulletin.vanderbilt.edu/2007/volume11/EB-06K00001A.pdf>

The Option Value of Patent Litigation: Theory and Evidence.

*Review of Financial Economics*, Volume 14, Number 3-4 (Special Issue on Real Options), pp. 323-351 (2005).

<http://dx.doi.org/10.1016/j.rfe.2004.09.003>

Lotto Nothing? The Budgetary Impact of State Lotteries, with Stephen Fink and Jonathan Rork.

*Applied Economics*, Volume 36, Number 21 (December 2004).

<http://dx.doi.org/10.1080/0003684042000271387>

The Selection Effects (and Lack Thereof) in Patent Litigation: Evidence from Trials.

*The B.E. Journals in Economic Analysis & Policy*, 4.1 (2004).

[www.bepress.com/bejeap/topics/vol4/iss1/art21](http://www.bepress.com/bejeap/topics/vol4/iss1/art21)

The Impact of State Lotteries on State Tax Revenues, with Stephen Fink and Jonathan Rork.

*State Tax Notes* (March 3, 2003). Reprinted in Proceedings of the 95<sup>th</sup> Annual Conference of Taxation.

Flexible Technology and the Cost of Improving Groundwater Quality, with David Sunding,

David Zilberman, and Gordon Rausser. *Natural Resource Modeling*, Volume 9, Number 2, pp. 177-92 (Spring, 1995).

## REPORTS

USPTO Patent Prosecution and Examiner Performance Appraisal, with Andrew A. Toole,

Richard Miller, and Jesse Frumkin. USPTO, June 2017.

[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2995674](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2995674)

Patent Litigation Data from US District Courts Electronic Records (1963-2015), with Asrat

Tesfayesus and Andrew A. Toole. USPTO, March 2017.

[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2942295](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2942295)

Intellectual Property and the U.S. Economy: 2016 Update (USPTO, September 2016). [link](#)

Patent Litigation and USPTO Trials: Implications for Patent Examination Quality (USPTO, January 2015). [link](#)

Patent backlogs, inventories and pendency: An international framework, with Benjamin Mitra-Kahn, Michael Carley, Paul D'Agostino, Peter Evans, Carl Frey, Nadiya Sultan (Joint UKIPO-USPTO Report, June, 2013). ISBN 978-1-908908-70-4.

<http://www.ipo.gov.uk/ipresearch-uspatlog-201306.pdf>

Economic impacts of Methyl Bromide cancellation, with Cherisa Yarkin, David Sunding, David Zilberman, and Jerome Seibert. Technical report completed for the California Department of Food and Agriculture (February, 1993).

Economic consequences of enforcing the Delaney Clause, with David Sunding, technical report completed for the California Department of Food and Agriculture (August, 1993).

### **BOOK CHAPTERS**

Law, Logic and Economics: The Simple Arithmetic of FRAND Royalties, with T. Alexander Puutio. In Puutio, T. Alexander (ed.), *Practical Guide to Successful Intellectual Property Valuation and Transaction*, Kluwer Law International (April 2022). ISBN: 9789041194480.

Survival Analysis in Intellectual Property Research, with Saurabh Vishnubhakat. In Calboli, Irene and Maria Lilla Montagnani (eds.), *Handbook of Intellectual Property Research: Lenses, Methods, and Perspectives*, Oxford University Press (March 2021), pp. 523-546.

Mergers and Intellectual Property in Agricultural Biotechnology, with Gordon C. Rausser. In R.E. Evenson, V. Santaniello, and D. Zilberman (eds.), *Economic and Social Issues in Agricultural Biotechnology*, CABI Publishing (2002).

Air Pollution Regulation and the Motor Vehicle Industry in the United States and Germany, with John Dwyer and Richard Brooks. In Robert Kagan and Lee Axelrad (eds.), *Regulatory Encounters: Multinational Corporations and American Adversarial Legalism*, University of California Press (2000).

### **OTHER PUBLICATIONS**

Patent Data Show That Companies Invent in Very Different Ways.

*Scientific American* (November 2016) (contributor; no byline)

<https://www.scientificamerican.com/article/patent-data-show-that-companies-invent-in-very-different-ways/>

Putting China's patent rise into context, with Jay Kesan and Richard Miller. *Intellectual Asset Management*, November/December 2016. <http://www.iam-media.com/Magazine/Issue/80/Features/Putting-Chinas-patent-rise-into-context>

PatentsView: Driving Open Government Through Data (no byline). *Department of Commerce Blog*, 17 September 2015. <https://www.commerce.gov/news/blog/2015/09/patentsview-driving-open-government-through-data>

Using the Classroom to Bring Big Data to Statistical Agencies, with Ron Jarmin and Julia Lane. *AMSTATNEWS*, The Membership Magazine of the American Statistical Association, 1 November 2014. <http://magazine.amstat.org/blog/2014/11/01/classroom/>

## **AFFILIATIONS AND ADVISORY POSITIONS**

Administrative Conference of the US (ACUS), Patent Small Claims Court Consultative Group Member

US Intellectual Property Alliance, Board member

Georgia Tech Intellectual Property Advisory Board

Georgia Intellectual Property Alliance Advisory Board

Georgia University Intellectual Property Alliance

Georgia Corporate Intellectual Property Roundtable

Creative Destruction Lab, Scientist: Economist, Founding member of the Atlanta chapter

## FELLOWSHIPS, AWARDS, AND GRANTS

2018	Ivan Allen College Small Grant for Research
2016	Department of Commerce Bronze Medal <i>for significant contribution in providing the USPTO leadership in the awareness and enhancement of trade secret protection in the United States</i>
2014	Department of Commerce Silver Medal <i>for extraordinary contributions in implementing the USPTO's first-ever cost-recovery patent fee schedule using newly enacted fee setting authority</i>
2009	Tilburg Law & Economics Center program in Innovation, Intellectual Property, and Competition Policy ("Congestion Pricing for Patent Applications" with James E. Prieger)
2009, 2010	Lenfest Summer Research Grant (2)
2006, 2007	Mellon Faculty Research Award (3)
2003-2007	Ford Scholars Program, Summer Research Grant (4)
2002	Young Economist Award, European Association for Research in Industrial Economics
1999	Outstanding Graduate Student Instructor Award
1996, 1998	John M. Olin Foundation Fellowship in Law & Economics

## REFEREEING

American Journal of Agricultural Economics  
Annals of Finance  
Eastern Economic Journal  
Economics of Innovation and New Technology  
International Review of Law and Economics  
Journal of Economics and Management Strategy  
Journal of Industrial Economics  
Journal of Institutional Economics  
Journal of Law and Economics  
Management Science  
Proceedings of the National Academies of Science  
RAND Journal of Economics  
Research Policy  
Review of Economics and Statistics  
Review of Industrial Organization  
Stanford Law Review