

# LEGAL REGIMES OF EMPLOYEE INVENTIONS ACROSS THE EUROPE; DISPARITIES AND THE NEED FOR HARMONIZATION

Osman Bugra Beydogan<sup>1</sup>

## Abstract

Owing to the prevalence of knowledge-based based economies, intellectual property rights are more of commercial subjects than anything else. Correspondingly, inventive activities hence the inventions come into view mostly within employment relations, as it is the case for the creative activities of all sorts. This prospect gives a rise to certain questions regarding the legal regime of employee inventions which cannot be tackled by the classical justification theories of intellectual property rights. Typically three questions branch out from this matter as follows;

- Ownership of Inventions
- Availability of Compensation/Remuneration
- Calculation of Compensation/Remuneration (*in case the answer to the previous question is affirmative*)

For a fact however, no linear answer to these questions -either on EU level or in international practice- can be posed. Quite the contrary, the regimes to which employee inventions should subject find their bearings in national laws which are significantly diverse.

In this comparative study, we strive to cover some distinct examples of how the Member States answer to these questions differently on the basis of national law. We therefore tend to exhibit the areas in which there exist a uniform practice as well as those where the national laws are most divergent. In the same vein, we discuss the necessity of harmonization of laws regarding employee inventions.

---

<sup>1</sup> LL.M.; PhD Student at the University of Debrecen Marton Geza Doctoral School of Legal Studies  
Contact: bugrabeydogan@gmail.com