

Valuing Attribution and Publication in Intellectual Property: An Experiment

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There has been much recent discussion of the importance of attribution – the opportunity to receive credit for one’s work – in intellectual property scholarship. The U.S., in effect, stands alone in not granting strong attribution rights to creators of IP. In order to determine whether the U.S. should develop an attribution right and, if so, what form it should take, it is essential to understand the ways in which creators actually value attribution. Although some previous scholarship has provided strong qualitative evidence for the notion that creators value attribution, it has made no effort to quantify that value. The experiments reported in this paper attempt to do just that.

The results reported here suggest that creators are willing to significantly reduce the amount of money they demand to license their IP rights in exchange for the opportunity to receive attribution for their work. This suggests that creators attach significant monetary value to attribution. These findings shed important light on emerging debates over whether and how American IP law should adopt attribution rights. Perhaps counterintuitively, for reasons explained in the paper, adding a default right to attribution to American IP law would more likely worsen, rather than improve, inefficiencies in IP licensing markets. For this reason, the U.S. should hesitate to adopt an attribution right.