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**Tesi di Dottorato di Ricerca
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BREVETTI E STANDARD, ECONOMIA
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ABSTRACT**

The intersection between law and economics offers new opportunities of knowledge and different perspectives to approach the relationship between competition law and intellectual property law.

In this context, this work aims to analyze the phenomenon of *patent hold-up* in the IT market under both economic and legal dimension and to propose a set of modular solutions consistent with the results of this mixed analysis.

The research was carried out following a "pyramidal" approach: from the studying of the innovative phenomenon in the history of economics, the scope of investigation narrowed towards the structure of the IT market and the subjects operating therein, up to investigate the suitability of existing instruments - and, in particular, those of competition law – in order to remedy opportunistic patent exploitations (*patent hold-up*).

Economic and legal framework showed that *patent hold-up* is a specific issue of the IT market and exploits its features; therefore, sector-specific solutions and economically oriented remedies have been suggested in the proposals (chapter 5 and conclusions).

All the solutions offered here move from the assumption that any intervention to be effective, must also be the least invasive as possible and exploit the same physiological features of IT market, that gave rise to opportunistic behaviors.

The implications of this work, and the solutions and remedies it offers, are suitable for being implemented in the new context of the Unified Patent Court, which could also be considered a first testing ground for a European common approach to the problem of *patent hold-up*.