



Talent Wants to Be Free: Why We Should Learn to Love Leaks, Raids, and Free Riding

By Orly Lobel



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This timely book challenges conventional business wisdom about competition, secrecy, motivation, and creativity. Orly Lobel, an internationally acclaimed expert in the law and economics of human capital, warns that a set of counterproductive mentalities are stifling innovation in many regions and companies. Lobel asks how innovators, entrepreneurs, research teams, and every one of us who experiences the occasional spark of creativity can triumph in today's innovation ecosystems.

In every industry and every market, battles to recruit, retain, train, energize, and motivate the best people are fierce. From Facebook to Google, Coca-Cola to Intel, JetBlue to Mattel, Lobel uncovers specific factors that produce winners or losers in the talent wars. Combining original behavioral experiments with sharp observations of contemporary battles over ideas, secrets, and skill, Lobel identifies motivation, relationships, and mobility as the most important ingredients for successful innovation. Yet many companies embrace a control mentality—relying more on patents, copyright, branding, espionage, and aggressive restrictions of their own talent and secrets than on creative energies that are waiting to be unleashed. Lobel presents a set of positive changes in corporate strategies, industry norms, regional policies, and national laws that will incentivize talent flow, creativity, and growth. This vital and exciting reading reveals why everyone wins when talent is set free.

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Editorial Review

Review

"Lobel does an expert job at guiding us through the complex world of restrictive strategies and proves why new approaches to information exchange and protection are imperative if we want to live in a world that fosters innovation and progress."—Dan Ariely, author of *Predictably Irrational* and *The Honest Truth About Dishonesty*

"By combining rigorous academic work and charming storytelling, Orly Lobel has written a book that is interesting and valuable for anyone interested in understanding innovation as well as becoming more innovative."—Tal Ben-Shahar, author of *Choose the Life You Want* and *Happier*

"Orly Lobel's powerful message—set human talent free—will change the way entrepreneurs and policymakers think about creative advancements. *Talent Wants to Be Free* is a how-to guide for economic growth in the twenty-first century."—Jason Mazzone, author of *Copyfraud and Other Abuses of Intellectual Property Law*

"Professor Lobel's father wisely advised her, "If you want something, give it away." Now, she has given all of us a profound gift: a provocative and compelling argument that we should abandon our obsession with controlling ideas and expertise. She draws on research in decision science, behavioral economics, psychology, law, philosophy, and game theory—including much of her own original research—to show the benefits of making talent free. *Talent Wants to Be Free* is filled with fascinating ideas about how people and skills become depleted when they are monopolized, and is a must read for anyone interested in the ongoing debate about technology, human capital, and innovation."—Frank Partnoy, author of *Wait* and *The Match King*

"What promotes innovation and fairness—intellectual property rights and restrictions on employees moving from one company to another—or free flow of information and people? Especially as technology rewrites rules and expectations, anyone interested in promoting innovation should read Orly Lobel's powerful analysis that combines lessons from practice, insights from law, and provocative ideas from across the globe." - Martha Minow, Dean of Harvard Law School and author of *Partners, Not Rivals and Not Only for Myself*

"In this fascinating and accessible book, Orly Lobel argues persuasively that firms innovate best not by controlling human capital, but by setting their most creative employees free -- even if this means losing them." - Christopher Jon Sprigman, Class of 1963 Research Professor, University of Virginia School of Law, author of *The Knockoff Economy* and *Freakonomics* blog contributor

"A compelling argument for a new set of attitudes toward human capital that will sharpen our competitive edge and fuel the creative sparks in any environment." – PUBLISHERS WEEKLY

"Don't Miss. To hold on to their top talent and protect proprietary information, firms routinely require employees to sign noncompete and nondisclosure contracts. But that's the road to economic stagnation, writes Orly Lobel of the University of San Diego in *Talent Wants to Be Free*. Evidence suggests that companies will have better luck with R&D when high turnover allows knowledgeable employees to move freely within their industries...Lobel calls this being smarter about "human capital strategies." We say it's

the 21st-century way of teaching business.” – Biz Ed Magazine

About the Author

Orly Lobel is Herzog Professor of Law at the University of San Diego, where she is founding member and professor of the Center for Intellectual Property and Markets. A world traveler, she lives in La Jolla, CA.

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Dennis Taylor:

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