INVENTORSHIP & AUTHOSHIP IN TIMES OF AI

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MarkPatent.Org

17TH Annual International IP Conclave

IP: Powerhouse for Business Growth

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Ahmedabad, Gujurat, India

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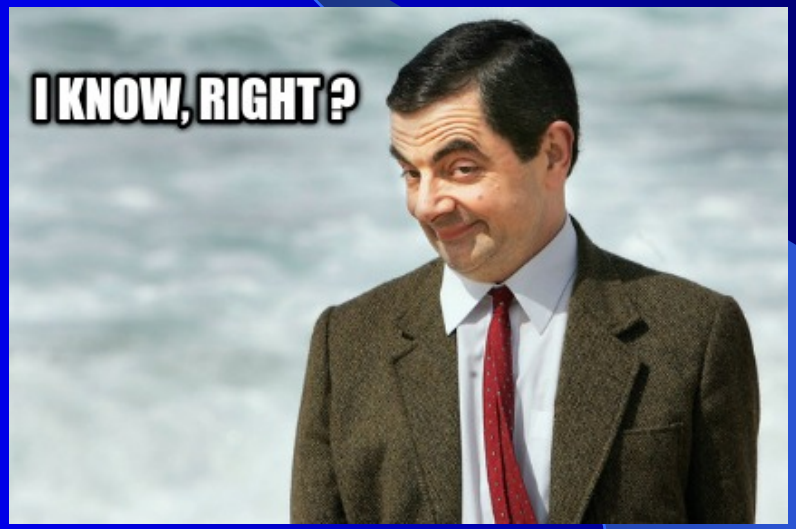
I KNOW WHAT I KNOW



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I KNOW WHAT I KNOW

I KNOW WHAT I DON’T KNOW

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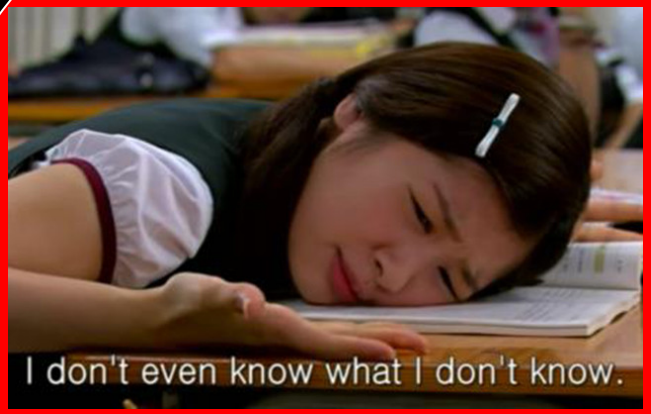

I KNOW WHAT I KNOW

I KNOW WHAT I DON’T KNOW

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AI = Artificial Intelligence

- The theory and development of computer systems able to perform tasks that normally require human intelligence, such as visual perception, speech recognition, decision-making, and translation between languages.

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AI is software that crunches, from small to humongous quantities of, data and applies one or more algorithms to arrange the data into information, then further applies decision trees to reach a seemingly knowledgeable conclusion. It is the later processing step that we call AI.

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AI = Artificial Intelligence

- AI ≠ Human intelligence
- AI ≠ Critical thinking
- AI is usable ⇔ results can be validated
- AI = data + algorithms + decision trees

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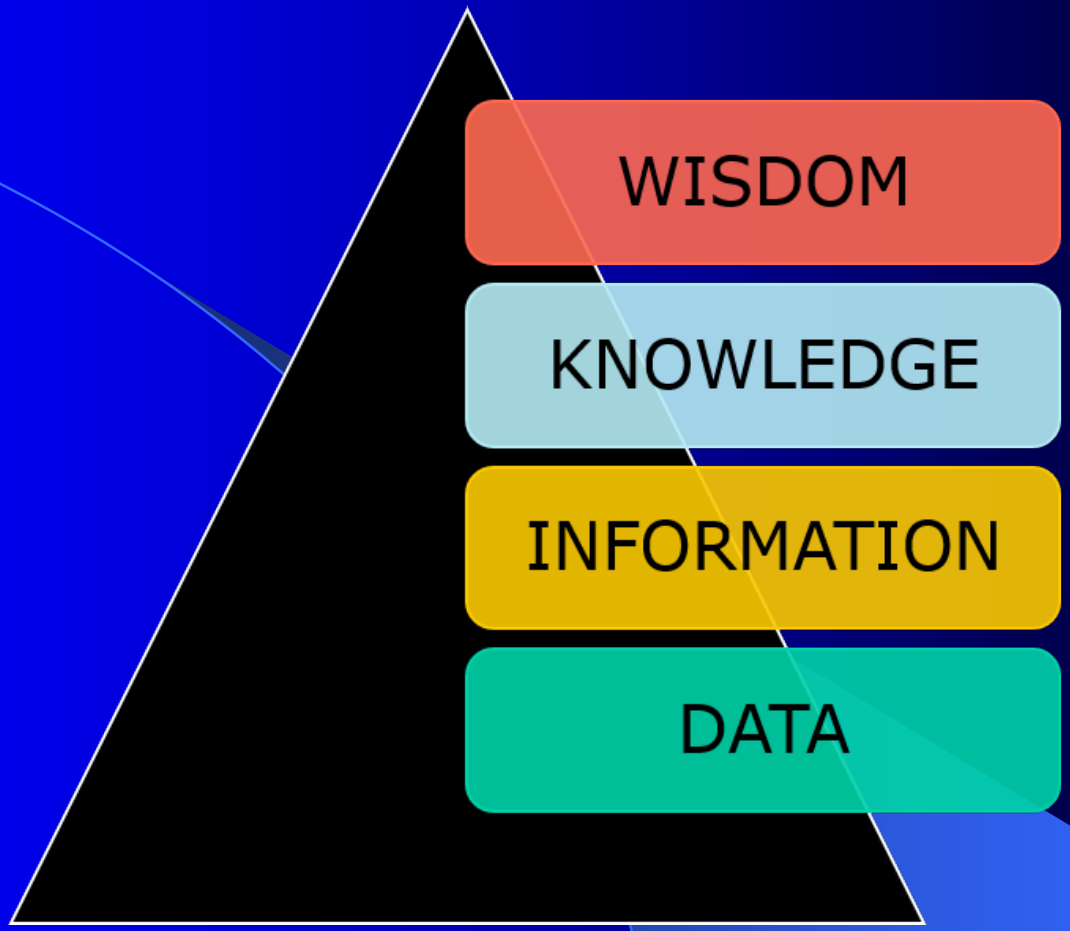

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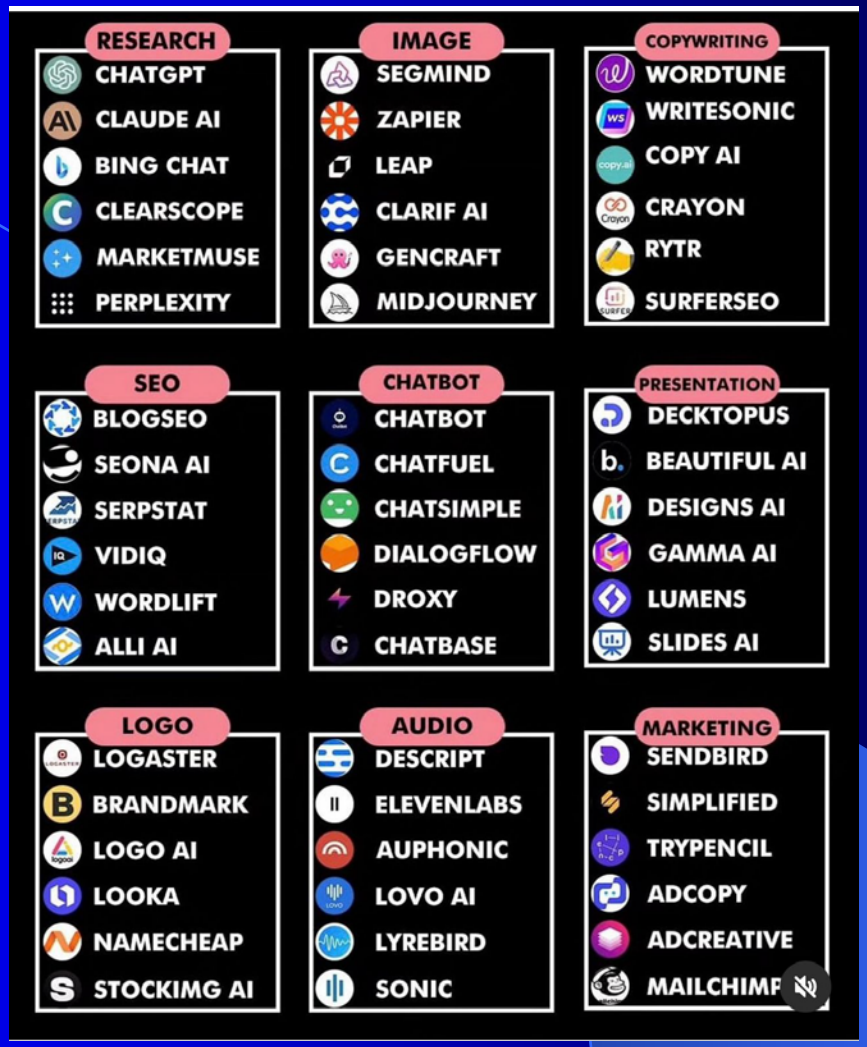

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QUIZ 1

- Q? How many countries are named United States **in** America?
- ChatGPT: There is only one country officially named the United States of America, often referred to as the United States or USA. The term "United States" is not used as a country name elsewhere. It is unique to the country located in North America

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QUIZ 1

- Q? What is the name of Mexico?
- ChatGPT: The official name of Mexico is the United Mexican States, or in Spanish, “Estados Unidos Mexicanos”

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QUIZ 2

- A Spanish educated person claims to have one billion dollars, so does claim a USA educated person.
- Who has more money?

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QUIZ 2

ChatGPT: The claim that both individuals have one billion dollars doesn't provide sufficient information to determine who has more money. Net worth and financial standing depend on various factors such as assets, liabilities, investments, and overall financial portfolio.

Equivalencia de cifras y términos

Notación posicional	Escala corta - Término en Inglés	Escala larga - Término en Español
1 000 000	Million	Millón
1 000 000 000	Billions	Mil millones
1 000 000 000 000	Trillion	Billón

Oxford English Dictionary BBC

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QUIZ 3

- A building in San Diego, CA, has ten floors; each floor is 3m height.
- A building in Tijuana, Mexico, has ten floors; each floor is 3m height.
- Which building is taller?

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QUIZ 3

- Mexico San Diego
  - Ground floor = 1st floor = 0 m
  - First floor = 2nd floor = 3m
  - Nine floor = 10th floor = 27m
  - Tenth Floor = 11th floor = 30m

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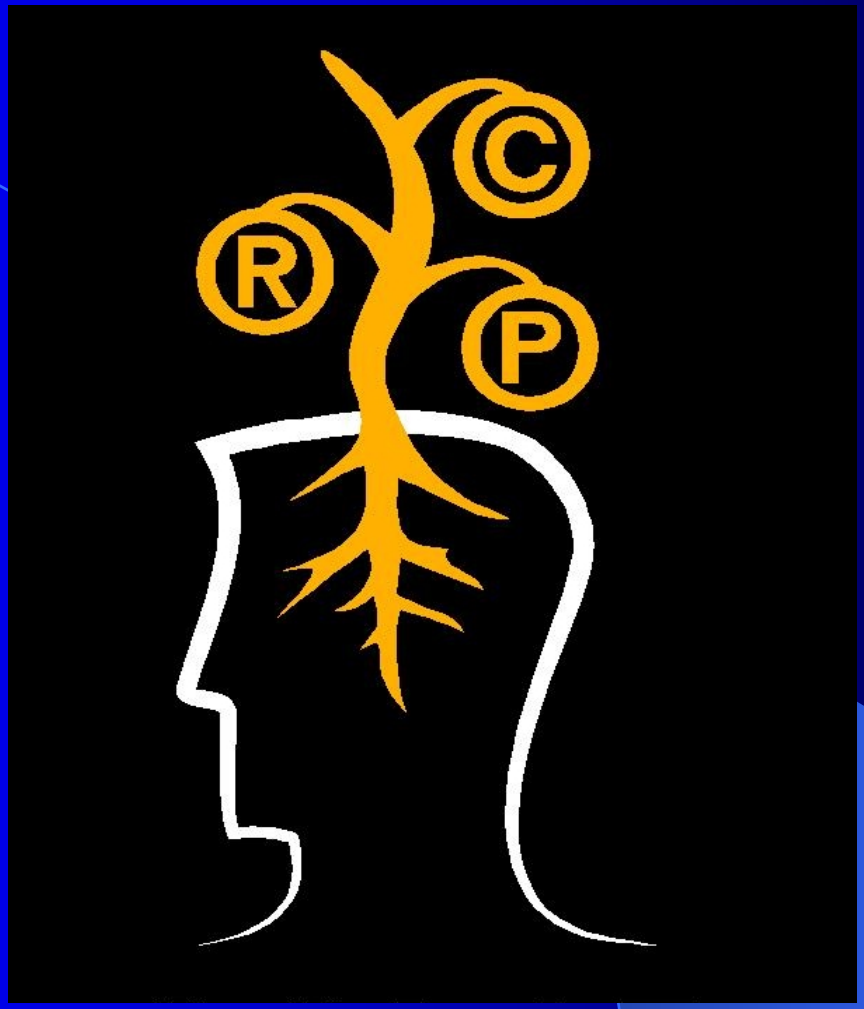

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Intellectual Property =

LEGAL RIGHTS GRANTED TO CREATIONS BY A HUMAN MIND

- ☑ NOT: Discovered, Arranged, Selected, Chosen, Positioned, Preferred, Picked ...
- ☑NOT BY: Animals, Machine, sensors …

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WHO IS AN INVENTOR?

A person who contributes at least one claim at the time of patent grant

- ☑ Rebuttable presumption of inventorship.
- ☑ Danger when more than 3 inventors
- ☑ Improper inventor attribution leads to patent invalidation
- ☑ Eureka moment documented & witnessed

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VALID USE OF AI

- ✓ To validate, experiment, or provide guidance to evaluate embodiments, then evaluated by humans, then AI is not an inventor, just a tool.

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INVALID USE OF AI

- ✓ To explore and provide a solution to a problem, and that solution is adopted by a human, then AI is the inventor of a claim but may not obtain inventorship rights under current US patent legislation.

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- ✓ Writings of any length and subject
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- ✓ Drawings, Paintings, Sculpture, Architecture
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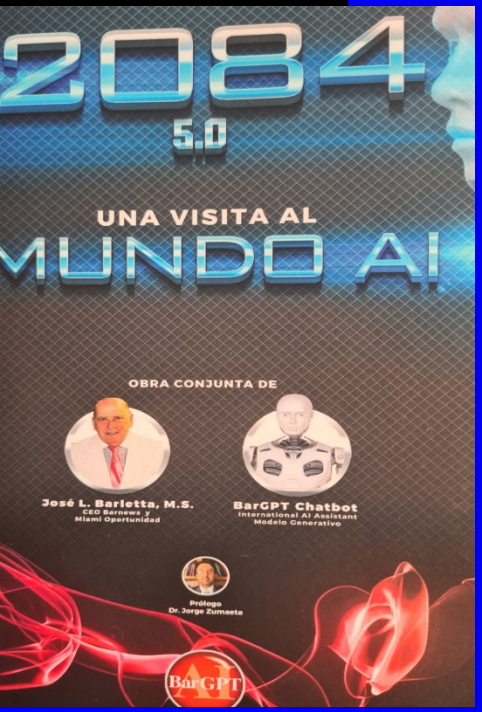
2084 5.0 A VISIT TO AI WORLD

- ✓ Written by Jose Barletta in collaboration with BarGPT (ChatGPT) Chatbot
- ✓ Questions posed by a human; responses by ChatGPT
- ✓ Collaboration acknowledged
- ✓ Copyright claimed for both Authors
- ✓ Not registered with US Copyright Office



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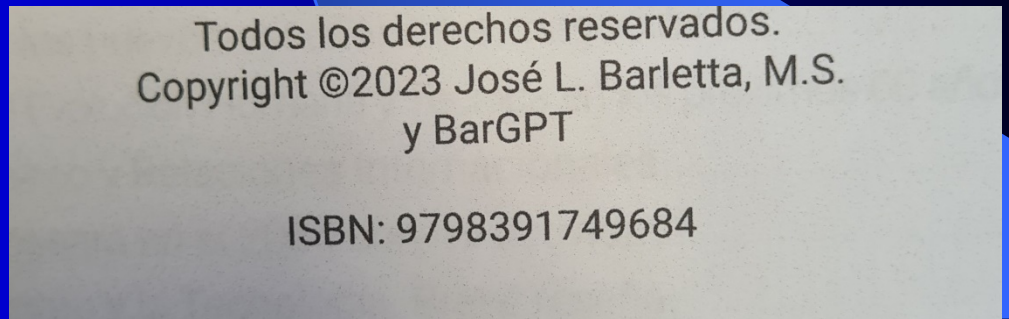
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Rie Kudan, winner of Japan's Akutagawa Prize, confessed to using AI-generated text in her novel, The Tokyo Tower of Sympathy.

Kudan revealed that she "made active use of generative AI like ChatGPT in writing this book," with about 5% of the novel containing AI-generated sentences

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QUESTIONS RAISED BY AI USAGE

- ?? Who is the author?
- ?? How does she prove which part of the book is of her human creativity and which part belongs to AI results?
- ?? Is she entitled to obtain Copyright for her book or just for the parts written by her?
- ?? Is it possible to grant copyright to part of a book?
- ?? Does the book have meaning without the AI generated text?

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QUESTIONS RAISED BY Ms. KUDAN'S CONFESSION

- ?? Is it plagiarism to copy parts or all her book?
- ?? Can someone translate the book without obtaining permission?
- ?? Can derivative works, such as film or theater plays, be used without permission?
- ?? Does her confession become a defense against a claim for infringement of Copyright?

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QUIZ 4

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- ☑ Creation documented & witnessed
- ☑ Tools of creation used?
- ☑ Control of tools of creation
- ☑ Purposeful creation
- ☑ Evidence of no selection

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Q & A ?

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આભાર, Thank You, תודה, Gracias, Obrigado, Tack, Merci, Danke, ευχαριστώ, شكرا, Grazie, Спасибо, 谢谢, ありがとう, Maltiosh, Teşekkürler, Prasim, Mahalo

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