Keynote: The Artificial entity, Ready for the future?

Dr. Rob van den Hoven van Genderen, Professor/Virje Universiteit Amsterdam

Abstract:

Robots an AI systems are taking their place in society. The stockmarket is making its own decisions in buying and selling stock and valuta by means of AI advanced computersystems within milli-seconds. Plane-tickets are being bought by using automated systems, the intelligence of the internet of things is increasingly using our personal data, books are written by AI systems, (fake) news is produced by robot-journalism, human control is fading...

All these developments are directing us, as human beings, in another role. Actions and decisions are not the sole perquisite of the natural person as the initiator and recipient the creator of products, services and of legal acts.

Will this lead us to a society where legal acts and legal subjectivity are not solely be reserved for human beings and legal persons under control of boards of human beings? Will, as the European parliament proposed, the future be prepared to accept the existence of autonomous artificial entities with legal competence? Will society need the concept of legal personhood for robots and AI? The consequences will be that we have to construct a "sui generis legal personhood' to serve our society within the framework of ethical and social boundaries.

Comment: Challenges between IPRs and AI-Generated Contents

Dr. Rosa Maria Ballardini, Associate Professor/University of Lapland

Abstract:

Predicting the future of technology is notoriously difficult. Indeed, predicting how law and regulation should be shaped to meet the needs of future technological developments is a task that might often lead to hilarious predictions. The difficulty in predicting technological development is certainly reflected in the current debate about the future of artificial intelligence (AI). In any case, it seems realistic to foresee that in the near future there will be an increase in machines that are able to perform more tasks in more efficient and autonomous ways than we can currently envision. These tasks include production of artistic, technological, and scientific innovations that might potentially be protectable via intellectual property (IP) laws. Because of the economic value of these innovations, there may be an interest in 'controlling' these intellectual creations via intellectual property rights (IPRs). In this context, a key question relates to how to interpret the concepts of 'authorship'(copyright) and 'inventorship' (patents) of creations and inventions generated by AI systems. Both copyright and patent laws in Europe have traditionally relied upon the concept of the author or inventor as a natural person. Indeed, that idea is reflected not only in the legal definitions of author and inventor, but also in concepts such as 'work' (copyright) and 'invention' (patent), as well as in the requirements of originality (copyright) and inventive step (patent) to be satisfied in order to acquire protection. By possibly

allowing production of innovations in an 'autonomous' way, AI naturally challenges these well-established traditional legal notions.

Can an AI-generated work or invention attract IPR protection under current rules? Is there a need to reshape our understanding and interpretation of concepts like authors/inventors and originality/inventiveness in view of the rapid expansion of AI? What would be the benefits and consequences of such a shift?

The presentation will address these challenges in order to shed light over the current debate and controversies between the application of certain key IPR concepts in the context of AI-generated innovations and propose suitable alternative approaches.