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WIPO CONVERSATION ON INTELLECTUAL PROPERTY (IP) AND ARTIFICIAL INTELLIGENCE (AI)

Organized by
the World Intellectual Property Organization (WIPO)

Geneva, September 27, 2019

BACKGROUND NOTE

Prepared by the International Bureau of WIPO

Background

1.   Recent widespread discussions on the advent and the impact of Artificial Intelligence (AI) indicate that AI technologies are complex, dynamic, pervasive and disruptive. The World Intellectual Property Organization (WIPO) held initial consultations with some Member States on the margin of the General Assembly in September 2017 on how WIPO could deal with AI[1].

2.   Following advice from Member States, WIPO conducted a survey on the use of AI technologies at IP Offices in the first half of 2018[2]. The result of the survey revealed that more than 20 IPOs in the world had already used AI-enabled applications to enhance the efficiency of their IP Office administration. The WIPO Secretariat has also developed a few AI-enabled applications for assisting Member States and stakeholders of innovation in accessing and analyzing the big data of IP. They are neural machine translation (WIPO Translate), an AI-enabled image search tool, and AI-enabled automatic classification tools for IPC and Vienna classification.

3.   Building on the survey result, WIPO organized a meeting of Intellectual Property Offices (IPOs) on ICT Strategies and Artificial Intelligence (AI) for IP Administration[3]. At the meeting, it was confirmed that AI applications had a potential to increase the efficiency of IPOs administration. It was also agreed to seek further international cooperation in developing and using AI applications for IPOs administration. This was in an attempt to address the concern over a widening gap among IPOs in the use of new technologies such as AI.

4.   The results of the discussions held, and recommendations made, at the meeting of IPOs in May 2018, have been followed up in several projects that WIPO's relevant bodies undertake, such as the Committee on WIPO Standards[4].

5.   In view of the dynamically changing and complex nature of AI technologies, WIPO used in-house and external expertise to analyze AI technologies, and published "WIPO Technology Trends" (WITT) on AI in January 2019[5]. The publication defines and measures innovations in AI, and presents the result of analysis of more than 340,000 AI-related patent applications and 1.6 million scientific papers published since AI first emerged in the 1950s.

6.   The WITT also contains comments and suggestions made by 27 world leaders in the field of AI. Some comments concern their assessment of the impact of AI on the current IP system.

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[1] WIPO created a dedicated web site to AI and IP at https://www.wipo.int/about-ip/en/artificial_intelligence/.

[2] Documents prepared for the meeting may be made available at https://www.wipo.int/meetings/en/details.jsp?meeting_id=46586.

[3] Meeting documents are made available at https://www.wipo.int/meetings/en/details.jsp?meeting_id=46586.

[4] See "Issues currently under discussion" on the dedicated web site of the Committee on WIPO Standards at https://www.wipo.int/cws/en/.

[5] WITT is downloadable at https://www.wipo.int/pressroom/en/articles/2019/article_0001.html.

7.   WIPO took advantage of the launch of WITT to organize a panel discussion on January 31, 2019, moderated by the Director General, and joined by five panelists who are AI specialists[6].

8.   Both WITT and its panel discussion at the launch confirmed that AI would have a significant potential to fundamentally change the industry in the context of Industrial Revolution 4.0 and the connected society, and the implementation of AI has just begun at an unprecedented pace and in increasingly wider areas of industry. However, the impact of AI on the economy, society and legal systems has only started to appear, and it is still very hard to assess. More information, with exchanges of views and conversations is needed, building on what WIPO has so far gathered.

Objective

9.   The objective of WIPO Conversation on IP and AI is to provide Member States with an opportunity to hold conversations and exchange views on various topics regarding AI for didactic purposes and formulating the right questions with respect to the possible impact of AI on the IP system. Given that there are many meetings organized by governments, inter-governmental organizations and the private sector to discuss AI in general, WIPO will not take up general questions which obviously go beyond the mandate of WIPO. This meeting will focus on the impact of AI on IP systems, IP policies, IP rights management, and international cooperation on IP matters.

10.   It is useful to invite AI experts and leaders actually using AI for their business and research works to participate in the conversation so that Member States may benefit from their thoughts, most relevant and up-to-date information from their endeavors in AI areas, with a view towards formulating the right questions for WIPO's continued consultation on AI.

11.   Expected results of the WIPO Conversation on IP and AI are as follows:

- Better understanding of the impact of AI on IP;
- Better understanding of the potential of AI in enhancing IP administration;
- Formulation of the right questions that should continue to be discussed in the future;
- Identifying issues that need the urgent attention of Member States.

12.   It is neither intended to make any recommendation nor to propose any action from the conversation at this meeting. No meeting report will be produced. Conversations at this meeting will be broadcast on the WIPO web site, recorded and kept as video files available via the WIPO web site for meeting archives.

Format

13.   WIPO Conversation should benefit from expertise and wisdom of diversified stakeholders, and for this purpose, persons from different backgrounds, but still relevant to IP areas, will be invited to participate as resource persons in a panel discussion on a specific theme.   The thematic panel approach is adopted to avoid overlapping conversations on the same issue at several panels and to allow each panel to focus on certain areas for intensive conversations.

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[6] The launch event was recorded and is made available at https://www.wipo.int/tech_trends/en/artificial_intelligence/

14.   A moderator will facilitate conversations at each panel. Contributions from the participants would be welcomed, and a time slot will be allotted to interaction between panelists and participants.

Themes

15.   Following the first meeting A theme that each panel will deal with is further elaborated in the form of indicative questions as described in the draft Program. Those specific themes and indicative questions are "real world" issues or questions facing industry, IP community and IP policy makers, which the WIPO Secretariat has identified in the course of undertaking AI-related activities and events. While each panel is expected to follow the theme, not all of the questions indicated in the draft Program may be addressed. The list of questions is for indicative purposes only.

Invitation

16.   In view of the objectives, invitation will be extended only to representatives of Member States and observers accredited for the WIPO General Assembly.

17.   With live broadcast and archives of video covering the entire conversation, the public should be able to follow the conversation online.

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