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WIPO CONVERSATION ON INTELLECTUAL PROPERTY (IP) AND FRONTIER TECHNOLOGIES

**Eighth Session
Geneva, September 20 and 21, 2023**

PROVISIONAL PROGRAM

prepared by the International Bureau of WIPO

Wednesday, September 20, 2023

- 10.00 – 10.10 **Opening**
- 10.10 – 10.20 **Keynote: The Rapid Rise of Generative AI: Opportunities and Challenges Ahead**
- Setting the scene why Generative AI is breaking the paradigm of AI development. The keynote will take the audience on a journey to what the future may hold in store.
- 10.20 – 10.40 **Presentation: Attention is all you need**
- An introduction to Generative AI, including an overview of the technical aspects of the technology, its potential applications across various industries, its current limitations, and a look at what may be in store in the future. Topics covered will dive into
- What is Generative AI and what differentiates it from other AI models?
 - Is Generative AI intelligent?
 - What kinds of output can a Generative AI model produce and how much human input is required?
 - How important is training data, and does the output mimic the input?
 - What kinds of problems can a Generative AI model solve?
 - What are the limitations of such AI models?
- 10.40 – 11.30 **Panel 1: Regulation of Generative AI: Do you feel the need... the need for speed? (Emerging Trends in Generative AI)**
- With technical developments in the Generative AI field speeding up, there is increasing discussion about the need for regulation to keep up. Some voices have called for a moratorium on AI development to allow appropriate frameworks to be established. This panel will look at the emerging regulatory questions and approaches, asking what is needed to ensure human-centric, unbiased, ethical, and accessible Generative AI systems and which role IP has to play. The panel will discuss whether regulation can keep up with technological developments as well as the ethical and social implications of Generative AI, including concerns around bias and the impact on jobs and creativity.
- 11.30 – 11.50 **Panel 1: Moderated Q&A**
- 11.50 – 12.40 **Panel 2: Generative AI – A Jack of Many Trades? (Generative AI: Use Cases)**
- Setting out use cases for Generative AI by looking at real-life examples across various sectors and industries, the panel will showcase how Generative AI is currently being used and what it may be capable of in the future. While the ability to create content, images, designs, and code are the primary applications that spring to mind, the applications of Generative AI are much wider including, for example, improving medical imaging, fraud detection and customer service application.
- 12.40 – 13.00 **Panel 2: Moderated Q&A**

13.00 – 15.00

Lunch break

15.00 – 15.40

Panel 3: A Mosaic of IP Issues: Painting the Full Picture of Generative AI and IP

This panel will give an overview of the mosaic of IP issues to provide a complete picture: from how IP can protect AI models, to the interrelationship between data input and the questions around IP protection for AI output and an overview of pending litigation cases. The panel will ask questions including

- With its capability of generating unlimited outputs, what are the implications of Generative AI for the novelty and originality of works and designs?
- Can Generative AI uncover new innovations by combining technical knowledge that humans may not find obvious? How would this impact human innovation? Does this make human inventions obvious?
- Generative AI can be used to produce deep fakes, replicate voices and generate virtual avatars. What role does IP have to play in protecting the performances of actors, singers, musicians and dancers who are an integral part of the creative process?
- How does current IP law apply to Generative AI models, and what is required to incentive innovation in this field while protecting the rights of human innovators and creators?

15.40 – 16.10

Panel 3: Moderated Q&A and Discussion

16.10 – 17.30

Panel 4: Access to training data: Exploring Text and Data Mining Exceptions, Fair Use, and Moral Rights

On one hand, the more complete a training data set, the better quality of the output produced by Generative AI. On the other hand, some of the input data may not easily be accessible as it represents original works that are protected by copyright. This panel will delve into the complex issues surrounding the use of copyrighted works as inputs for training AI models and the application of limitations and exceptions including text and data mining provisions and the doctrine of fair use.

17.30 – 17.50

Panel 4: Moderated Q&A

17.50 – 18.00

Close of Day 1

Thursday, September 21, 2023

10.00 – 10.05

Opening of Day 2

10.05 – 10.20

Presentation: The Impact of Generative AI on the Creative Industries – a Tool for Human Creativity or Creative Destruction?

This presentation will examine the economic and wider impact of Generative AI on creative industries, including the potential opportunities

and challenges that arise from the integration of AI technology into creative processes. With the potential to streamline workflows and improve efficiency, is Generative AI a fantastic new tool for creators or a usurper of human creativity?

10.20 – 11.20

Panel 5: Authorship and Ownership of AI-generated Works: IP is all around

Generative AI has generated works that have won art competition and are stirring the headlines. IP is central to much of this debate. What does this mean for authorship and ownership, and where is the line between derivative works and original content? The panel will dive deep into these IP issues. It will also look at the role of the AI developer, the artist, and the end-user in determining authorship and ownership.

11.20 – 11.40

Panel 5: Moderated Q&A

11.40 – 12.40

Panel 6: IP Strategies for Innovators and Creators in the Age of Generative AI

This panel will explore strategies for protecting IP rights and benefitting from creativity in the age of Generative AI. On one hand, developers of Generative AI will need access to complete sets of training data and seek to protect their development investment with IP while generating an income stream. On the other hand, creators and artists own the IP in their works and have the right to control their IP and benefit from their works. The panel will seek to apply the previous discussions to real-life scenarios and discuss how creators and innovators can navigate the complexities of IP when developing new works and inventions.

12.40 – 13.00

Panel 6: Moderated Q&A

13.00 – 15.00

Lunch break

15.00 – 15.15

Presentation: Generative AI for IP Administration: Applications and Pitfalls

IP Offices are already adopting AI tools to make IP registration easier and faster and to assist innovators and creators everywhere to benefit from IP. This presentation will explore both the possible applications of Generative AI models as tools for IP Offices and highlight the areas where guidance for the use of Generative AI in IP Offices may be necessary. It will also touch on private sector initiatives in this space.

15.15 – 16.30

Sharing session

Open floor interventions and discussion: exchange of current practices between IP Offices and Member States in the Generative AI field.

What actions are IP Offices taking? How are Member States and IP Offices updating their guidelines to better accommodate IP issues related to Generative AI? Are there any pending consultations and regulatory developments? How are Member States thinking about copyright, training data and limitations and exceptions to copyright? How are IP Offices dealing with applications written by ChatGPT? What can regulators do to make it easier for businesses to protect IP in the

face of Generative AI? What are the opportunities and challenges? Should IP laws be updated to reflect the use of Generative AI? How can governments ensure that the use of Generative AI does not stifle innovation or competition in creative industries? How can governments balance the interests of different stakeholders, including creators, consumers, and businesses, when regulating IP in the face of Generative AI?

16.30 – 17.45

Open floor interventions

All participants

Having heard from IP Offices, Member States, innovators, and IP professionals, what are your views? Bringing together the widest set of stakeholders, the open floor provides a forum to bring together global and diverse views.

17.45 – 18.00

Closing remarks

18.00

Close of Day 2

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