Dear WIPO Secretariat.

Thanks for allowing participation in the important issue of AI patents.

I am an Industrial & Management Engineer MSc, and a developer of a new type of AI based on data-science. My comments are then from a hands-on personal experience not from an academic position.

The issues raise in the draft seem to me right. A detailed response is enclosed below.

In addition there are a few points that I'd like to add regarding AI policy:

a) Since AI is in the center of the 4.0 revolution yet is still "in the making" (for example, it still does not have an accepted ML solution), It is important to define a short list of definitions in order to reduce the confusion around the subject. For instance the term AI itself, which has several references here... following is a suggestion for a definition.

Draft definition of AI: AI is an Expert System that has specialized algorithms for rules-of-behavior generation and a rule-base that can perform automatically functions such as pattern recognition, prediction, control function, production, and decision making including autonomous driving. AI can be viewed in a sense as a "horizon" that always moves beyond what is known in any given time. As a result, its rules are changing along time in an attempt to learn and adapt to the application conditions.

b) Pease add to the AI IP policy an item on embedding AI in existing products and infrastructures. How to deal with IP in embedded/integrated application?

c) How to define a patent that makes use of an open code?

d) Is there a way to enhance the protection of algorithms from reverse-engineering?

Comments regarding "wipo_ip_ai_2_ge_20_1 Public Consultation on AI and IP Policy.docx":

1. AI inventions: AI can be applied (a) as a tool used to generate inventions autonomously; (b) as an actual part of inventions. In both cases, the inventor is the human that registers the patent, subjected to the conventional criteria of innovation and uniqueness.

2. Disclosure: In the case of machine learning, where the rule-base changes over time with access to data, the disclosure should cover the algorithm, method, form of application, and

sample documentation of the rule-base and the application's input & output. The patents rights do not include rights over the build-up of knowledge and data through application.

3. <u>AI-generated works</u>: AI products should be attributed to the users (like any other literary and artistic published work).

4. <u>Deep fake:</u> Deep fakes technologies that generate of simulated likenesses of persons and their attributes, such as voice and appearance, should be strictly regulated and restricted by ethics and privacy protection laws.

5. <u>AI-generated designs:</u> The design is patentable only if it is innovative, unique and cannot be produced by other experts with available tools.

Respectfully

Edith Ohri
Home of GT data mining analytics

https://www.researchgate.net/project/Philosophy-of-Data-Science-review-for-big-data-analytics