

Artificial Intelligence and Intellectual Property**Comments/Questions - Ecuador****Issues**

Beyond software registration for Intellectual Property Purposes should AI be considered IP or a Commercial tool? What is the limit between those two disciplines?

- Patents
 - a. It is important to also take in consideration the modus of identification of IA created patents that are not identified as such by the inventor.
 - b. Besides the permission of the law to identify IA as a valid tool of IP, it is important to consider should a separate policy be instituted for IA created patents within IP, does this constitute IP in accordance to its definition? Or should it be considered a commercial tool?
 - c. Is the creation of the IA considered the creation, and the result of its programing not be patentable but just commercialized?
 - d. Is this discussion pertinent considering mainstream issues that have not been solved regarding difference in country development?
- Copyright and Related Rights
 - a. Would it be plausible to recognize the assistance of AI in a copyright work giving its authorship to the human whose creativity gave forth to its implementation? – just for informational purposes.
 - b. Should deep fakes be considered an extension of copyright 70 years plus life of the author and follow its general rule, as it is a technological reproduction of the original performance.
 - c. Should a limitation of usage of IA in copyright be instituted? Should it be limited, as medicines are allowed to be used within certain legal frames for the benefit of society?
- Data
 - a. Would the regulation and evolution of data procurement allow less IP infractions or would the accessibility to these programs encourage piracy and/or illegal appropriation.
- Designs
 - a. Should there be a different consideration for designs, patents and copyright considering their step from the same idea that algorithms are being used to present a product, independently of the product created?



- Technology Gap and Capacity Building
 - a. Should a limitation of usage of IA be instituted? Should it be limited, as medicines are allowed to be used within certain legal frames for the benefit of society?
 - b. Should there be compulsory licensing for those countries not AI capable as to allow a stable development from all its WIPO members?
- Accountability for IP Administrative Decisions
 - a. Should WIPO create a new committee concerning AI intellectual property be instituted?
 - b. Would this directly impact WIPO's mandates and structure? Would those international treaties signed concerning the various topics in IP be modified to comply with new AI considerations?

