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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.

Speaker: Mr. Gary Marcus, Emeritus Professor of Psychology and Neural Science, New York University and author of Rebooting AI, United States of America

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?

Speaker: Mr. Ruvan Weerasinghe, Academic and Researcher, University of Colombo, School of Computing, Sri Lanka

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.

Moderator: Ms. Neema K. Lugangira, Member of Parliament, Chair of African Parliamentary Network on Internet Governance, Tanzania

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Ms. Joanna Bryson, Professor of Ethics and Technology; founding member of the Hertie School Centre for Digital Governance, Germany

Mr. Mark Coeckelbergh, Professor of Philosophy of Media and Technology, University of Vienna, Austria

Mr. Armando Guio Español, Affiliate, Berkman Klein Center, United States of America

Mr. Jason Kwon, Chief Strategy Officer, Open AI, United States of America

Ms. Chepkemai Magdaline, Founder, EldoHub, 20 Face, Kenya

Mr. Yesha Sivan, Founder and Chief Executive Officer (CEO), i8 ventures, Israel

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.

Moderator: Mr. Mohamed Hegazy, Senior Legal and Policy Consultant, Egypt

Speakers: Mr. Malik Afegbua, Film Director and Virtual Reality Developer, Nigeria

Mr. Manas Bhatia, Associate Architect, Ant Studio, India

Ms. Louise Crnkovic-Friss, Research Choreographer, Sweden

Mr. Jiří Hana, Co-founder, Geneea, Czech Republic

Mr. Chris Horton, Senior Vice President of Strategic Technology, Universal Music Group, United States of America

Mr. Liu Cong, President, iFLYTEK Research Institute, China

Ms. Enkhjargal Natsagdorj, CEO and Co-Founder,
Gerege Systems, Mongolia

Mr. Marc Stampfli, Nvidia, Switzerland

Ms. Nicholas Wilkins, CTO, Sign-Speak, United States of
America

12.40 – 13.00

Panel 2: Moderated Q&A

13.00 – 15.00

Lunch break

15.00 – 15.50

**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?

Moderator: Mr. Justisari Kusumah, Managing Partner, K&K
Advocates, Indonesia

Speakers: Mr. Federico Duret, Director, UNIARTE, Ecuador

Ms. Werina Griffiths, Partner, Adams & Adams, South
Africa

Mr. Matt Hervey, Partner, Head of Artificial Intelligence
Law, Gowling WLG International Limited, United Kingdom

Ms. Jun Jung-Hyon, Attorney, Lee & Jun, Republic of
Korea

Mr. Pierre Sirinelli, Professor of Private Law and Criminal
Sciences, *Université Panthéon-Sorbonne*, France

15.50 – 16.10

Panel 3: Moderated Q&A and Discussion

16.10 – 17.30

Panel 4: Access to training data: Exploring Text and Data Mining (TDM) 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.

Moderator: Mr. Péter Mezei, Associate Professor, Institute of Comparative Law and Legal Theory; University of Szeged, Hungary

Speakers: Ms. Kristina Christensen, Senior Associate, Klynveld Peat Marwick Goerdeler (KPMG), Sweden

Mr. Luke Hawthorne, Senior Associate, King & Wood Mallesons, Australia

Mr. Matías Jackson Bertón, Lawyer, Jackson Bertón, Uruguay

Ms. Ida Madieha binti Abdul Ghani Azmi, Professor of Law, International Islamic University, Malaysia

Ms. Lee Tiedrich, Distinguished Faculty Fellow in Law & Responsible Technology, Duke Initiative for Science & Society, United States of America

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 – 11.05

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.

Moderator: Mr. Andres Guadamuz, Reader in Intellectual Property Law, University of Sussex, United Kingdom

Speakers: Mr. Akintunde Agunbiade, Associate, ALEX, Nigeria
Mr. Javier Díaz Noci, Professor, Pompeu Fabra University, Spain
Mr. Hanani Hlomani, Research Fellow, Research ICT Africa, South Africa
Ms. Rita Matulionyte, Senior Lecturer, Macquarie Law School, Australia
Ms. Pin-Ping Oh, Partner, Bird & Bird LLP, Singapore
Ms. Silke Von Lewinski, Professor, Max Planck Institute, Germany

11.05 – 11.25

Panel 5: Moderated Q&A

11.25 – 11.35

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.

11.35 – 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.

Moderator: Ms. Hayleigh Boshier, Reader in Intellectual Property Law, Brunel University London, United Kingdom

Speakers: Mr. Ben Brooks, Head of Public Policy, Stability AI, United States of America

Ms. Francesca Coli, Deputy General Counsel, WPP, United Kingdom

Ms. Sonia Cooper, Assistant General Counsel, Open Innovation Team, Microsoft, United Kingdom

Mr. Nahum Gabrieli, Partner, Seligsohn Gabrieli & Co., Israel

Mr. Jimmy Mnene, General Counsel & Group Data Protection Officer, WPP-Scangroup, Kenya

Mr. Paul Reinitz, Director, Advocacy and Legal
Operations Counsel, Getty, United States of America

Mr. Tom Tassignon, Head of IP - Data & AI / Head of IP
Personal Health, Philips, Netherlands

Mr. Suebsiri Taweepon, Partner, Tilleke & Gibbins,
Thailand

Mr. Pedro Vale Gonçalves, Director of Legal &
Compliance, Unbabel, Portugal

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.

Speaker: Mr. Jack Xu, CEO, PatentPal, United States of America

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?

Presenters: Ms. Shantal English, Deputy Director/Legal Counsel,
Legal and Corporate Relations Branch, Intellectual
Property Office (JIPO), Jamaica

Ms. Margaret Haig, Head of Copyright Delivery,
Intellectual Property Office, United Kingdom

Ms. Lital Helman, Expert, Legislation Department,
Ministry of Justice, Israel, Ministry of Justice, Israel

Mr. Mika Inki, Principal Patent Examiner, Finnish
Patent and Registration Office (*PRH*), Finland

Ms. Miho Kobayashi, Director, Office for International
Copyrights, Copyright Division Agency for Cultural
Affairs, Japan

Mr. Atsushi Kuku, Deputy Director, Multilateral Policy
Office, International Policy Division, Policy Planning
and Coordination Department, Japan Patent Office
(JPO), Japan

Ms. Jumi Lee, Deputy Director, Industrial Property
Information Policy Division, Korean Intellectual
Property Office (KIPO), Republic of Korea

Mr. Fernando Peregrino, Data Science Manager,
European Union Intellectual Property Office (EUIPO)

Mr. Marco Antonio Peres Useche, Director,
*Observatorio de Sociedad, Gobierno y Tecnologías de
Información, Facultad de Derecho*, Colombia

Mr. Bartolome Pujals, Director, Dominican Government
Office for Information & Communication Technology
(*OGTIC*), Executive director, Cabinet of Innovation,
Dominican Republic

Mr. Alex Roberts, Director, IPA Ventures, IP Australia,
Australia

Ms. Maria Strong, Associate Register, Copyrights;
Director, Policy and International Affairs, United States
Copyright Office, United States of America

Mr. Fernando Veliz Fazio, Under-Secretary, Digital
Policy and Regulation, Digital Transformation of
Governance Secretariat, Presidency of the Council of
Ministers, Peru

Mr. Zhu Jun, Professor, Department of Computer
Science, Tsinghua University; Director, Center for
Basic Theory Research, Institute of AI, Tsinghua
University; Chief scientist of machine Learning, Major
direction, Beijing Academy of Artificial Intelligence
(BAAI); Chief scientist, RealAI, China

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.

Interventions: Mr. Yann Dietrich, Group Head of Intellectual Property, Atos, France

Mr. Mohamed El-Saeed Abdel Mawla Kendil, Lawyer, Egypt

Mr. Efraín Fandiño Lopez, Investigator, *Jurisdicción Especial Para La Paz*, Colombia

Mr. Peter Hedman, Senior Patent Attorney, Ericsson, Sweden

Ms. Constance Herreman Follain, Acting Director, Legal and Public Affairs, Confédération internationale des sociétés d'auteurs et compositeurs (CISAC), France

Ms. Caroline Jonnaert, Partner, Lawyer, Trademark Agent, ROBIC, Canada

Mr. Abbas Lightwalla, Acting Director, Global Legal Policy, International Federation of the Phonographic Industry (IFPI), United Kingdom

Ms. Micaela Mantegna, Berkman Klein Center at Harvard affiliate, TED Fellow, Argentina

Mr. Ryuhei Murakami, Sub-leader, Digital Policy Working Group, Japan Intellectual Property Association (JIPA), Japan

Ms. Ana Ramalho, Copyright Counsel, Google, Netherlands

Ms. Concepción Saiz García, University of Valencia, Spain

Ms. Brigitte Vézina, Director, Policy and Open Culture, Creative Commons

Mr. Hasan Kadir Yilmaztekin, Associate Professor, Judge, Head of Department of Foreign Affairs, Justice Academy, Türkiye

Mr. Herbert Zech, Director, Weizenbaum Institute, Humboldt University in Berlin, Germany

17.45 – 18.00

Closing remarks

18.00

Close of Day 2

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