

## **THE ISSUE OF RIGHT OF OWNERSHIP AND PROTECTION OF RIGHTS IN INTELLECTUAL PRODUCTS PRODUCED BY ARTIFICIAL INTELLIGENCE**

The rights of intellectual property owners are globally protected by laws. With innovations in technology, existing regulations in these laws are becoming insufficient and new regulations are required. The issue of rights ownership in an intellectual product introduced by the artificial intelligence system is one of the areas requiring new regulations in the law.

In cases where an artificial intelligence processes and evaluates the information it collects from different sources and chooses among different alternatives, artificial intelligence makes efforts for a new product within the framework of its own system.

Besides works in some developed countries, Turkey is still in early stages of the artificial intelligence field. This field has the potential to develop with government support and academic studies.

When we look at the world, it is regulated in the judicial systems of countries that cover many countries such as Spain, Germany that the work can only be created by human. However, recently, artificial intelligence is no longer a tool, it can create a work without human intervention.

In recent years, while there have been innovations on laws regarding industrial property, issues such as whether an invention that is created with artificial intelligence can be patented, on who the patent owner will be and whether an intellectual product that is produced under the scope of code number 5846 the Intellectual and Artistic Works are issues that have not been resolved.

Although such legal disputes have not arisen in Turkey, these regulations, which are insufficient for the solution of future problems, should be reconsidered and updated in accordance with these developments.

In terms of Turkish Industrial Property Code (SMK) numbered 6769, the use of computer programs in the process of making the invention doesn't prevent the person from being accepted as the inventor. However, according to SMK, Article 82, computer programs are excluded from patent protection. However, if a software doesn't work separately from the hardware it belongs to, it may be possible to patent it as an invention.

Since the studies on AI in the field of intellectual property require intensive research and development work, these studies remain limited and not given sufficient importance to the subject.

Since studies on artificial intelligence are at an early stage in our country, no case file has been developed regarding the issue created by the high court,

reflected in the dispute or judgement regarding intellectual property.

While the government institutions should support artificial intelligence studies and research and development studies should be increased, necessary legal arrangements should be made without delay in Turkish Intellectual Property code and regulations.

due to the fact that the language of the software is in English the algorithms are arranged in English, it is possible to make false coding in Turkish, especially in the language of law, due to the words in Ottoman ore more than one meaning, therefore, the development of the Turkish software language is also necessary for the development of AI studies in Turkey.

On the other hand, The countries must come together as soon as possible to make international conventions in the international arena and which common rules be applied and new regulations must be made in domestic law systems about this area.