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Artificial Intelligence (AI) and copyrights

Artificial intelligence (AI) can be defined as the ability of machines to perform functions that are associated with human intelligence. AI develops at an exponential pace and the legal system is not designed to confront problems arising with this rapid growth. Simple questions, like who is the author of a painting, can be extremely complex when AI is involved.

Creating new AI technology requires a significant investment. Intellectual property (IP) is relevant for the development of AI technology because it aims, amongst others, to compensate innovators for their creativity and investment by granting rights such as copyrights. Consequently, a suitable IP legal framework is necessary.

The concept of creativity is crucial to copyrights. To qualify for copyright protection, a work must be original. The definition of originality, however, does not take into consideration non-human innovation and cannot apply to AI's work.

AI development has already contributed to the manufacturing of robots capable of producing copyrightable works, for example: (i) the *what-if* machine (WHIM) creates fictional storylines; or, (ii) AARON, a software capable of creating original images.

These sophisticated machines make some assumptions within the IP regime highly doubtful by automatically producing works which, if executed by a human author, would qualify for copyright or patent protection.

My research addresses the current lack of an Intellectual Property (IP) legal framework when a work or invention is produced with or by AI.