Friend or Foe: Decoding the Legal Challenges Posed by Artificial Intellegence in the Era of Intellectual Property

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Abstract : "The potential benefits of Artificial Intelligence are huge, So are the dangers." - Dave Water. Artificial intelligence is one of the facet of Information technology domain which despite several attempts does not have a clear definition or ambit. However it can be understood as technology to solve problems via automated decisions and predictions. Artificial intelligence is essentially an algorithm based technology which analyses the large amounts of data and then solves problems by detecting useful patterns. Owing to its automated feature it will not be wrong to say that humans & AI have more utility than humans alone or computers alone.1 For many decades AI experienced enthusiasm as well as setbacks, yet it has today become part and parcel of our everyday life, making it convenient or at times problematic. AI and related technology encompass Intellectual Property in multiple ways, the most important being AI technology for management of Intellectual Property, IP for protecting AI and IP as a hindrance to the transparency of AI systems. Thus the relationship between the two is of reciprocity as IP influences AI and vice versa. While AI is a recent concept, the IP laws for protection or even dealing with its challenges are relatively older, raising the need for revision to keep up with the pace of technological advancements. This paper will analyze the relationship between AI and IP to determine how beneficial or conflictual the same is, address how the old concepts of IP are being stretched to its maximum limits so as to accommodate the unwanted consequences of the Artificial Intelligence and propose ways to mitigate the situation so that AI becomes the friend it is and not turn into a potential foe it appears to be.

Keywords : intellectual property rights, information technology, algorithm, artificial intelligence

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