

Artificial Intelligence, A new frontier for intellectual property policymaking

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Abstract

The emergence, growth and sophistication of artificial intelligence (AI) and computer-generated works (CGW), have opened the discussion towards the property and accountability of creations made by machines. These creations, founded on algorithms and learning-processes based on large data analysis may become instrumental, or even independent, in the creative processes. The ownership of these creations comprises a challenge for intellectual property (IP) regulations as, traditionally, the concept of author has been associated to human inventions. This paper attempts to analyse the state-of-the-art and expand the literature regarding AI's copyright protection. For this purpose, through an extensive literature review, we identify the main concepts regarding AI's copyright protection in order to establish an analytic framework to study current regulations at an international and domestic level. This allows us to set the parameters to compare if, and how, these key concepts have been incorporated or interpreted in policymaking. The absence of an international consensus regarding the authorship concept-leaving it to domestic interpretation- may lead to contradictory norms causing uncertainty in terms of their protection. We propose the recognition of Artificial Intelligence Generated Works (AIGW) as a new conceptual category, and its protection through a new sui generis legislation.

Palabras clave

Palabras clave de autor: [Artificial Intelligence](#); [Intellectual Property](#); [Copyrights](#); [CGW](#); [AIGW](#)

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Editorial

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