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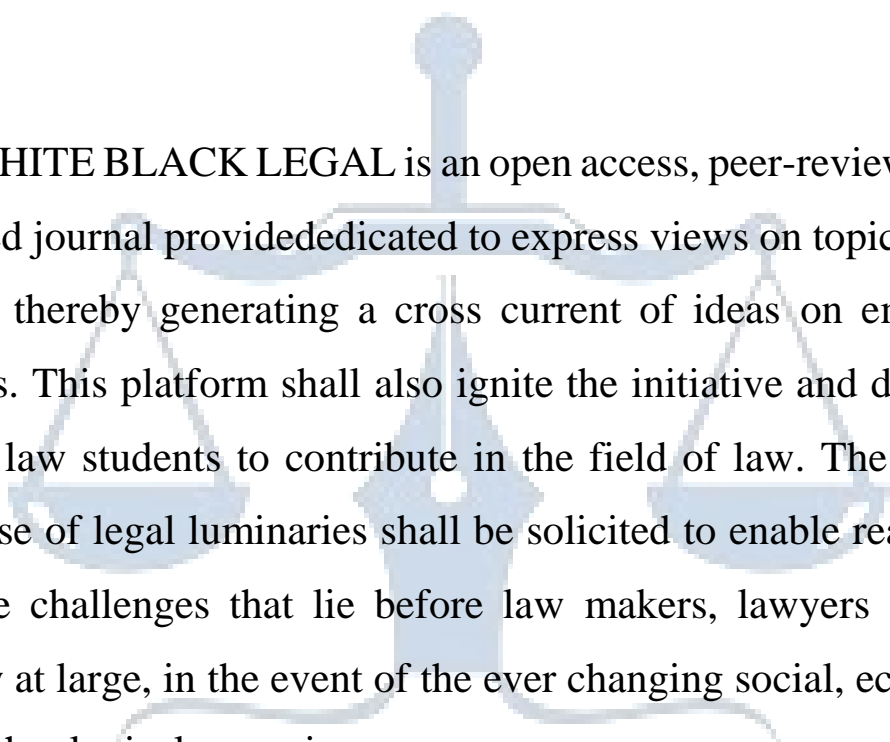
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ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

INTERNATIONAL PERSPECTIVE: THE CHALLENGES FACED BY INTELLECTUAL PROPERTY IN THE AGE OF ARTIFICIAL INTELLIGENCE.

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ABSTRACT

Intellectual Property Rights are indisputably the essential rights for the inventors of their work and are of utmost importance in ensuring the public bring to light the quality works of the inventors. In recent years, the boom of artificial intelligence technologies has impacted many fields and one of them is intellectual property rights. Intellectual property rights are a legal right provided to the inventors for the protection of his creation or innovation for a certain period which is an exclusive right of the person who created it. It is important to note, however, that artificial intelligence technology is capable of more creative works or inventions, till now there is a question whether artificial intelligence should be able to own any of the intellectual property rights and whether the usage of artificial intelligence in intellectual property rights are pondered as a person or author or individual. Artificial intelligence's impact on intellectual property rights is a mix of positive and challenging aspects. On the positive side, artificial intelligence intensifies the people to use its work as the future generation would completely depend upon the technology, effortless scrutinizing of work for the clearance and encourage economic development. However, the challenges include lack of originality of the work, unpunishable by law regarding the violation of intellectual property rights, impotent to make choices or give suggestions on its own, lack of transparency of the work by the individuals. In worldwide, the challenges faced by intellectual property rights in artificial intelligence are broached in this paper.

Keywords: Intellectual Property Rights, Artificial Intelligence, author, legal rights, innovation.

INTRODUCTION

It is a well-known fact that technology has become an indispensable part of human life. And life becomes easier and well-furnished due to technology. Artificial intelligence is enlightened with software which enables them to complete its task in an effortless way[1]. In the upcoming future, artificial intelligence will do the work that has been assigned by humans and it also embraces the things that cannot be done by humans. Yet artificial intelligence has its pros and cons on creativity and innovation which were left in discussion[2]. As technology grows faster, it paves the way for creating more laws to regulate them has been witnessed. So, the work done by artificial intelligence is whether protected by intellectual property rights is still in dilemma because the technology has its own advantages and disadvantages which may lead to a big impact in the work of human intellect and their rights shall be or shall not be deprived by giving the legal status to the work or creation or invention of the artificial intelligence[3]. So, the work or creation or invention by artificial intelligence shall be regulated under the intellectual property rights but with limitations. As artificial intelligence intrudes in every field, this paper is going to discuss how it creates impact in the field of intellectual property rights, both positively and negatively. This paper embraces how does the involvement of artificial intelligence in the field of intellectual property rights varies throughout the countries and how those countries regulate the work of artificial intelligence. The purpose of this analysis is to understand the current issues which mainly deal with the laws of patents, copyrights and trademarks from an international perspective. This also concludes by providing suggestive measures.

ARTIFICIAL INTELLIGENCE

The term artificial intelligence does not have specific definition, but it has been defined in computer science. According to WIPO, the term artificial intelligence aims at developing machines and it works with the tasks which require human intelligence[4]. In simple terms, the

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[1] Role of AI in intellectual property rights - by Tarusha Mathur & Himanshu Morwal, Manipal University, Jaipur; Journal for law students and researchers, Vol. 1, issue 1, 2019 ISSN[O]: 2582-306X; https://journaljlsr2019.files.wordpress.com/2019/11/role-of-ai-in-ipr.-docx.pdf [last view 1.01.25- 1:15pm]

[2] Proceedings of IYSW, (2020), vol. 9, pp 366-375.   http://journals.sdu.edu.kz/index.php/iysw; Impact of Artificial Intelligence on Intellectual Property Rights –by Niteesh Kumar Upadhyay (Assistant Professor of Law, Galgotias University) & Mahak Rathee (Advocate, Supreme Court of India) [last view 1.01.25- 2:00pm]

[3] Christ University Law Journal 2018, Volume 7, No. 1, 83-97 ISSN 2278 - 4332X; https://doi.org/10.12728/culj.12.5 83; Artificial Intelligence and Intellectual Property Law- by Swapnil Tripathi & Chandni Ghatak [last viewed on 1.01.2025-12:15 pm]

[4] What is artificial intelligence? https://www.wipo.int/about-ip/en/artificial_intelligence/ [last viewed on 3.01.2025 - 10:00 am]

collaboration of computers with human intelligence leads to making its own advanced decisions. The term 'artificial intelligence' was formally coined by Mr. John McCarthy, a computer scientist, at a conference on 1956[5]. According to him, it was the notion of a program, processing and acting on information, such that the result is parallel to how an intelligent person would respond in response to similar input[6].

We know the fact that artificial intelligence is a programmed bot or software which enables the information inserted by human beings to be very much easier. But when the programmed bot encounters any new object, then it will try to resolve it with its previous learning. Still, it has capacity to learn new things and the state where the bot tries to resolve the new situation with the previous things and present with a result is called 'The State of Art'.[7]

Artificial is divided into 2 categories, they are: (1) weak artificial intelligence – it focuses only on the specific task like google maps; (2) Strong artificial intelligence – it has cognitive ability of human beings.

INTELLECTUAL PROPERTY RIGHTS

Intellectual Property (IP) is a special category of property created by human intellect (mind) in the fields of arts, literature, science, trade, etc. As intellectual property is a creation of mind, it is intangible (invisible) in nature. These rights are protection for the creators or inventors while revealing their creation or invention in the public domain for certain period. Intellectual property rights (IPR) are territorial rights that can be registered with a legal authority in some presentable or tangible form which can be sold or bought or licensed, like physical property[8].

Intellectual property rights have been broadly categorized into two branches, they are as follows: (1) Copyrights and Related Rights; (2) Industrial Property Rights. Copyrights and Related Rights refer to the creative expressions in the fields of literature and art, such as books,

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[5] Prof. A. Lakshminath & Dr. Mukund Sarda, Digital Revolution and Artificial Intelligence- Challenges to Legal Education and Legal Research, CNLU LJ (2) (2011-2012) [last viewed on 3.01.2025 - 12:00 pm]

[6] Raquel Acosta, Artificial Intelligence and Authorship Rights, HARVARD JOURNAL OF LAW AND TECHNOLOGY (Feb. 17, 2012), http://jolt.law.harvard.edu/digest/copyright/artificial-intelligence-and authorship-rights. [last viewed on 3.01.2025 - 12:35 pm]

[7] Role of artificial intelligence in intellectual property rights - by Tarusha Mathur & Himanshu Morwal, Manipal University, Jaipur; Journal for law students and researchers, Volume 1, issue 1, 2019   ISSN[O]: 2582-306X; https://journaljlsr2019.files.wordpress.com/2019/11/role-of-ai-in-ipr.-docx.pdf [last viewed on 3.01.2025 - 12:45 pm]

[8] Intellectual Property A Primer for Academia by Prof. Rupinder Tewari Ms. Mamta Bhardwaj [last viewed on 3.01.2025- 1:45 pm].

publications, architecture, music, wood/stone carvings, pictures, portrays, sculptures, films and computer-based software or databases. Industrial Property Rights refer to Patents, Trademarks, Trade Services, Industrial Designs and Geographical Indications.

These rights are outlined in Article 27 of the Universal Declaration of Human Rights, which provides for the right to benefit from the protection of moral and material interests resulting from authorship of scientific, literary or artistic productions.

The importance of intellectual property was first recognized in the Paris Convention for the Protection of Industrial Property (1883) and the Berne Convention for the Protection of Literary and Artistic Works (1886). Both treaties are administered by the World Intellectual Property Organization (WIPO)[9].

According to Article 2(vii) of the Convention establishing the World Intellectual Property Organization (WIPO) Intellectual Property includes rights relating to[10]:

- Literary, Artistic and Scientific works
- Performances of Artists, Phonograms and Broadcasts
- Scientific discoveries
- Industrial designs
- Trademarks

All other rights which are an outcome from intellectual activity. According to the Trade Related Aspects of Intellectual Property Rights (TRIPS) the following are the Intellectual Property Rights:

- Copyright and Related Rights
- Right of Traders in their trademarks
- Right of manufacturers and producers on geographical indications
- Right of Designers
- Patents
- Right of Computer Technologists

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[9] https://www.drishtiias.com/pdf/intellectual-property-rights.pdf: Intellectual property rights [last viewed on 5.01.2025 - 12:06 pm]

[10] Role of artificial intelligence in intellectual property rights - by Tarusha Mathur & Himanshu Morwal, Manipal University, Jaipur; Journal for law students and researchers, Volume 1, issue 1, 2019   ISSN[O]: 2582-306X; https://journaljlsr2019.files.wordpress.com/2019/11/role-of-ai-in-ipr.-docx.pdf [last viewed on 5.01.2025 - 1:45 pm]

ESCALATION OF ARTIFICIAL INTELLIGENCE

One of the key factors of the rise of artificial intelligence is the development of machine learning. Machine learning is a subset of artificial intelligence that involves training algorithms to learn from data. By feeding of large amount of data into machine learning algorithms, which is helpful for the machines to recognize patterns and make predicitons[11].

The rise of artificial intelligence brings exciting opportunities, such as improved efficiency and accuracy in various industries, but also raises important ethical considerations, such as job losses and privacy. The rise of artificial intelligence brings exciting opportunities, such as improved efficiency and accuracy in various industries, but also raises important ethical considerations, such as job losses and privacy[12].

Artificial intelligence platforms and applications using artificial intelligence will steadily increase their capabilities towards general intelligence and deliver far more efficient and informed operations, ideas, discoveries, and insights that have never been attainable in any domain before[13]. As artificial intelligence plays a major role in every field, and which shows that our society is very eager to upgrade. But artificial intelligence does not have an instant development, it gradually developed. In future, this may result in a situation where human brains shall be useless. As artificial intelligence systems collect and store vast amounts of personal data, it may be used for the common good or it may be used maliciously for cybercrime. So, there must be development of robust regulations to protect personal data for the common good. And we should also ensure that artificial intelligence is used for the benefit of society as whole and create a better future for all even though it has ethical implications[14].

If the future generation only depends on artificial intelligence, then it shall influence them in a bad way too, like they do not have any idea about the hard work, manual work, etc. So, this paper will be helpful to protect their intellectual property rights if it is infringed.

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[11] https://www.innovationnewsnetwork.com/rise-of-ai-most-influential-invention-ever/32458/; The rise of AI: Is it the most influential invention ever? [last viewed on 5.01.2025 - 2:07 pm]

[12] The Rise of Artificial Intelligence: Navigating the Future with Artificial Intelligence - https://www.devdiscourse.com/article/technology/2338982-the-rise-of-artificial-intelligence-navigating-the-future-with-ai [last viewed on 5.01.2025 - 5:20 pm]

[13] The Rise of Artificial Intelligence: Navigating the Future with Artificial Intelligence - https://www.devdiscourse.com/article/technology/2338982-the-rise-of-artificial-intelligence-navigating-the-future-with-ai [last viewed on 5.01.2025 - 5:20 pm]

[14] The Rise of Artificial Intelligence: Navigating the Future with Artificial Intelligence - https://www.devdiscourse.com/article/technology/2338982-the-rise-of-artificial-intelligence-navigating-the-future-with-ai [last viewed on 5.01.2025 - 5:45 pm]

THE COLLABORATION OF INTELLECTUAL PROPERTY RIGHTS WITH ARTIFICIAL INTELLIGENCE

In original, the intellectual property rights are various kinds. But it is going to discuss the collaboration of patent rights, copyrights with artificial intelligence. This also embraces the challenges that are faced by intellectual property rights in the era of artificial intelligence. As artificial intelligence is a programmed bot, it is also subjected to creation or invention with the enabled skills and knowledge of human beings. Intellectual property rights are dealing with the protection of one's own mind or work or invention. So, behind artificial intelligence, there is a mind which owns the creation by artificial intelligence. So, let us see how intellectual property rights work with artificial intelligence.

COPYRIGHT AND ARTIFICIAL INTELLIGENCE

Copyright means the original literary or artistic works of an author are protected in the name of copyright which prevents some other person from copying the original works. Copyright includes[15]:

- Original Literary, Artistic, Dramatic and Musical Works
- Cinematograph film
- Sound Recordings

Applications of artificial intelligence can produce creative and literary works on their own. The copyright system would be viewed as a tool for promoting and elevating human creativity above that of machines if AI-generated works were not eligible for copyright protection[16].

It should also be noted that there are difficulties in distinguishing works generated by humans and by machines. AI-generated works often arise because of collaboration between several humans and machine[17]. The copyright system as being associated with the human creative spirit for the encouragement of the expression of human creativity. In the 2011 CJEU case Painer[17], the Court held that "an intellectual creation is an author's own if it reflects the author's

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[15] Role of artificial intelligence in intellectual property rights - by Tarusha Mathur & Himanshu Morwal, Manipal University, Jaipur; Journal for law students and researchers, Volume 1, issue 1, 2019   ISSN[O]: 2582-306X; https://journaljlsr2019.files.wordpress.com/2019/11/role-of-ai-in-ipr.-docx.pdf [last viewed on 10.01.2026 - 10:45 am]

[16] WIPO Impact of Artificial Intelligence on IP Policy Response from Brunel University London, Law School & Centre for Artificial Intelligence Lead Author: Dr Hayleigh Bosher Co-Authors: Dr Olga Gurgula, Mr. Simon Stokes, Dr Faye Wang, Dr Paula Westenberger-https://www.wipo.int/export/sites/www/about-ip/en/artificial_intelligence/call_for_comments/pdf/org_brunel.pdf [last viewed on 10.01.25- 11:20 am]

[17] Painer (C-145/10) ECLI:EU:C: 2011:798, paras [88] – [92] [last viewed on 13.01.2025 - 12:30 pm]

personality. That is the case if the author was able to express his creative abilities in the production of the work by making free and creative choices…by making those various choices, the author of a portrait photograph can stamp the work created with his 'personal touch." This emphasizes the need for human personality input to the creation of copyright works[18].

In some jurisdictions, such as the UK, South Africa, Hong Kong, India, Ireland, and New Zealand, copyright ownership has already been provided to AI-generated works through protection for computer-generated works. The ownership of the copyright is granted to the person who set up the arrangements necessary for the creation of work[19]. Therefore, providing copyright protection to artificial intelligence generated works is still under debate. Because even artificial intelligence generated works are not autonomous of its creation, it created the work with collaboration of human intellects and their work.

In the case of *Burrow Gilles Lithographic Co V Sarony* granting of copyright protection to a product which is the result of a machine was discussed. The Court held that purely mechanical labor is per se, not creative. The Court here made the scope of protection of copyright narrow. In the context of this case, granting copyright for the works of Artificial Intelligence would be difficult[20].

In the case of *Bleistein V Donaldson Lithographing Co*, the Court distinguished between human work and artificial work. Justice Holmes, writing for the majority delineated the uniqueness of human personality and stipulated the same as a prerequisite to a copyright[21]. The Court made its stance clear by using the words 'something irreducible, which is one man's alone' which meant that there was no scope for anything that was not a product of man's creativity[22].

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[18] WIPO Impact of Artificial Intelligence on IP Policy Response from Brunel University London, Law School & Centre for Artificial Intelligence Lead Author: Dr Hayleigh Bosher Co-Authors: Dr Olga Gurgula, Mr. Simon Stokes, Dr Faye Wang, Dr Paula Westenberger-https://www.wipo.int/export/sites/www/about-ip/en/artificial_intelligence/call_for_comments/pdf/org_brunel.pdf [last viewed on 13.01.2025- 1:20 pm]
[19] WIPO Impact of Artificial Intelligence on IP Policy Response from Brunel University London, Law School & Centre for Artificial Intelligence Lead Author: Dr Hayleigh Bosher Co-Authors: Dr Olga Gurgula, Mr. Simon Stokes, Dr Faye Wang, Dr Paula Westenberger-https://www.wipo.int/export/sites/www/about-ip/en/artificial_intelligence/call_for_comments/pdf/org_brunel.pdf [last viewed on 20.01.2025- 2:20 pm]
[20] Burrow Gilles Lithographic Co V Sarony, 111 U.S 53 1884 [last viewed on 20.01.2025 - 6:20 pm]
[21] Bleinstein V Donaldson Lithographing Co, 188 U.S 239 1903 [last viewed on 20.01.2025 - 7:20 pm]
[22] Alfred Bell and Co V Catalda Fine Arts, Inc 191 F.2d 99 (2d Cir. 1951) [last viewed on 22.01.2025- 7:50 pm]

PATENT AND ARTIFICIAL INTELLIGENCE

A patent is an exclusive right granted for an innovation that generally provides a new way of doing something or offers a new technical solution to a problem. The exclusive right legally protects the invention from being copied or reproduced by others. In return, the invention must be disclosed in an application in a manner sufficiently clear and complete to enable it to be replicated by a person with an ordinary level of skill in the relevant field[23]. A patent is an intellectual property (IP) right for a technical invention. It allows you to prevent others from using your invention for commercial purposes for up to 20 years[24].

The ingredients of Patent are[25]: □

- Novelty □
- Inventive Step □
- Industrial Use

The International Convention for protection of Industrial Property, The General Agreement on Tariffs and Trade (GATT) and Trade Related Aspects of Intellectual Property Rights (TRIPS) agreements have come forward to harmonize law of patents and other forms of intellectual property[26]. Artificial intelligence can make inventions with the aid of human instructions. But if an invention needs to be protected under the patent law, the work should fulfill the conditions such as novelty, inventive step and industrial step. Novelty means the work should have uniqueness. In the case of artificial intelligence, it is doubtful, because it is a human fed machine which cannot make a work with uniqueness. It will refer to the previous information fed by humans and give an output in accordance with the information it has learnt previously. Inventive step means the work should have some creativity. So, in the work of artificial intelligence, novelty is questionable then definitely inventive step can be questioned. Novelty and inventive steps are important attributes for an invention to be patentable. The court in Yeda

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[23] IP A Primer for Academia by Prof. Rupinder Tewari Ms. Mamta Bhardwaj [last viewed on 22.01.2025- 8:30 pm].

[24] Role of artificial intelligence in intellectual property rights - by Tarusha Mathur & Himanshu Morwal, Manipal University, Jaipur; Journal for law students and researchers, Volume 1, issue 1, 2019   ISSN[O]: 2582-306X; https://journaljlsr2019.files.wordpress.com/2019/11/role-of-ai-in-ipr.-docx.pdf [last viewed on 22.01.2025 - 10:00 pm]

[25] Role of artificial intelligence in intellectual property rights - by Tarusha Mathur & Himanshu Morwal, Manipal University, Jaipur; Journal for law students and researchers, Volume 1, issue 1, 2019   ISSN[O]: 2582-306X; https://journaljlsr2019.files.wordpress.com/2019/11/role-of-ai-in-ipr.-docx.pdf [last viewed on 23.01.2025 - 10:00 pm]

[26] Role of artificial intelligence in intellectual property rights - by Tarusha Mathur & Himanshu Morwal, Manipal University, Jaipur; Journal for law students and researchers, ISSN[O]: 2582-306X; https://journaljlsr2019.files.wordpress.com/2019/11/role-of-ai-in-ipr.-docx [last view on 23.01.2025-10:00pm]

emphasized that it is not sufficient to merely contribute to the claims, because the claims may include non-patentable elements derived from the prior art[27]. In future artificial intelligence will be at an advanced level. So, it is important to provide guidelines or legal framework regarding the creation of AI-generated works.

INTERNATIONAL INSIGHTS

Worldwide, the amount of Intellectual property is increasing. Patent submissions increased 7.8% between 2014 and 2015, as per the World Intellectual Property Organization. The increase in filings has been going on for nearly 20 years. As a result, intellectual property tools and information are expanding. Finding useful data in such a large volume of information has become exceedingly challenging. Traditionally, searches were conducted physically, with static search engines serving as the only aid. Artificial Intelligence can also be utilized to gain insights into a certain geographic or sectoral industry[28].

- **UNITED KINGDOM**

Intellectual Property (IP) plays a significant part in building a successful business by rewarding people for inventiveness and creativity and enabling innovation. Intellectual property supports business growth by incentivizing investment, safe-guarding assets and enabling the sharing of know-how.

The Intellectual Property Office (IPO) recognizes that AI researchers and developers need the right support to commercialize their intellectual property and helps them to understand and identify their intellectual assets, providing them with the skills to protect, exploit and enforce their rights to improve their chances of survival and growth.

The consultation, on copyright areas of computer-generated works and text and data mining, and on patents for AI devised inventions, will be launched before the end of the year so that the UK can harness the opportunities of AI to further support innovation and creativity[29].

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[27] Rhone-Poulenc Rorer International Holdings v Yeda Research and Development Co. [2007] UKHL 42, [20].[last view on 23.01.2025 – 11:45pm]

[28] IP RIGHTS IN THE ERA OF AI: A STUDY REFLECTING CHALLENGES IN INDIA AND INTERTIONAL PERPECTIVE Mr. Sanjeev Ghang hash Assistant Professor of Law, School of Law, Galgotias University Greater Noida, Uttar Pradesh, India [last viewed on 24.01.2025 - 10:06 am]

[29] National AI Strategy Version 1.2 Presented to Parliament by the Secretary of State for Digital, Culture, Media and Sport by Command of Her Majesty https://assets.publishing.service.gov.uk/media/614db4d1e90 e077a2cbdf3c4/National_AI_Strategy_-_PDF_version.pdf [last viewed on 24.01.2025- 11:30 am]

- **UNITED STATES OF AMERICA**

The Copyright Act in USA protects original expression and not the ideas behind those expressions. In the case of protection of artificial intelligence data, there is no particular provision that has been provided but the Act states that copyright requires 'an original work of authorship'. The author has been interpreted through the US courts as a person or human being and thus while using AI, for any copyright protection, there should be human contribution in creative process. The AI being used is regarded as a tool for the process of copyright[30].

- **JAPAN**

The government's latest IP promotion blueprint states that measures will be devised to tackle copyright infringement linked to generated AI technology, signaling a policy shift from promoting AI to restricting the technology[31].   According to Japan's current copyright law, copyrighted works can be used for AI training without the permission of copyright holders[32].

- **CHINA**

A court in Shenzhen, China, has ruled that an AI-based article has Copyright Protection. With this ruling, China has become one of the most prominent jurisdictions in the world for the protection of AI-based works with copyright. It is indeed the very first instance revolving around a copyrighted work authored by a sophisticated AI[33].

SUGGESTIVE MEASURES

First, artificial intelligence is a boon to our society, but the question is whether humans are ready to such level of advancements. To get ready with such a level of advancements, artificial intelligence must be recognized in every part of the world, still all countries do not recognize their existence. To make them recognize, there must be some international conference or any awareness to the people regarding using artificial intelligence.

Second, when it comes to the use of artificial intelligence in the field of intellectual property

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[30] IP RIGHTS IN THE ERA OF AI: A STUDY REFLECTING CHALLENGES IN INDIA AND INTERTIONAL PERPECTIVE Mr. Sanjeev Ghang hash Assistant Professor of Law, School of Law, Galgotias University Greater Noida, Uttar Pradesh, India [last viewed on 24.01.2025 - 1:06 pm]

[31] Intellectual Property Plan Signals Reversal on AI Policy- https://japannews.yomiuri.co.jp/politics/politics-government/20230610-115423/ [last viewed on 24.01.2025- 1:30 pm]

[32] Japan revises IP promotion blueprint policy on AI - https://dig.watch/updates/japan-revises-ip-promotion-blueprint-policy-on-ai [last viewed on 24.01.2025- 1:55pm]

[33] Chinese Court Says AI-Based Article Has Copyright Protection- https://www.kashishworld.com/blog/ Chinese-court-says-ai-based-article-has-copyright-protection/ [last viewed on 25.01.2025- 3:20pm]

rights there must be collaboration with human fed information. Artificial intelligence work shall not be autonomous because its creation is based on the information fed by human beings. So, there must be recognition for the artificial intelligence generated work with human interference in the form of collaboration. A collaborated copyright or patent should be granted then the work of both human and artificial intelligence is valued.

Third, guidelines or legal framework should be provided for the work generated by artificial intelligence. So that it would be better if such guidelines or rules are framed at an international level, and it must be properly implemented in all countries. In the case of criminal liability in the inventions of artificial intelligence, doubtful, who will be held liable for the legal wrong. So, legal framework is required to be framed at any cost.

Fourth, a specific test must be formulated which can differentiate between artificial intelligence created works and artificial intelligence aided works. The accurate intellectual property holder can be determined, thereon. The World Intellectual Property Organization (WIPO) has already taken cognizance of the upcoming issues with AI and the same has been discussed through various means, however, proper policy should be formulated at an international level.

CONCLUSION

The current position of artificial intelligence under international is problematic, wherein, recognition of work generated by artificial intelligence is a step towards the future, but its implementation is the real problem. The authors suggest the following to help ameliorate the same. Technology has been advancing day by day. Humans are making efforts every day to make life easier. This generation is witnessing a great dependence of humans on machines. They are not able to do without machines. Machines have become a part and parcel of life. Life is incomplete without technological dependency in today's time. Artificial Intelligence occupies a special position among machines. Such systems make inventions which cannot be made by the work of humans independently possible. They literary works should be given copyright protection. Who should be granted such protection – the system or the creator is also a controversial matter. Fixing criminal liability should also be done properly. Laws should be framed regarding Artificial Intelligence and protection of the inventions and works done by them. The state of Artificial Intelligence with reference to Intellectual Property Rights is presently not clear.