
1、关于“人工智能生成发明”的定义:

议题 1 之前建议增加:“人工智能生成发明如何界定? 人类与人工智能应用合作完成的发明是否适用本草案中的‘人工智能生成发明’?”

1. On definition of "AI-generated inventions":

Before Topic 1, it is suggested to add: "How to define AI-generated inventions? Is "AI-generated inventions" in this draft applicable to an invention jointly made by human and AI applications?"

2、关于人工智能生成发明和作品的所有权:

议题 1 中建议增加:“对于人工智能生成发明,其专利申请人/专利权人是否应当为人工智能技术/能力(例如,图像识别能力,语音识别能力,自然语言处理能力)的提供者?”

议题 6 中建议增加:“对于人工智能生成的作品,版权所有人是否应当为人工智能技术/能力(例如,图像识别能力,语音识别能力,自然语言处理能力)的提供者?”

2. On ownership of AI-generated inventions and works:

In Topic 1, it is suggested to add: "For AI-generated inventions, should the patent applicant/patentee be the provider of AI technology/capabilities (e.g., image recognition capability, voice recognition capability, natural language processing capability)?"

In Topic 6, it is suggested to add: "For AI-generated works, should the copyright owner be the provider of AI technology/capabilities (e.g., image recognition capability, voice recognition capability, natural language processing capability)?"

3、关于专利的公开:

议题 4 中建议增加:“公开或说明训练算法所使用的数据是否应当仅限于在各国专利法规要求披露最佳实施方式的情况下?”

3. On disclosure of patent:

In Topic 4, it is suggested to add: "Should disclosure or specification of data used for algorithm training be limited to the disclosure of the Best Mode required by national patent laws and regulations?"

4、关于人工智能产生发明、外观的保护期限:

议题 1 中建议增加:“如果人工智能生成发明可以受到专利保护,保护期限上是否需要有特殊的规定?”

议题 11 中建议增加:“如果人工智能生成外观设计可以受到专利保护,保护期限上是否需要有特殊的规定?”

4. On the protection duration of AI-generated inventions/designs:

In Topic 1, it is suggested to add: "If AI-generated invention could be protected by patent, is it necessary to make special provisions for its protection duration?"

In topic 11, it is suggested to add: "If AI-generated design could be protected by patent, is it necessary to make special provisions for its protection duration?"

5、关于专利的保护客体:

议题 2 中建议增加:“为鼓励人工智能行业的快速发展,人工智能基础算法是否应排除在可专利保护客体之外?”

5. On patent subject matter:

In Topic 2, it is suggested to add: "To encourage a boom in the AI industry, should the basic algorithms of AI be excluded from patent-eligible subject matter?"

6、关于专利的创造性:

议题 3 中建议增加:“人工智能相关发明在新兴领域和传统领域应用中,创造性的判断尺度是否应有所不同?”

6. On patent inventiveness:

In Topic 3, it is suggested to add: "Should different judgment scales of inventiveness be adopted for the application of AI-related inventions in emerging and traditional fields?"