

NATIONAL AI STRATEGIES

1. Does your country have a national/regional AI strategy in place?

No

Yes

Draft/proposed only

Do not know

2. If so, does the AI strategy identified in Q1 consider IP?

No

Yes

Draft/proposed only

Do not know

3. Please provide details of the AI strategy identified in Q1 (name, short description, year, URL, responsible organization name and, if relevant, its relation to IP).

Name : National Strategy for Artificial Intelligence

Short Description :

- ① Create an AI ecosystem (Building AI infrastructure, gaining AI technology competitiveness, implementing bold regulatory reform and policy maintenance, supporting AI startup)
- ② Become a nation that thoroughly utilizes AI (Fostering AI talent and AI education for citizens, utilizing AI across industries, realizing a first-rate digital government)
- ③ Become nation with human-centered AI (building an inclusive job safety net, prevent adverse use and create AI ethics system)

Year : December 2019

Responsible Organization : Government of Republic of Korea

Relation to IP : AI Patent system and data establishment , AI patents analysis, etc.

AI AND IP LEGISLATIVE MEASURES

4. Does your country have any measures/provisions in its IP framework that were specifically enacted for AI (an example would be a modification of copyright law for computer generated works)?

No

Yes

Draft/proposed only

Do not know

5. Please provide details of the relevant legislative measures/provisions identified in Q4 (name, section, short description, year and URL).

6. Is there any case law relevant to AI and IP in your country/region?

No

Yes

Do not know

7. Please provide details of the decision(s) relating to Q6 (name, short description of subject matter, year and URL).

EXAMINATION GUIDELINES

8. Has your country's IP office (or other IP registration body) amended its examination guidelines and procedures due to AI-related inventions or works?

No

Yes

Draft/proposed only

Do not know

9. Please provide details of the relevant guidelines and sections identified in Q8 (name, short description, year and URL)

While needing a specific definition of "AI-related inventions or works," this response pertains to inventions that use AI and excludes inventions created by AI.

March 2019 : As the examination criteria for computer-related inventions were amended, it has been specified that AI-related invention examinations shall follow the examination criteria of computer-related inventions.

October 2019 : Cases of judgement on the patentability (novelty, etc) of AI-related inventions were added.

2020 : Supplementation for AI-related inventions examination cases and criteria is planned.

DATA RIGHTS

10. Does your country/region have any legislative measures/provisions for database rights?

No

Yes - enacted law

Draft/proposed law only

Do not know

11. Please provide details of the relevant legislative measures/provisions identified in Q10 (name, short description, year and URL).

12. Does your country recognize any rights or ownership in data?

No

Yes

Draft/proposed only

Do not know

13. Please provide details of the relevant legislative measures/provisions identified in Q12 (name, short description, year and URL).

14. Does any AI strategy identified in Q1 or other strategy consider data and any creation of a *sui generis* right for data and/or databases?

No

Yes

Draft/proposed only

Do not know

15. Please provide details of the data strategy identified in Q14 (name, short description, year, URL and responsible organization name).

OTHER AI AND IP RELATED INFORMATION

16. Please provide details of any other related processes related to AI/data and IP undertaken in your county/region, for example, public consultation processes, guidance notes for legislative interpretation, policy guidance, communications, working groups, etc. (name, short description, year and URL).

The Presidential Council on intellectual Property will assemble and operate a special committee on AI-IP with plans to examine issues on AI and IP.