

'As AI Tech Proliferates, India Should Update its Patent Laws'

TCS, CII report says current IP laws can't deal with heuristic systems like AI

Our Bureau

Mumbai: The increased proliferation of artificial intelligence (AI) globally requires new policies for the enforcement of intellectual property rights, according to a joint report by India's largest software services exporter Tata Consultancy Services and the Confederation of Indian Industry. "Current patent laws treat AI software inventions as logical algorithms implemented on the computer. While patent eligibility of algorithms is valid, there is little about how to deal with inventions that are heuristic in nature," it said.

In AI, a 'heuristic' is a technique

used to solve a problem faster than classic methods.

Software is no longer limited to traditional rule-based systems and has increasingly turned heuristic, showing higher intelligence than rule-based systems, it said.

Currently, patent law states that someone, typically a natural person (in legal terms, individual, rather than one associated with a private or public body) who merely applies the

logic to make something workable cannot be an inventor.

However, machines are increasingly deriving solutions to problems independently or in conjunction with a natural person, which has brought into question the definition of a 'natural person'. This is a problem that may have to be addressed by state laws and by enterprises, the report stated.

