From:	Alève Mine <info@alevemine.com>
Sent:	Monday, December 16, 2019 5:21 PM
To:	aipartnership
Subject:	Your questions

Dear Sirs

Please find below in CAPITALS my answers to your questions on https://www.govinfo.gov/content/pkg/FR-2019-10-30/pdf/2019-23638.pdf

1. Should a work produced by an AI
algorithm or process, without the
involvement of a natural person
contributing expression to the resulting
work, qualify as a work of authorship
protectable under U.S. copyright law?
Why or why not? NO IT SHOULD NOT. BECAUSE IT IS NOT HUMAN.
2. Assuming involvement by a natural
person is or should be required, what
kind of involvement would or should be
sufficient so that the work qualifies for
copyright protection? For example,
should it be sufficient if a person (i)
designed the AI algorithm or process
that created the work; (ii) contributed to
the design of the algorithm or process;
(iii) chose data used by the algorithm for
training or otherwise; (iv) caused the AI
algorithm or process to be used to yield
the work; or (v) engaged in some
specific combination of the foregoing activities? Are there other contributions
a person could make in a potentially
copyrightable AI-generated work in
order to be considered an ''author''? NO. IN NONE OF THE ABOVE CASES. BECAUSE THEY HAVE
CREATED OR USED A TOOL OR PROCESS, OR POSSIBLY CURATED, NOT CREATED THE WORK
ITSELF
3. To the extent an AI algorithm or
process learns its function(s) by
ingesting large volumes of copyrighted
material, does the existing statutory
language (e.g., the fair use doctrine) and
related case law adequately address the
legality of making such use? Should
authors be recognized for this type of
use of their works? If so, how? AS EXPLAINED ABOVE, THE INITIAL AUTHORS ARE THE AUTHORS,
AND NOT ONLY ARE THEY OWED RETURNS, THEY ALSO HAVE A SAY IN THEIR WORKS OR
LIKENESS BEING USED IN SUCH WAYS. HOW? I LEAVE THAT TO YOU.

4. Are current laws for assigning
liability for copyright infringement
adequate to address a situation in which
an AI process creates a work that
infringes a copyrighted work? I DON'T KNOW CURRENT LAWS WELL ENOUGH TO ANSWER

5. Should an entity or entities other
than a natural person, or company to
which a natural person assigns a
copyrighted work, be able to own the
copyright on the AI work? For example:
Should a company who trains the
artificial intelligence process that
creates the work be able to be an owner? ASSUMING MY ABOVE SUGGESTIONS MAKE THIS
QUESTION REFER TO AN IMPOSSIBLE SITUATION. EITHER WAY, NO, ABSOLUTELY NOT.

6. Are there other copyright issues
that need to be addressed to promote the goals of copyright law in connection
with the use of AI? MAY BE.

7. Would the use of AI in trademark
searching impact the registrablity of
trademarks? If so, how? YES: IT WOULD WIDEN THE ALREADY EXISTING GAP BETWEEN LARGE
COMPANIES AND SMALLER ONES OR INDIVIDUALS IN THE ABILITY TO PROTECT THEIR IP.

8. How, if at all, does AI impact
trademark law? Is the existing statutory
language in the Lanham Act adequate to
address the use of AI in the
marketplace? I AM NOT INFORMED ENOUGH TO ANSWER.

9. How, if at all, does AI impact the
need to protect databases and data sets? IT MAKES IT MORE URGENT AND VITAL.
Are existing laws adequate to protect
such data? PROBABLY NOT.

10. How, if at all, does AI impact
trade secret law? Is the Defend Trade
Secrets Act (DTSA), 18 U.S.C. 1836 et
seq., adequate to address the use of AI
in the marketplace? I AM NOT INFORMED ENOUGH ABOUT LAW TO ANSWER THE FIRST. AND IT IS
PROBABLY NOT ADEQUATE.

11. Do any laws, policies, or practices
need to change in order to ensure an
appropriate balance between
maintaining trade secrets on the one
hand and obtaining patents, copyrights,
or other forms of intellectual property
protection related to AI on the other? YES.

12. Are there any other AI-related
issues pertinent to intellectual property
rights (other than those related to patent
rights) that the USPTO should examine? LIKELY.

13. Are there any relevant policies or
practices from intellectual property
agencies or legal systems in other
countries that may help inform

USPTO's policies and practices
regarding intellectual property rights
(other than those related to patent
rights)? POSSIBLY.

Regards
Alève Mine