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WIPO CONVERSATION ON INTELLECTUAL PROPERTY (IP) AND FRONTIER TECHNOLOGIES

Ninth Session
Geneva, March 13 and 14, 2024

PROVISIONAL PROGRAM

prepared by the International Bureau of WIPO

Wednesday, March 13, 2024

- 10.00 – 10.10 **Opening**
- 10.10 – 11.30 **Panel 1: Walking in each other's shoes – bringing together the different views**
- This high-level panel brings together diverse perspectives in the evolving landscape of AI, creativity, and intellectual property. It will illuminate the complexities and potential tensions arising at the intersection of AI development, artistic creation, and the new balance they seek.
- 11.30 – 12.00 **Fireside chat: The Neuroscience of Learning**
- Neuroscience research reveals that learning is a physical, biological, energy-dependent activity. It responds to sensory inputs and stimuli from the environment, triggering changes in the neuronal connections (synapses) and the functioning of neural networks (interconnections of many neurons through synapses). The structure of artificial neural networks is inspired by the human nervous system. In dialogue between a neuroscientist and a computer scientist, this fireside chat will explore the world of human and AI creativity. With a focus on the cognitive process and its components, including information processing, learning, consciousness, and decision-making, the speakers will explore parallels between human and artificial intelligence learning mechanisms.
- 12.00 – 12.30 **Presentation: Training data 101**
- Training data is the fuel that powers the AI steam engine. Why is it important, and how does training data enable AI systems to generate insights? This presentation will provide a general overview before diving into some of the technical aspects relevant to the ongoing IP discussions including machine unlearning.
- 12.30 – 13.00 **Presentation: Fair compensation for creatives**
- This presentation will explore how fair compensation for creators could be defined, and how such remuneration could be collected and distributed.
- 13.00 – 15.00 **Lunch break**
- 15.00 – 16.00 **Panel 2: The current IP state of play: Training data containing copyright-protected works**
- This panel will provide a deep dive into copyright and training data. It will focus on existing copyright limitations and exceptions, such as text and data mining provisions, the doctrine of fair use, and other approaches. The discussion will address how these provisions impact innovation, research, and collaboration, highlighting both the opportunities and challenges within this regulatory landscape.
- 16.00 – 16.30 **Panel 2: Moderated Q&A and discussion**

16.30 – 17.30 **Panel 3: Does litigation really solve everything? A litigation tracker**

As text and data mining (TDM) continues to evolve and disrupt various industries, it has also found itself at the center of legal disputes and IP challenges. In this session, the panelists will analyze the specifics of ongoing or recently concluded court cases that involve TDM.

It will examine the arguments in the currently pending litigation matters. Drawing on past experiences from technology challenging copyright such as the streaming disputes to look at how litigation as resolved in the past and lessons that may apply to generative AI's use of scraped data. The panel will also ask in what circumstances litigation may be a good option and the potential remedies Courts could consider in the age of Generative AI.

17.30 – 17.55 **Panel 3: Moderated Q&A and discussion**

17.55 – 18.00 **Close of Day 1**

Thursday, March 14, 2024

10.00 – 10.05 **Opening of Day 2**

10.05 – 11.00 **Panel 4: Can regulation keep up? Navigating the evolving regulatory landscape**

This panel will discuss the emerging legal frameworks and the approach they are taking to training data and copyright. The EU AI Act is likely to become the first regulation. Other countries are also exploring legislative options. The conversation will also ask whether regulatory frameworks can be shaped to keep pace with the ever-evolving AI and training data.

11.00 – 11.20 **Panel 4: Moderated Q&A and discussion**

11.20 – 11.40 **Presentation: Can contractual frameworks mitigate the IP risk until regulation catches up?**

Data poses a legal conundrum as it is unclear what rights exist in data and concepts range from ownership to control. At the same time, companies and creators face significant IP risks. There are ongoing global efforts to shape framework contract agreements. Can they fill the gap?

11.40 – 12.40 **Panel 5: Shaping a possible way forward: New approaches for the new AI age**

Training data poses a copyright conundrum. On one hand copyright owners have the right to control access to their work and to receive fair compensation. On the other hand, the development of accurate, unbiased AI models requires access to large amounts of data and civil society is adopting AI tools at an exponential pace. Creators and AI companies are looking to shape new solutions in shaping a way forward. This panel aims to brainstorm potential solutions that may allow creators

to retain control over their works and to provide access to training data for AI innovators.

The discussion will highlight potential evolutions in licensing frameworks, collaborative approaches, lessons learnt from copyright levy schemes and the advancement of technological measures. It will also highlight the potential challenges faced by these new approaches. The discussion will emphasize the crucial role of human creators in ensuring diverse and representative AI outcomes.

12.40 – 13.00

Panel 5: Moderated Q&A and discussion

13.00 – 15.00

Lunch break

15.00 – 15.15

Presentation: Generative AI, training data and innovation - how large language models are acceleration scientific break throughs.

The GenAI debate currently centers on copyright owners and AI developers as the technology is having a significant impact on content generation. While much of the IP debate is around generative AI producing text, music and images, GenAI and large language models are poised to impact the innovation space in the next few years and speeding up scientific breakthroughs. What are the touch points between training data and innovation?

15.15 – 15.35

Presentation/Fireside chat: WIPO GenAI Guiding Principles

Generative AI is adopted widely by organizations and businesses, but it is clear that there are many IP uncertainties. WIPO has released a short document of guiding principles to assist organizations navigating this complex space.

15.35 – 16.50

Sharing session

Open floor interventions and discussion: exchange of current practices between IP Offices and Member States in the area of training data.

16.50 – 17.45

Open floor interventions

Having heard from IP Offices, Member States, innovators, and IP professionals, what are your views? Bringing together the widest set of stakeholders, the open floor provides a forum to bring together global and diverse views.

17.45 – 18.00

Closing remarks

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