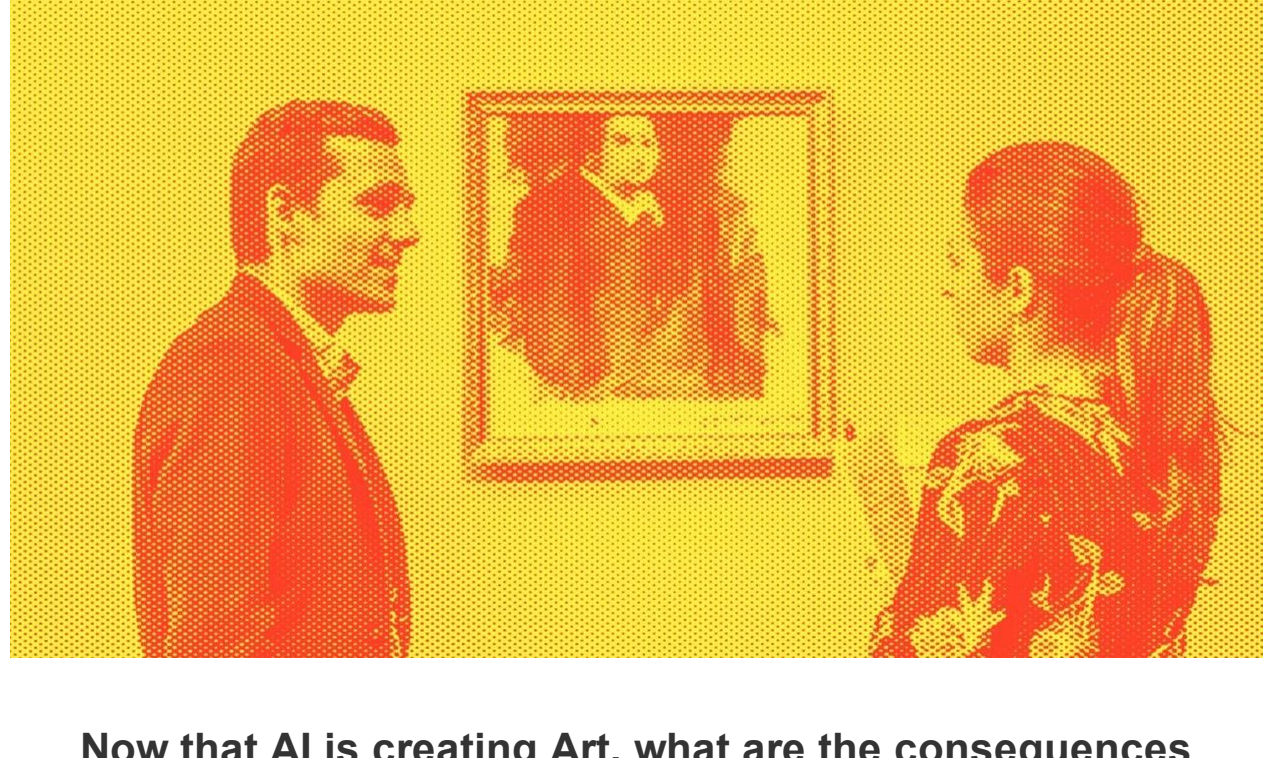


FEATURE POSTS



Now that AI is creating Art, what are the consequences on Copyright Law?

July 29, 2020 by Joaquin Francis Arias

Until recently, art has been considered a uniquely human phenomenon. Creativity, more generally, was perhaps *homo sapiens* most defining characteristic. This seemingly secure axiom began to collapse in the 1950s, when Artificial intelligence (AI) [budded within the field of computer science](#). Through the creation of AI, humans have transferred the locus of creativity outside of their bodies. Creativity is no longer confined to the space between our ears.

Initially, [AI progress](#) was sluggish, leading to an “AI winter” during most of the 20th century. Only in the 1990 did AI development begin to [accelerate again](#). The exponentially increasing digitization and creation of data during the 2010s has further aided AI development, which relies on massive datasets to train burgeoning AIs. Although there are significant limits to the degree of creativity that machines can formulate, these limits are being rapidly expanded. AI’s recent contribution to art is a revealing development.

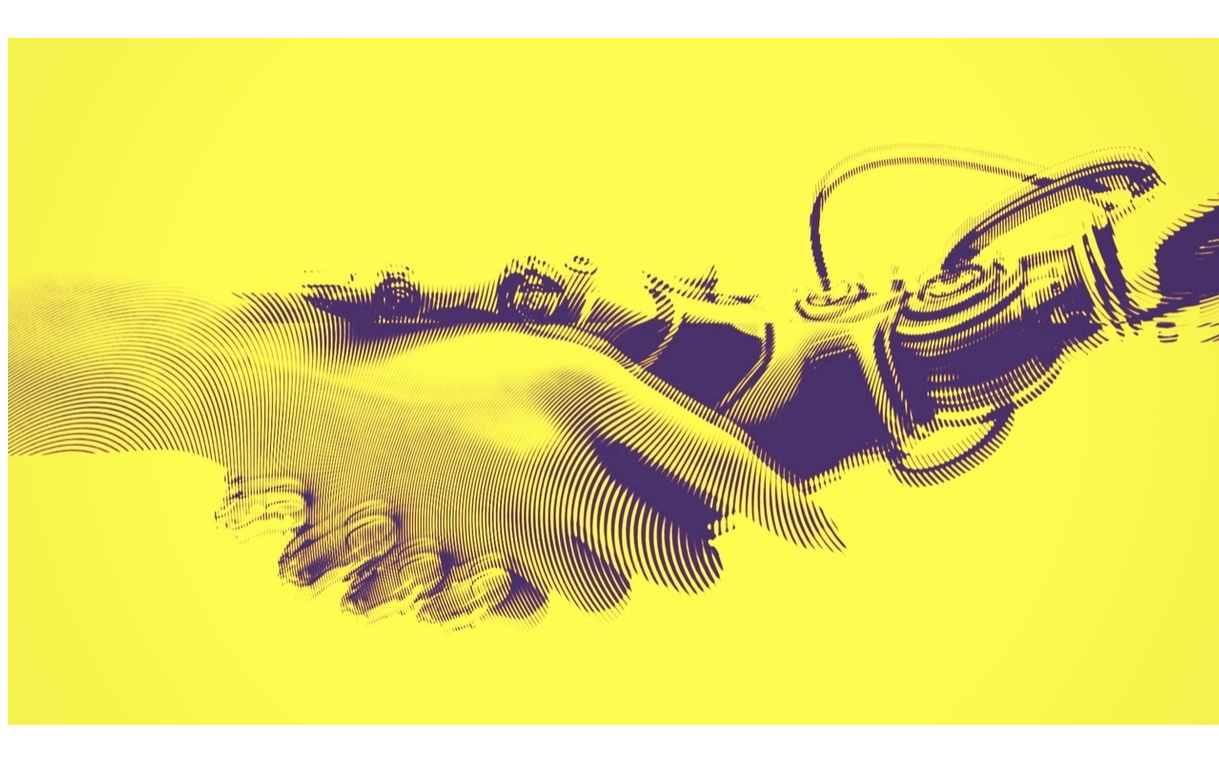
Written by Joaquin Francis Arias. Joaquin is a contributing IPilogue editor, President of Osgoode’s Legal Entrepreneurs Organization and IP Osgoode Innovation Clinic Fellow.

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LATEST POSTS



Determining Liability for AI Generated Works

July 28, 2020 by Eniola Olawuyi

Much of the discussion on artificial intelligent (AI) generated works have been based on ownership and ownership rights to the works generated by AI and not focusing on the liability obligations of AI generated works.

One main issue that centers around this discussion is whether the legislature or the courts will take the lead in developing new guidance for AI-generated works. In order to fully clarify liability obligations for AI generated works, the best option will be for individuals and entities to have contractual provisions “[which covenant that the technology will operate as intended, and that if unwanted outcomes result then contractual remedies will follow](#)”. These contractual provisions would help them limit their liability exposures from AI generated works.

Written by Eniola Olawuyi, an LLM student at Osgoode Hall Law School studying Intellectual Property Law.

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To search or not to search? Business perspective on patent searches

July 30, 2020 by Alex Levin

“Startuping” is never easy. A significant investment is required for results that are not guaranteed. However, [competitive research](#) – which in the technical domain translates to patent research – can save a great deal of time, cost, and effort.

Consider X. X has an engineering degree and works for the automotive industry. X also enjoys cooking. Once, preparing a Thanksgiving turkey, X places it in the oven for about eight hours. The constant watching, basting, and turning process is daunting. X, being an engineer, approaches this as an engineering problem and comes up with a solution – a new device, one that will be able to reduce fowl cooking time by about 50%. X thinks about starting a new business making the devices and selling through online platforms and dedicated cooking stores in North America and Europe – everywhere there is a habit of cooking whole fowl. X plans to manufacture the devices in China and ship them by sea.

X is considering securing investment and is concerned with counterfeiting. As a remedy, X decides to file a patent.

Written by Alex Levin, an Osgoode Hall Law School LLM in IP 2020 Candidate and a managing partner of [Levin Consulting Group](#).

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Space Force vs Space Force: A Race to Licensing

July 27, 2020 by Nadim Dabbous

The United States military’s first “space” battle might be against a Fortune 500 company. Netflix’s recent series “Space Force” is based on the United States Arms Forces’ newest branch of the same name. While Donald Trump [announced](#) in 2018 the formation of Space Force as part of the military, Netflix has since managed to [secure](#) the trademark rights for the use of the title “Space Force” around Europe, Central America and Asia for merchandising purposes.

A potential legal battle is set to ensue between Netflix and the US government in securing the rights of “Space Force” at home. While the government does have a pending licence currently on hold with the USPTO, it seems that Netflix could potentially win a contest with the government. However, it would be in the interest of the military to pursue the licensing of “Space Force” before Netflix beats them to it.

Written by Nadim Dabbous. Nadim is an incoming JD/MBA student at Osgoode Hall Law School.

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IP Picks of the Week

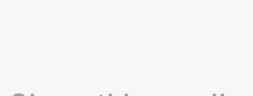
Last week TikTok and the US-based National Music Publishers’ Association (NMPA) [announced the signing of a multi-year licensing agreement](#). The music industry and collecting societies for rights in musical works have been trying to negotiate agreements with the social media platform, threatening legal action against TikTok for copyright infringement.



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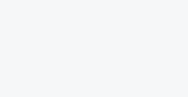
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