

Research and study on how inventions should be protected in light of advances in AI technology

In recent years, in response to the rapid progress in generative AI represented by OpenAI's ChatGPT, issues in the patent system and examination practice are being examined with a view to expanding the use of AI in the creation process. In this study, the current technical level of AI used in the invention creation process was ascertained, and issues and countermeasures concerning the state of invention protection were organized based on the opinions of experts. Furthermore, the study predicted the future technological level and analyzed the challenges and countermeasures envisaged for the future. As a result, the problems that will emerge as a result of the use of AI can be broadly classified into cases where existing problems are extended or contributed to (description requirements, novelty and inventive step) and problems specific to AI (applicability to invention, eligibility of inventors), but as none of these have emerged at present and none are expected to emerge in the near future, the need for legal amendments, etc. at present is considered low. Therefore, it is considered that there is little need to amend the law at the present time.