

Kathi Vidal Discusses First Artificial Intelligence Patent Filings with Law360



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This month, the first patents were filed for inventions developed by artificial intelligence (AI) in the U.S., U.K. and Europe, raising questions about how international agencies define inventorship. Seeing as U.S. and international patent laws refer to inventors as an “individual” or a “natural person,” these filings raise questions for patent offices, Congress and the courts.

Kathi Vidal, patent litigator and Silicon Valley office managing partner, argues that this issue requires legislative change. She elaborates that this is “not a decision that I think should rest in the patent offices...It’s something where we need everybody to come forward and bring the best minds to the table and try to sort out the right balance in our patent laws.”

While none of the patent offices have commented on the filings specifically, U.S. Patent and Trademark Office Director Andrei Iancu recently stated that the rise of AI has caused the office to consider whether or not the legal concepts of an “inventor” need to be changed.

If laws are changed and AI is allowed to patent its inventions, it could have significant ramifications. According to Kathi, powerful AI could prevent humans from obtaining patents by patenting so many different ideas that “it has the potential of really locking up a lot of technology.”

[Read the full Law360 article](#) for more on the concerns raised by these filings (subscription required).

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