



Group Intellectual Property

Seminario Internacional de Propiedad Intelectual

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Asunción

October 23, 2019

AI Relevance





AI Drivers



- Technological progress, in particular enhancements in systems and components



- Sophistication of machine-learning algorithms
- Exponential increase of data available to train algorithms



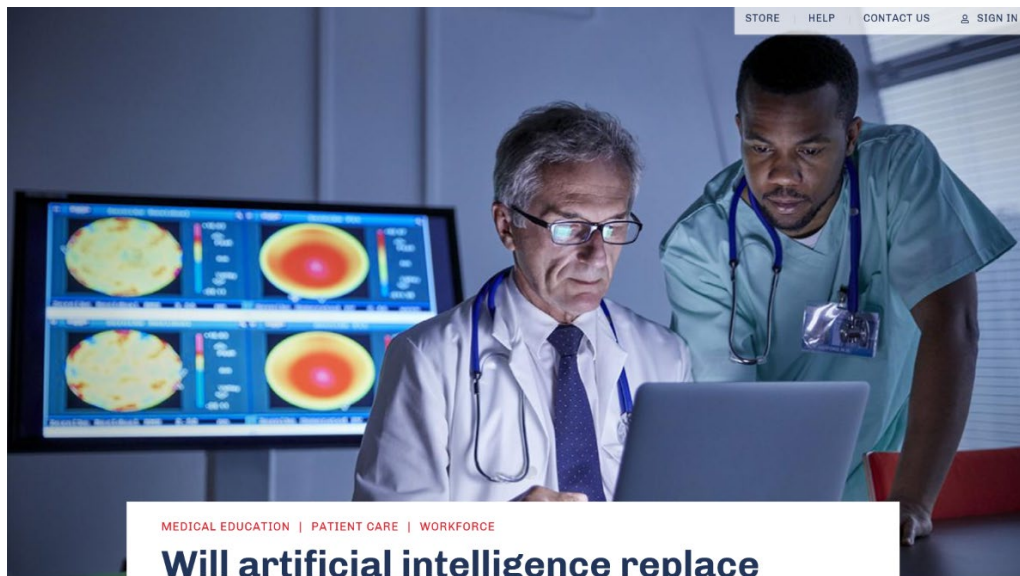
- Further increase in computing power

AI Potential

- Certain categories of activities are more easily automatable than others:
 - Tasks related to physical activities in highly predictable and structured environments,
 - Data collection and
 - Data processing.
- These tasks account for approximately half of the activities that people do across all sectors.
- It is expected that 30% of all activities in 60% of all occupations can be automated.
- The nature of most occupations will change.
- The least prone categories include people management, providing expertise, and interfacing with stakeholders.



Source: <https://www.mckinsey.com/featured-insights/future-of-work/ai-automation-and-the-future-of-work-ten-things-to-solve-for>



MEDICAL EDUCATION | PATIENT CARE | WORKFORCE

Will artificial intelligence replace doctors?

KEN BUDD, SPECIAL TO AAMCNEWS

JULY 9, 2019

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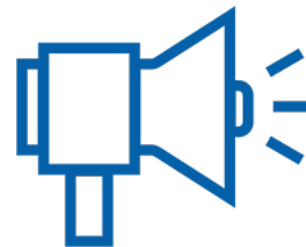
Several new studies have shown that computers can outperform doctors in cancer screenings and disease diagnoses. What does that mean for newly trained radiologists and pathologists?

<https://www.aamc.org/news-insights/will-artificial-intelligence-replace-doctors>



AI challenges

- Technical feasibility
- Legal uncertainty
- Risks and danger mitigation
- Labor-market dynamics
- Workplaces and workflows
- Education and skills
- Social norms and acceptance
- Change management



The cultural change



Often enough management invests considerable resources aiming at specific projects. HBR has identified three main shifts that need to take place:

- Siloed work → interdisciplinary collaboration
- Experience-based, leader driven decision making → data driven decision making
- Rigid and risk adverse → agile, experimental and adaptable

Source: Harvard Business Review, July-August 2019, Building the AI-Powered Organization, Tim Fountaine, Brian McCarthy and Tamin Saleh, p. 62

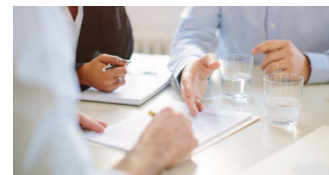
Three major drivers for change in the pharmaceutical industry

- Technology:
 - Health systems will be impacted by new technologies
- Biomedical Innovation:
 - New understanding of biology and therapeutics
- Pricing:
 - Pressure on stakeholders in the health systems
 - New ways of defining prices of medicines
 - Quality of life
 - Cost-efficiency



Who will succeed?

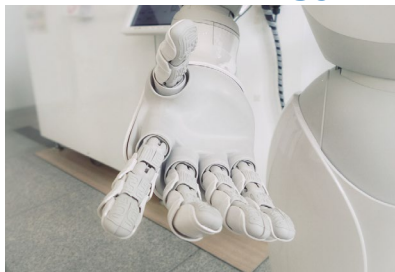
- Innovation as key differentiator
- How innovation will be generated and
- Its impact on patients and overall health system will be key elements of success.



Major drivers of change in IP services

Real World Change

Technology



Data & tools

- IP Offices
- Solution Providers
- Law firms
- Companies

Innovation



Collaboration & Partnerships

- Public & Private Sector
- New players
- Platforms
- Scalability

Pricing



Budget pressure

- Consolidation of service providers/law firms
- New players
- One stop shop

Legislative Changes

AI in the legal area

The basic objective of use of AI solutions in the legal area is

- to enhance human activities
- and free up time for higher-level tasks.



AI replaces employees

The Guardian, January 5, 2017

Japanese company replaces office workers with artificial intelligence

Insurance firm Fukoku Mutual Life Insurance is making 34 employees redundant and replacing them with IBM's Watson Explorer AI



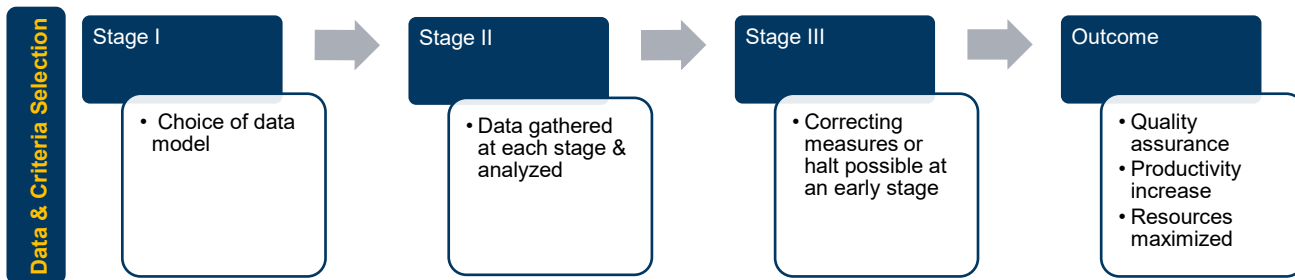
Source: <https://www.theguardian.com/technology/2017/jan/05/japanese-company-replaces-office-workers-artificial-intelligence-ai-fukoku-mutual-life-insurance>

Is AI relevant for IP services?

AI:



Services Workflow:



Black box issue...!



TM Services



Traditional options

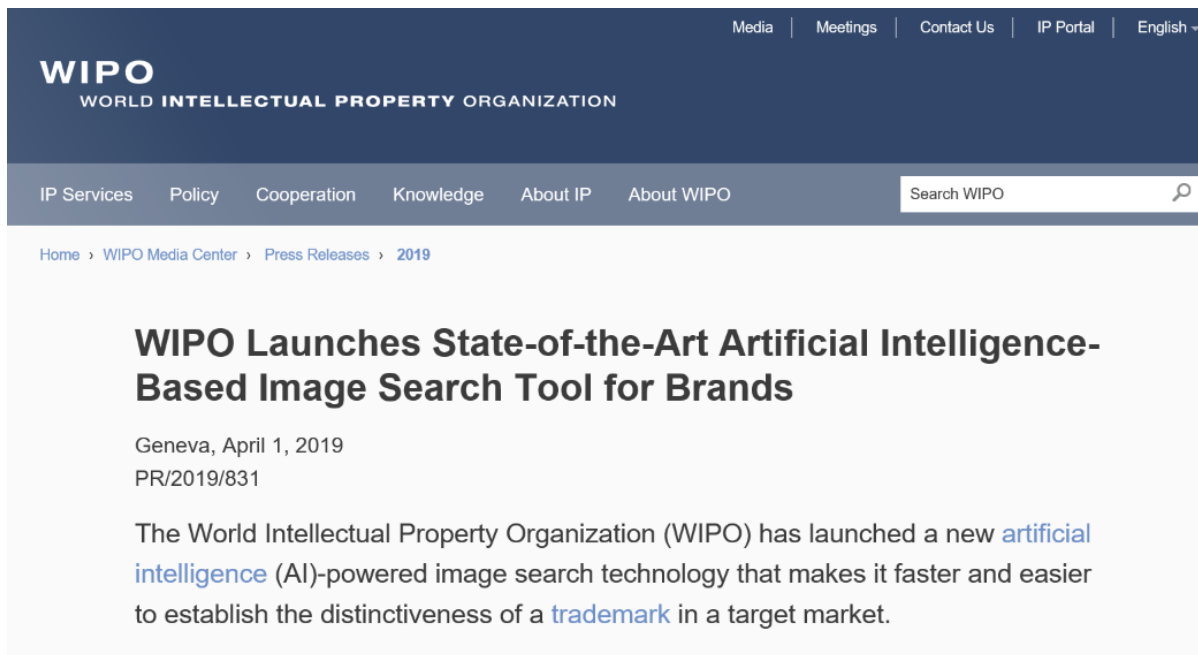
- Smart Risk TM Clearance
- Cost-efficient TM Filing Strategy
- Consolidation of vendors or outside counsel
- LEAN/Agile approach to internal processes
- Continuous negotiations of pricing models
- Off-shoring/-sourcing of commodity tasks



New options

- Automate prosecution via a platform
- New tools increasing correspondence and document management
- Further consolidation of software
- Consolidation of services into one service provider
- Change the TM clearance process

An example: WIPO



The screenshot shows the WIPO website header with navigation links for Media, Meetings, Contact Us, IP Portal, and English. Below the header is a search bar and a menu with links for IP Services, Policy, Cooperation, Knowledge, About IP, and About WIPO. The main content area features a breadcrumb trail: Home > WIPO Media Center > Press Releases > 2019. The headline of the press release is "WIPO Launches State-of-the-Art Artificial Intelligence-Based Image Search Tool for Brands", dated Geneva, April 1, 2019, with reference PR/2019/831. The introductory text states that WIPO has launched a new artificial intelligence (AI)-powered image search technology to help establish the distinctiveness of a trademark in a target market.

Media | Meetings | Contact Us | IP Portal | English ▾

WIPO
WORLD INTELLECTUAL PROPERTY ORGANIZATION

IP Services | Policy | Cooperation | Knowledge | About IP | About WIPO

Search WIPO 🔍

Home > WIPO Media Center > Press Releases > 2019

WIPO Launches State-of-the-Art Artificial Intelligence-Based Image Search Tool for Brands

Geneva, April 1, 2019
PR/2019/831

The World Intellectual Property Organization (WIPO) has launched a new [artificial intelligence](#) (AI)-powered image search technology that makes it faster and easier to establish the distinctiveness of a [trademark](#) in a target market.

Areas at stake

- Legal research
- Document review
- Due diligence
- Contract review and management
- Forecast legal outcomes
- Automating divorce (e.g. Wevorce) or procurement processes

Source: <https://www.forbes.com/sites/bernardmarr/2018/05/23/how-ai-and-machine-learning-are-transforming-law-firms-and-the-legal-sector/#231f517c32c3>

Automatize prosecution

- Creation of workflows that allow a software to process standard filings with very limited human input, including specificities for countries and relevant requirements
- Most of the current IP management data base include a lot of the features needed to go one step further
- Win win situation of IP rights owners and supporting law firms
- Implement automatized archiving of correspondence and documents

Consolidation of service providers

- IP owners contracting different vendors (IPMS, different platforms used by search providers, case law, PiU, etc.)
- IP owners contracting different law firms for IP services

Consequence:

- Variety of tools, standards of communication, billing processes, contracts, language skills, timelines, etc.
- Risk management requires higher level of resources, increasing risk of appropriate management and defense of IP assets
- Limited efficiency and quality of processes difficult to enhance

One software & one provider

- IP owners contract one single solution vendor for all services
- One provider covers all different processes, not only IP life cycle but also anti-counterfeiting, clearance, case-law, domain name management, etc.
- Platform encompasses all services and unifies processes and SOPs
- Automatized decision making embedded in IPMS, reducing the interactions between IP owners and provider/s and hence resources on both sides
- IPMS provider has liaison function with all IP service providers and law firms
- Consolidated liability, enhanced risk management, reduced risk and increased productivity & quality

Paradigm-shift in TM clearance?



Currently:

- Similarity searches based on phonetic and visual similarity algorithms
- Access to real-life information difficult
 - use of brands,
 - prior marks,
 - business information on the owner of the prior marks, etc.
- Main decision maker: TM Attorney



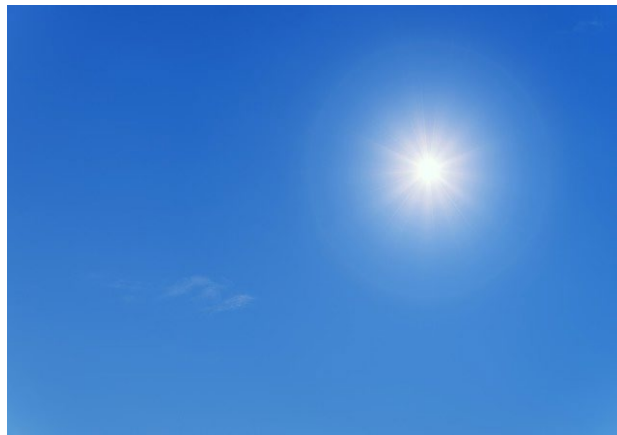
Future process:

- Reduce time allocated to TM Paralegals & Attorneys
- Access to case law of IPO/courts via tools in combination of other criteria
- More accurate assessment of outcome using case law algorithms which provide predictability in case of conflicts
- Legal opinions needed only for exceptional cases
- Automated access to data – use smart search tools delivering results on use of the marks, business information and focus, financial situation and other information of the parties involved

Finding our way...



Blue sky vision

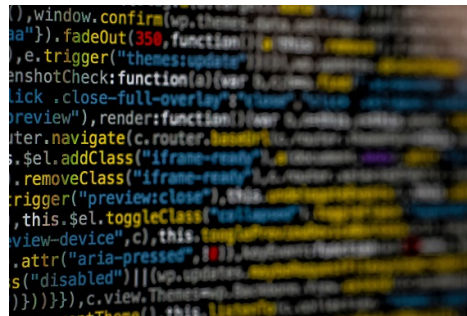


...to devote more time to value added tasks!

Today

We need

- Suitable talent
- Further automation
- Tailored services
- Data Management & Control
- New tools (Security)
- Increase focus on Risk Management
- Change Management
- Staying ahead of the curve?



Conclusions

The future of IP services is intrinsically linked to innovation

- Adapting to the changing environment will increasingly be a **key competitive advantage** as existing commercial models become less so
- Many IP services will become obsolete as **innovative tools** are shared at no cost
- Collaboration between **players across other industries**, not only IP services, may act as disruptors
- Engagement of **digital savvy talent**
- Innovation to focus on **maximum value added to clients**



Thank you