Navigating the Landscape of Generative AI: Insights from Day One of INTA's Conference on The Business of AI

Key Takeaways
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At the recent conference on the Business of AI in New York City, hosted by INTA, experts emphasized the evolving nature of interacting with generative AI ("GenAI") systems, highlighting the need for skill refinement as platforms advance. Organizations are leveraging GenAI for tasks ranging from drafting IP applications to corporate meeting minutes, underscoring its potential for efficiency and innovation. However, caution is urged regarding potential inaccuracies and ethical considerations, prompting businesses and legal professionals to navigate the evolving landscape with vigilance and strategic planning.

Things You Need to Know

Interacting with GenAI systems requires a skill set that must be honed over time. Prompt writing, in particular, is evolving into an art form as AI platforms continue to advance. Some providers are now offering curated data sets to guide prompts toward more useful results, while certain prompts may be blocked altogether for safety or proprietary reasons or requirements.
GenAI systems are already revolutionizing various tasks, from preparing meeting minutes to drafting patent claims. Despite the clear potential, it is crucial to remember that GenAI will always return some kind of response to a prompt, even if it is incorrect or unhelpful. Legal implications span across intellectual property law (trademark, copyright, etc.), as well as other areas including rights of publicity, privacy obligations and existing agreements. Additionally, some GenAI systems still allow users to bypass safeguards, leading to potential issues with inappropriate information disclosure and harmful content.

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Resources

For those delving into the world of GenAI, valuable resources are available to navigate legal and ethical considerations. The World Intellectual Property Organization offers a tracker of AI initiatives at IP offices, while Theresa Weisenberger (one of the conference's excellent presenters) of BakerHostetler provides a very helpful AI case tracker for copyright and class actions related to this field.

Who This Affects

GenAI systems have far-reaching implications for businesses, customers, and legal professionals. Each group must weigh the incredible efficiencies offered by these tools against their own set of particular risks and issues. Legal professionals, in particular, must stay informed about state-of-the-art resources and tools, and without too much more delay, update their client engagement letters to acknowledge the increasing likelihood that GenAI will become integrated into aspects of their services. Those implementing GenAI tools should also establish firm AI policies to navigate this evolving landscape, and those using GenAI services should become familiar with the terms and conditions of use.

What's Next?

As the use of GenAI becomes more prevalent, it is crucial to prioritize the issues of accountability, data privacy, transparency and protection from discrimination. Interested adopters of GenAI should ask probing questions about providers' privacy and security certifications, data gathering processes and built-in safety features before using these tools, and negotiate to appropriate contractual parameters whenever possible. Moreover, vigilance is necessary to ensure compliance with evolving laws and guidelines surrounding AI technology.

For more insights from the conference, you can visit the event page here.

Disclaimer: An initial draft of this summary was generated in part by use of ChatGPT 3.5.