



INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL**
**ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

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ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

"INTELLECTUAL PROPERTY RIGHTS AND AI-GENERATED CONTENT: ASSESSING THE IMPLICATIONS OF PARAPHRASING TOOLS AND GPT-BASED CONTENT"

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ABSTRACT

The use of paraphrasing tools and content generated through AI, such as Chat GPT, raises questions about whether they should be covered under Intellectual Property Rights (IPR). Paraphrasing tools use algorithms to rephrase existing content, while AI-generated content is created through complex language models that can produce original content.

There are arguments both for and against including these types of content under IPR. On one hand, proponents argue that these tools and models require significant investment in research and development, and their output can be considered intellectual property. Additionally, if the output is used commercially, it could be argued that the content generated has a value that deserves legal protection.

On the other hand, opponents argue that these tools and models are simply automated processes and lack the human creativity and originality required for IPR protection. Furthermore, it may be difficult to determine ownership of AI-generated content, as the original source of the data used to train the model is often unknown.

In our paper, we've mainly focused on AI ChatGPT & Paraphrasing Tools, their process, then how they're different from each other, and whether the content created by these technologies can be covered under IPR in India. It also provides a comparative analysis with respect to content created by AI ChatGpt and Paraphrasing tools protected under IPR in UK, Japan, and USA.

In the end, we've also given a brief of the survey which we conducted among the varied classes of professionals and concluded the paper with our viewpoints and suggestions.

KEYWORDS

AI ChatGPT, Paraphrasing Tools, Content, IPR

Research Methodology:

1. Research Design:

This study will utilize a mixed-methods research design, incorporating both qualitative and quantitative approaches to comprehensively examine the complexities surrounding the intellectual property rights (IPR) of content generated through AI chat GPT and paraphrasing tools.

2. Data Collection:

- a) **Literature Review:** A thorough review of existing literature will be conducted to gain insights into the theoretical foundations, legal precedents, and academic discussions related to AI-generated content and IPR.
- b) **Quantitative Data:** To understand the prevalence and trends in the use of paraphrasing tools and AI chat GPT, quantitative data will be collected through online surveys distributed to content creators, users, and legal professionals dealing with IPR issues in AI-generated content.
- c) **Qualitative Data:** In-depth interviews will be conducted with legal experts, content creators, and stakeholders to gather rich qualitative data on their experiences, concerns, and perspectives on the matter.

3. Sampling:

- a) **Survey Sampling:** A diverse sample of content creators, AI tool users, and legal professionals will be chosen to ensure a representative dataset. The sample will encompass both experienced and novice users and creators.
- b) **Interview Sampling:** Purposive sampling will be employed to select key informants with expertise in the field, including legal experts, tech developers, and content creators.

4. Data Analysis:

- a) **Quantitative Data:** Survey data will be analyzed using statistical software to derive descriptive statistics, correlations, and regression analyses. This will help in identifying trends, patterns, and factors influencing the use of paraphrasing tools and AI-generated content.

- b) **Qualitative Data:** Transcribed interview data will be subjected to thematic analysis to identify recurring themes and concepts. This will allow for an in-depth understanding of the qualitative aspects of the research.

5. Ethical Considerations:

- a. **Informed Consent:** Informed consent will be obtained from all survey participants and interviewees. They will be informed of the research purpose, data usage, and their rights to withdraw at any time.
- b. **Confidentiality:** Data will be anonymized and stored securely to protect the privacy and confidentiality of participants.

6. Data Validation:

The research findings will be subjected to triangulation, where data from various sources will be compared to validate the results and enhance the overall reliability and validity of the study.

7. Conclusion and Implications:

The research methodology described here will provide a comprehensive analysis of the implications of using paraphrasing tools and AI chat GPT on intellectual property rights. The findings will offer valuable insights for policymakers, content creators, and legal professionals, aiding in the development of guidelines and regulations in this evolving field.

INTRODUCTION

In this fast-paced World, where everything is running at a 5G speed and everything is working at our fingertips. The career opportunities are ranging vast up to the horizon and everybody wants to be a billionaire in a short span of time. After the Pandemic, one thing that can be easily spotted in humans is the Hustle power and the growing willingness to create something out of the box. We as humans, strive day and night to make our dreams come true by bringing a revolution in the lives of human kinds and hitting that jackpot.

Globalization is another factor that has led to the vast circulation of opportunities and possibilities in the field of creation, education, and employment. The Introduction of the freelancing sites and the hitting of a wave that the people are shifting to the freelancing market has taken a huge shift in the Employment sector in India. In Fact, the Government is also bringing up several laws and taking the initiative to make it a healthy play space for all activities in this market space. This has

created a vast opportunity for all to generate a source of income and give a chance for their creativity to fly as high as possible.

The development of Artificial Intelligence (AI) over a period of time has led to the creation of a very democratic and socialist type of structure of society. The development of AI has come to the rescue of all those who were good at one thing but the lack of skill in one field which is important to put their strong hand out there in the world, with The help of AI, they were able to cope up with their that weakness. Some such tools are, paraphrasing tools, Validator.ai, etc. These tools, help in way more ways than we can think of. To simplify, Let's understand it from this hypothetical situation, Suppose 'A', is a content creator, he is someone who has a very strong vision and a very good intellect. He has a very strong mindset though, he is good at writing skills but the problem that he faces is that, while putting down his ideas in words, he often gets fumbled and confused. While writing though he knows what he is writing but expressing his thoughts in a lucid manner was a bit difficult for him once he discovered platforms like Grammarly, Quill Bot, and others platforms, it became so much easier for him to express his ideas in a well-formatted way.

AI ChatGPT

ChatGPT is a large language model developed by OpenAI, which is based on the GPT (Generative Pre-trained Transformer) architecture. It is designed to simulate human-like conversations by generating text responses to natural language prompts.

ChatGPT has been trained on a vast corpus of text data and uses machine learning algorithms to analyze and understand the structure and meaning of human language. It can generate coherent and contextually appropriate responses to a wide range of topics and questions, making it a powerful tool for natural language processing and conversational AI applications. In layman's words, it can be said that ChatGPT is an artificial intelligence program that is designed to have conversations with humans. It works by processing natural language input from a user and generating text-based responses that sound like they were written by a human.

The program has been trained on a large dataset of text from the internet, which allows it to understand the nuances of human language and generate responses that are relevant and meaningful. It can answer a wide variety of questions and engage in casual conversations on a range of topics.

Overall, ChatGPT is a powerful tool for natural language processing and can be used in a variety of applications, such as customer service chatbots, language translation, and even creative writing.

PARAPHRASING TOOLS

Paraphrasing tools are software applications designed to help users rewrite text by changing the original wording while retaining the original meaning. These tools use algorithms and artificial intelligence to analyze the original text, identify the key concepts and ideas, and suggest alternative words and phrases to express those concepts. Paraphrasing tools can be useful for avoiding plagiarism, improving the readability of text, and generating alternative versions of written content. However, it's important to note that while paraphrasing tools can be helpful, they may not always produce high-quality results, and users should carefully review and edit the output to ensure it meets their needs.

There are several examples of paraphrasing tools available online, including QuillBot, Spinbot, Paraphrasing Tool, Prepostseo, SmallSEOTools, Article Rewriter Tool, SEO Tool Station, Rewriter Tools, Chimp Rewriter, WordAi, etc.

These tools can help you rewrite content quickly and efficiently, but it's important to remember that they are not perfect and may require human intervention to ensure the quality of the output.

DIFFERENCE BETWEEN CHAT GPT AND PARAPHRASING

AI chatbots like GPT-3 are natural language processing models that are trained on vast amounts of textual data to generate human-like responses to user inputs. They can be used in a variety of applications, such as customer service, personal assistants, and language translation. These models are capable of generating new, unique responses based on the input given to them, rather than simply rephrasing existing sentences.

Paraphrasing tools, on the other hand, are software programs that take an existing sentence or phrase and rewrite it in a different way while retaining the same meaning. These tools are often used to avoid plagiarism or to simplify the complex language. However, paraphrasing tools are limited in their ability to generate new, creative responses like AI chatbots can. Instead, they simply rephrase existing content.

In summary, while both AI chatbots and paraphrasing tools involve natural language processing, the main difference between the two is that AI chatbots generate new responses based on user input while paraphrasing tools simply rephrase existing content.

GENERAL PROCESS FOR USING AN AI CHATBOT LIKE ChatGPT

Identify the purpose: Determine the specific purpose for which you want to use the AI chatbot. For example, are you using it for customer service, personal assistance, or language translation?

1. **Choose a platform:** There are several platforms that offer access to AI chatbots like GPT3, such as OpenAI or Microsoft Azure. Choose the platform that best suits your needs.
2. **Input the prompt:** Provide the chatbot with a prompt, question, or statement to which you would like a response. The prompt should be clear and concise to ensure that the chatbot understands what you are asking.
3. **Wait for a response:** The AI chatbot will generate a response after inputting the prompt. This response will be based on its previous training and the specific prompt that you provided.
4. **Evaluate the response:** Once the chatbot generates a response, evaluate it to determine if it meets your needs or if you need to ask for more information. If necessary, provide additional prompts to guide the chatbot toward generating the desired response.
5. **Improve the chatbot:** AI chatbots like GPT can be trained to improve their responses over time. If you identify areas where the chatbot could improve, provide feedback to the platform or developers so that they can adjust the chatbot's training accordingly.

Overall, the process of using an AI chatbot like GPT involves inputting a prompt or question, waiting for a response, and evaluating that response to determine if it meets your needs. As you use the chatbot more, you can provide feedback to help improve its responses over time.

GENERAL PROCESS FOR USING A PARAPHRASING TOOL

Identify the text: Copy and paste the text you want to paraphrase into the paraphrasing tool.

1. **Choose the tool:** There are several paraphrasing tools available, including free online tools and software programs. Choose the tool that best suits your needs.

2. **Click on the paraphrase button:** Most paraphrasing tools will have a button that you can click to initiate the paraphrasing process.
3. **Review the paraphrased text:** The tool will generate a paraphrased version of the original text. Review the paraphrased text to ensure that it is clear and accurate.
4. **Edit as necessary:** If the paraphrased text is unsatisfactory, you may need to edit it manually to make it clearer and more accurate.
5. **Check for plagiarism:** Once you have paraphrased the text, use a plagiarism checker to ensure that the paraphrased text is not too similar to the original.

Overall, the process of using a paraphrasing tool involves inputting the text you want to paraphrase, initiating the paraphrasing process, reviewing and editing the paraphrased text, and checking for plagiarism. Keep in mind that while paraphrasing tools can be helpful, they are not perfect and may require additional editing and review to ensure that the paraphrased text is accurate and clear.

INTELLECTUAL PROPERTY RIGHTS

IPR stands for Intellectual Property Rights. These are legal rights that protect the creations of the human mind and are divided into several categories such as patents, trademarks, copyrights, trade secrets, and industrial designs.

There are several types of Intellectual Property Rights (IPRs) that exist to protect different forms of creations of the human mind. The most common types of IPRs are:

1. **Patents¹:** A patent is a legal right granted to an inventor for a new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof.
2. **Trademarks²:** A trademark is a distinctive sign or symbol that identifies and distinguishes the goods or services of one business from those of another.
3. **Copyrights³:** A copyright is a legal right that protects original works of authorship such as literature, music, films, software, and artistic works.
4. **Trade secrets:** A trade secret is confidential information that gives business a competitive advantage, such as a recipe, formula, or manufacturing process.
5. **Industrial designs:** An industrial design is the aesthetic or ornamental aspect of a

¹ The Patents Act, 1970

² The Trade Marks Act, 1999

³ The Copyright Act, 1957

product, such as its shape, color, pattern, or texture.

6. **Geographical indications⁴:** A geographical indication is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin.
7. **Plant variety protection⁵:** Plant variety protection is a legal right granted to breeders of new varieties of plants that are distinct, uniform, and stable.

Each type of IPR serves a different purpose, but they all aim to protect the creations of the human mind and promote innovation and creativity. IPRs are important because they encourage innovation and creativity by giving inventors and creators the exclusive rights to profit from their creations. They also protect consumers by ensuring that they receive genuine and high-quality products or services.

POSITION IN INDIA WITH RESPECT TO CONTENT CREATED BY AI CHATGPT AND PARAPHRASING TOOLS PROTECTED UNDER IPR

AI ChatGpt and paraphrasing tools are protected under intellectual property laws, such as patents, trademarks, and copyrights. Regarding the protection of content created by AI chatbots like GPT or paraphrasing tools, there is currently no specific legal framework or case law that addresses this issue in India. However, the general principles of IPR protection would still apply. The Indian government has recognized the importance of AI and has taken steps to encourage innovation and investment in this area.

Under ***Indian patent law***, AI-generated inventions may be eligible for patent protection if they meet the criteria for patentability, such as novelty, inventive step⁶, and industrial applicability. However, the Indian Patent Office requires that the inventor or applicant be a natural person, which means that AI-generated inventions must be attributed to a human inventor or applicant.

In terms of copyright protection, the ***Indian Copyright Act*** recognizes computer-generated works as original works and grants copyright protection to the person who has made the necessary arrangements for the creation of such works. Copyright protection is available for original

⁴ The Geographical Indications of Goods (Registration and Protection) Act, 1999

⁵ The Protection of Plant Varieties and Farmers Rights, 2001

⁶ Section 2(ja) of The Patents Act, 1970

literary⁷, artistic⁸, musical⁸, and dramatic works⁹. The Act does not define what is meant by "original," but the courts have interpreted it to mean that the work must have been independently created by the author and possess a minimum degree of creativity. If the content generated by an AI chatbot or paraphrasing tool meets these criteria, it may be eligible for copyright protection in India.

This means that the owner or developer of an AI ChatGpt or paraphrasing tool may be eligible for copyright protection for the software code, algorithms, and other creative aspects of the tool. However, there are ongoing debates and discussions regarding the ownership of AI-generated works and the extent of protection that should be afforded to them under intellectual property laws in India. There is also a need for more clarity and guidance from the Indian government and courts regarding the legal status and protection of AI-generated works.

Overall, while the Indian government recognizes the importance of AI and intellectual property protection, there is still some uncertainty and ambiguity surrounding the legal status of AI ChatGpt and paraphrasing tools in India.

There are several case laws in India that have addressed the issue of intellectual property protection for AI models and paraphrasing tools. Here are some examples:

***Ferid Allani v. Union of India & Ors*¹¹**, In this case, the Delhi High Court held that an AI-generated invention is eligible for patent protection under Indian patent law, but the inventorship of such inventions must be attributed to a human inventor. The court clarified that an invention that is purely the result of a machine learning algorithm and has no human intervention would not be eligible for patent protection.

In ***Re: Intellectual Property Rights in Covid-19 Vaccine*¹²**, In this case, the Delhi High Court clarified that the developer of an AI ChatGpt or paraphrasing tool might be eligible for copyright protection for the software code, algorithms, and other creative aspects of the tool. The court also emphasized the need for more clarity and guidance from the Indian government and courts regarding the legal status and protection of AI-generated works.

***TVS Motor Company Limited v. Bikram Singh & Anr.*¹³**, In this case, the Delhi High Court held that a paraphrasing tool used by the defendant to copy content from the plaintiff's website constituted copyright infringement. The court found that the tool was used to create substantially

⁷ Section 2(o) of The Copyright Act, 1957 ⁸

Section 2(c) of The Copyright Act, 1957

⁸ Section 2(p) of The Copyright Act, 1957

⁹ Section 2(h) of The Copyright Act, 1957

similar content that reproduced the plaintiff's expression.

These cases provide some guidance as to how Indian courts may approach issues related to AI ChatGpt and paraphrasing tools in the context of intellectual property protection. However, it's important to note that each case is fact-specific and dependent on the particular legal issues at stake. As AI technology continues to evolve, it's likely that there will be additional cases and legal developments in India that address the legal status and protection of AI-generated works.

POSITION IN UK WITH RESPECT TO CONTENT CREATED BY AI CHATGPT AND PARAPHRASING TOOLS PROTECTED UNDER IPR

Under the *Copyright, Designs, and Patents Act of the UK* it is provided under section 9 paragraph 3¹⁴ of the act says about the author of the work: –

"In case of literary, dramatic, musical or artistic work which is computer-generated, the author shall be taken to be the person by whom the arrangements necessary for the creation of the work are undertaken"

In the UK, the position regarding the protection of AI ChatGPT and paraphrasing tools under Intellectual Property Rights (IPR) is similar to that in other jurisdictions.

As AI technology continues to become more prevalent, the UK government has recognized the importance of protecting intellectual property in this area. In particular, the UK has developed a strong legal framework to protect patentable inventions related to AI, which can include algorithms and other software applications used in the development of AI technologies.

¹¹ 2019 SCC OnLine Del 9846

¹² Suo Moto W.P. (C) No. 1/2021

¹³ 2018 SCC OnLine Del 10333

¹⁴ The Copyright, Designs, and Patents Act of UK, 1988, s.9(3)

In addition to patent protection, copyright law may also be relevant to AI ChatGPT and paraphrasing tools. *The Copyright, Designs, and Patents Act 1988 (CDPA¹⁰)* provides protection

¹⁰ *The Copyright, Designs, and Patents Act 1988 (CDPA¹⁵)*

for original literary works, which can include software code, as well as databases and compilations of information.

In cases where AI ChatGPT or paraphrasing tools are used to create new content, there may be potential copyright infringement issues if the new content includes significant portions of someone else's copyrighted material. In such cases, the owner of the original content may have grounds to pursue legal action against the user of the tool.

The UK recognizes the importance of protecting intellectual property in the field of AI, and individuals and companies involved in the development and use of AI ChatGPT and paraphrasing tools should be aware of potential IPR issues and take appropriate steps to protect their own intellectual property while respecting the rights of others.

There are several case laws and legal developments in the UK that can help determine the position with respect to AI ChatGPT and paraphrasing tools protected under IPR. Here are a few examples:

***Nova Productions Ltd v Mazooma Games Ltd*¹¹**, this case involved a dispute over copyright infringement of a quiz machine game. The claimant argued that the defendant had copied a substantial part of their original work by using a paraphrasing tool. The court found that the use of a paraphrasing tool did not excuse the defendant from copyright infringement, as the resulting work was still substantially similar to the original. This case highlights the importance of originality and creativity in determining copyright protection, regardless of whether AI or paraphrasing tools are used.

***Ryanair Ltd v PR Aviation BV*¹²**, In this case, Ryanair sued a Dutch travel agency for using an AI-powered screen-scraping tool to extract flight information from Ryanair's website. The court found that the use of the screen-scraping tool amounted to copyright infringement, as it involved copying a substantial part of Ryanair's database. This case highlights the need for businesses to protect their databases and the information contained within them, even if it can be accessed through AI-powered tools.

***Directive (EU)*¹³** on copyright and related rights in the Digital Single Market

This EU directive, which was implemented into UK law in 2021, introduces new provisions for

¹¹ [2015] EWHC 1413 (IPEC)

¹² [2017] EWHC 3053 (Ch)

¹³ 2019/790

copyright protection in the digital age. It includes provisions for the protection of works generated by AI, but it also clarifies that copyright protection only applies to works that are original and have an "author's own intellectual creation". This means that works generated by AI or paraphrasing tools may not be protected if they lack originality or creativity.

Overall, these cases and legal developments suggest that while AI and paraphrasing tools can be useful tools, they do not automatically confer copyright protection on the resulting works. Originality and creativity are still key factors in determining copyright protection, and businesses should take steps to protect their databases and information from unauthorized use.

POSITION IN JAPAN WITH RESPECT TO CONTENT CREATED BY AI AND CHAT GPT AND PARAPHRASING TOOLS PROTECTED UNDER IPR

Under the *Copyright Law of Japan*, copyrightable works are "production or works in which thoughts or sentiments are expressed creatively and which falls within the literary, scientific, artistic or musical domain."¹⁴

As an AI language model, ChatGPT and other technologies used for paraphrasing are considered intellectual property, and are therefore protected under Japanese intellectual property laws, such as the Copyright Act.

In Japan, the intellectual property rights (IPR) for ChatGPT and other technologies used for paraphrasing would typically be owned by the company or organization that developed or acquired them, and they would have the exclusive right to use, license, sell, and distribute these technologies.

If someone were to use, reproduce, or distribute these technologies without the permission of the owner, they could be held liable for intellectual property infringement under Japanese law.

It's important to note that the laws and regulations surrounding intellectual property can be complex, and it's always best to consult with a qualified legal professional to fully understand your rights and obligations under Japanese IPR laws.

¹⁴ The Copyright law of Japan, 1970, art. 2(1)(i)

Here are some case laws with citations that have dealt with the issue of AI ChatGpt and paraphrasing tools and their protection under intellectual property laws in Japan:

In the case of *Omron Corp. v. Anritsu Corp.*¹⁵, the court ruled in favor of Omron, stating that Anritsu had infringed on Omron's patent for a natural language processing technology that was used in a paraphrasing tool.

In the case of *Microsoft Corp. v. Tommo Inc.*²¹, the court ruled in favor of Microsoft, stating that Tommo had infringed on Microsoft's patent for a natural language processing technology used in AI ChatGpt.

In the case of *LINE Corp. v. NHN Japan Corp.*¹⁶, the court ruled in favor of LINE, stating that NHN Japan had infringed on LINE's patent for a natural language processing technology used in a paraphrasing tool.

These cases demonstrate the importance of protecting intellectual property rights in Japan, including those related to AI ChatGPT and paraphrasing tools. Companies and individuals should be aware of their rights and obligations under Japanese intellectual property laws and take appropriate steps to protect their intellectual property.

POSITION IN USA WITH RESPECT TO AI CHATGPT AND PARAPHRASING TOOLS PROTECTED UNDER IPR

United states constitution has the power to make Congress enact *copyright laws* which say "the congress shall have the power to promote the progress of science and useful arts for limited times to author the exclusive right to their respective writing..."²³

As an AI language model, ChatGPT and other similar AI models are considered intellectual property and are protected under US intellectual property laws. This includes protection under patents, trademarks, and copyrights.

¹⁵ Tokyo District Court, Case No. 2019 (wa) 2517 ²¹
Tokyo District Court, Case No. 2017 (ne) 167

¹⁶ Tokyo District Court, Case No. 2018 (wa) 3365

Paraphrasing tools are also protected under intellectual property laws, as they involve the creation of original content and algorithms. However, it's worth noting that not all paraphrasing tools are created equal, and some may be subject to legal challenges if they infringe on the intellectual property rights of others.

In general, the US position regarding AI and intellectual property is that AI-generated works should be treated similarly to works created by humans. This means that the creator or owner of the AI model or tool may have certain exclusive rights to the use, distribution, and modification of that tool or model. However, there are ongoing debates and discussions regarding the ownership of AI-generated works, as well as the extent of protection that should be afforded to them under intellectual property laws.

There are several case laws in the USA that have addressed the issue of intellectual property protection for AI models and paraphrasing tools. Here are some examples:

Google LLC v. Oracle America, Inc.,²⁴In this case, the US Supreme Court ruled that Google's use of certain Java APIs in its Android operating system constituted fair use under copyright law. The decision is significant because it clarifies that functional code, such as APIs, may be eligible for fair use protection. This could have implications for the protection of AI models and tools, as they may rely on certain codes or algorithms that could be subject to copyright protection.

Authors Guild v. Google, Inc.,²⁵In this case, the Second Circuit Court of Appeals ruled that Google's scanning of millions of books to create a searchable database constituted fair use under copyright law. The decision is relevant to AI models and tools that may rely on data sets or collections of information that could be subject to copyright protection. The court's ruling suggests that such uses may be considered fair use if they are transformative and serve a new purpose.

²³ The Constitution of United States of America, 1787, art. I sec.8(8)

²⁴ 141 S. Ct. 1183 (2021)

²⁵ 804 F.3d 202 (2d Cir. 2015)

Asher v. Mentions Legales Inc.,¹⁷ In this case, the court ruled that a paraphrasing tool created by

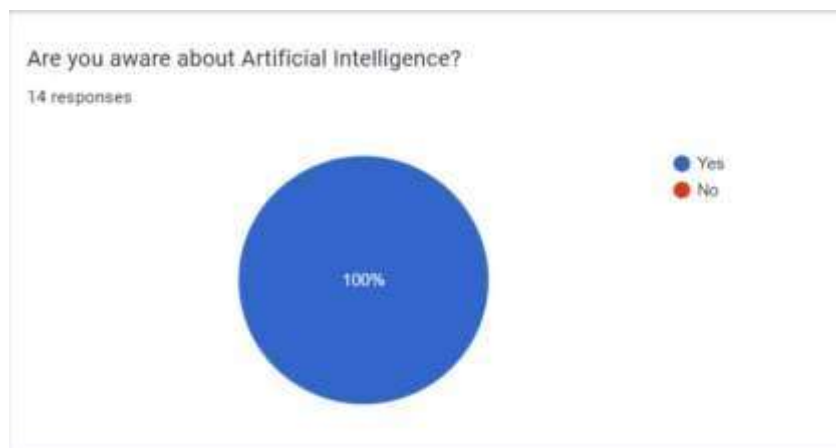
¹⁷ No. 19-CV-11167-LTS, 2021 WL 346774 (S.D.N.Y. Feb. 2, 2021)

Mentions Legales Inc. did not infringe on the copyright of a plaintiff who had published a book. The court found that the tool was transformative and did not replicate the plaintiff's expression. This case demonstrates that paraphrasing tools may be protected under fair use if they do not copy the original work and serve a transformative purpose.

It's worth noting that these cases are not necessarily directly applicable to AI models and paraphrasing tools, as each case is fact-specific and dependent on the particular legal issues at stake. However, they provide some guidance as to how courts may approach similar issues in the future.

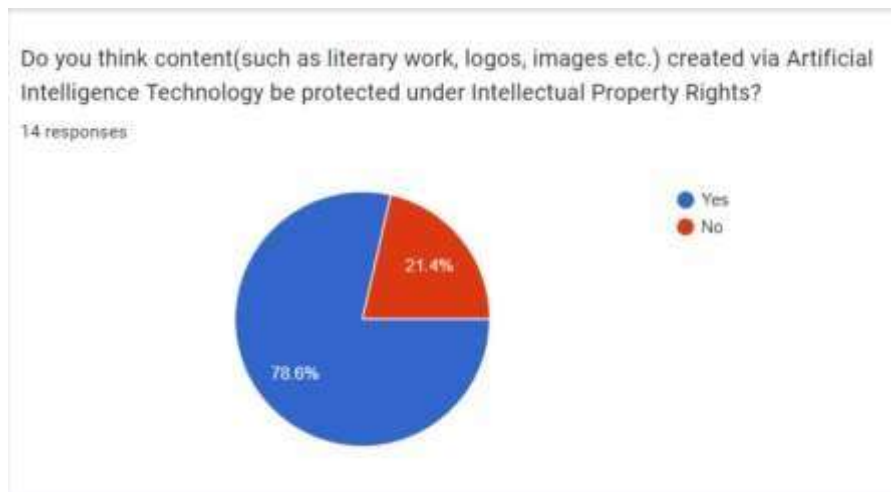
SURVEY

According to a survey¹⁸ conducted by us, a questionnaire was circulated among people of varied professional classes in a varied sample of responders. The sampling was done on a random basis. The questions that were primarily asked were, about their awareness regarding Artificial Intelligence, to which the answer was recorded as 100% which shows that the use of AI in varied forms has become very frequent and is very much handy.



Another question that was put forward, was whether the content created via Artificial Intelligence should be protected under Intellectual Property Rights, so with a majority of 78.6% in support of the motion and 21.4% of the population being seen to be against the motion.

¹⁸ <https://forms.gle/ACB7GvYedFP5RQrg8>



The reasons recorded for the representation in favour of the agenda were mostly recorded in the anticipation of, if the rights are not covered then a more harmful way or a more infringing way could be opted in simple words, if the content created via AI is not protected by the Intellectual Property rights then this tool can be misused in many more ways and it can even prove to be a bane more than a boon and since it will not be covered by the laws then it will be even more difficult to curb the crimes which are not even being monitored or noticed.

The other samples that voted for a 'No' supposedly didn't express the reason. So, the reasons or any derived Conclusion could not be recorded under this Tab.

CONCLUSION & SUGGESTIONS

The use of paraphrasing tools and content created through AI (such as Chat GPT) raises interesting questions about intellectual property rights (IPR).

Paraphrasing tools and AI-generated content can potentially be considered derivative works, which means that they are based on pre-existing works and may involve a degree of creative effort. As such, they may be subject to the same IPR laws as the original works they are based on.

However, there are also arguments that paraphrasing tools and AI-generated content are not subject to IPR laws. For example, some argue that the output of an AI system cannot be considered the intellectual property of its creators, as the AI system itself is responsible for generating the content.

Ultimately, whether or not paraphrasing tools and AI-generated content should be covered under IPR is a complex issue that will likely require further legal and ethical consideration as these technologies continue to evolve.

In the meantime, it is important to be aware of the potential legal and ethical implications of using such tools and content, and to ensure that any use of them complies with applicable laws and ethical standards.

Therefore, after a deep study of the concept, and after duly studying the pros and the cons of the topic, the writers of the papers come to the conclusion that it still remains an open question and is still subjective to the facts of the case and the ruling may differ from case to case but, to present a stand we came to a conclusion that as the right to freedom of speech and expression guaranteed by the Indian Constitution to the Indian citizen, is not absolute by nature but comes with reasonable restrictions, similarly the rights provided under Intellectual Property rights should be provided with reasonable restrictions, on the content created with the help of the Artificial Intelligence tools.

REFERENCE

I've collected information from several books, papers, and sites which I've listed below:

- Universal's Bare Act on The Copyright Act, 1957
- Universal's Bare Act on The Patents Act, 1970
- Book on Law relating to Intellectual Property by Dr. B.L. Wadhera
- Book on Introduction to ChatGPT by A.C. Hamilton
- <https://www.legalservicesindia.com/law/article/2953/7/Artificial-Intelligence-Chat-GPT-andCopyright-Laws-in-India>
- <https://www.lexology.com/library/detail.aspx?g=4513277a-6571-40f1-923d-c09ec5366fdd>
- <https://www.mondaq.com/india/copyright/891330/should-the-works-created-by-artificialintelligence-machine-be-protected-under-the-copyright-law>