

MATT HERVEY, NEIL HENDRON



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LEGAL DISCLAIMER

- The presentation today is not intended as legal advice.
- Because this is a high level overview, it is impossible to cover all relevant details, and your available rights and remedies will depend on the unique facts of each situation, your applicable contract or subcontract, or the nature of your project.
- For specific advice, please contact your qualified legal counsel before making any decisions
 or taking any action. This is of particular importance as every province and territory has its
 own legal regime.
- As you know, the situation is extremely fluid and is changing on a daily basis. As things
 evolve, your best course of action could also evolve. Please follow up to date and reliable
 sources for your information.



AGENDA

IP Strategy for Al: A European Perspective

Introduction

IP rights and key Al assets

Trade secrets and contractual measures

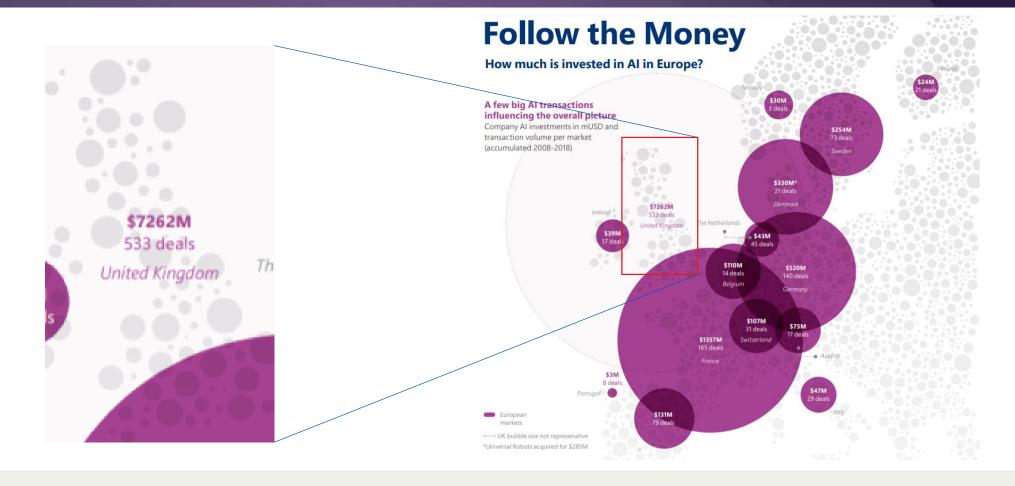
A holistic approach to disclosure risks

Questions



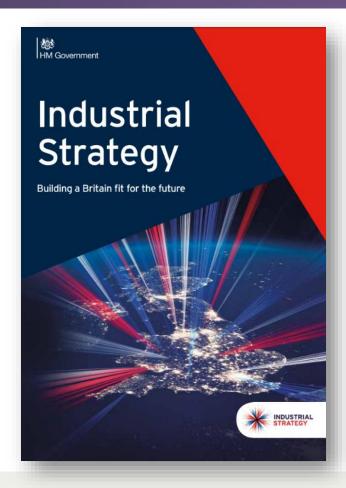


INVESTMENTS





INDUSTRIAL STRATEGIES





Growing the AI & Data-Driven Economy

We will put the UK at the forefront of the AI and data revolution.

Artificial intelligence and machine learning are general purpose technologies already starting to be seen as new industries in their own right, but they are also transforming business models across many sectors better ways of doing complex tasks from helping doctors diagnose medical conditions more effectively to allowing people to communicate across the globe using instantaneous speech recognition and translation software.

Embedding Al across the UK will create thousands of good quality jobs and drive economic growth. A recent study transform the global economy. They can found digital technologies including Al created a net total of 80,000 new jobs annually across a population similar to the UK20. By one estimate, Al could add as they deploy vast datasets to identify £232bn to the UK economy by 203021.

> We start from a position of strength. The UK is already a world leader in AI, with the building blocks to make significant advances. We have some of the best research institutions in the world and

globally-recognised capability in Al-related disciplines, including maths, computer science, ethics and linguistics. We have substantial datasets in public institutions where Al can be explored safely and securely. We have great strengths in the underpinning technologies, from ARM's microchips to the microcomputers of Raspberry Pi. UK innovators push boundaries in robotics and the internet of things. These strengths are the result of academic excellence. research ingenuity, smart business decisions, and investment by previous governments of different political persuasions.

As with previous revolutionary technologies. these changes cannot be resisted and it would be irresponsible to fail to prepare. Meeting our Grand Challenge means maximising the opportunities created by AI and advanced data technologies, and responding to the potential impacts on society. It is a call for businesses, research institutions and the government to work together throughout the UK to invest in these technologies,

encourage their adoption and set standards in secure.

trusted use of data.



'Embeddina Al across the LIK will create thousands of good quality jobs and drive economic growth. Al could add £232bn to the economy by 2030.

The AI and data-driven economy

Artificial intelligence: technologies with the ability to perform tasks that would otherwise require human intelligence, such as visual perception, speech recognition, and language translation

Machine learning: a type of AI that allows computers to learn rapidly from large datasets without being explicitly programmed

Data-driven economy: a digitally connected economy that realises significant value from connected, largescale data that can be rapidly analysed by technology to generate insights and innovation

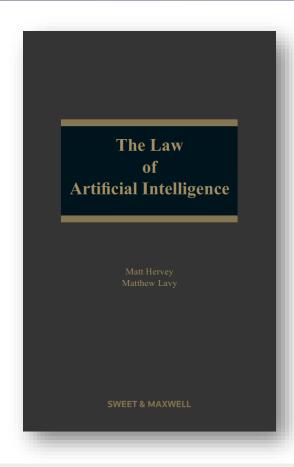


NEW LAWS AND REGULATIONS





THE LAW OF ARTIFICIAL INTELLIGENCE



Technology

Ethics

Regulation

Liability for Physical Harm

Liability for Economic Harm

Professional Liability

Intellectual Property

Data Protection and Privacy

Competition

Crime

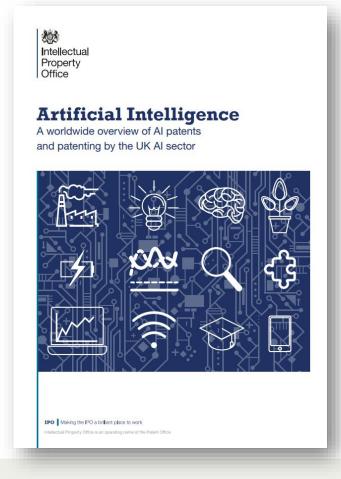
Agency

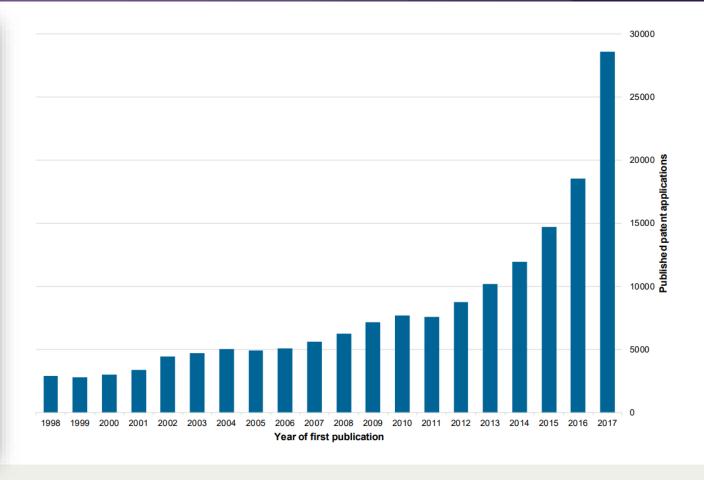
Al in the Justice System

Al in the Legal Profession



IP AND AI





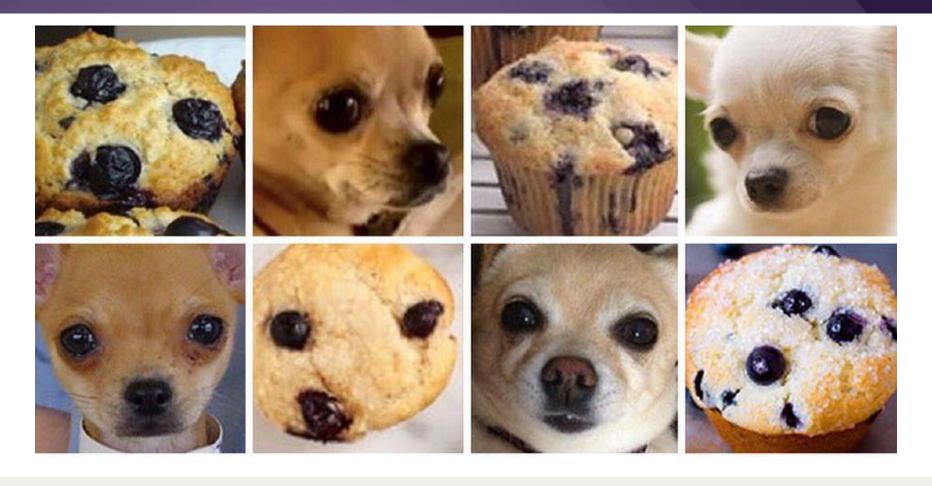


THE CONTEXT





INPUTS





THE TECHNOLGY



November 2018

Computer-Implemented Inventions

Index for Computer-Implemented Inventions

A computer-implemented invention (CII) is one which involves the use of a computer, computer network or other programmable apparatus, where one or more features are realised wholly or partly by means of a computer program.

The following collection of hyperlinks is provided in order to facilitate access to the sections of the Guidelines for Examination in the EPO which give instructions particularly useful for the search and examination of Clis.

It is noted that this collection is not a separate publication about CIIs. Instead, following a hyperlink will lead to the section of the most recent and applicable version of the Guidelines which has the stated number and title.

The collection of sections essentially comprises the teaching about assessing patentability requirements, in particular in case of claims comprising a mix of technical and non-technical features, which are common in CII. Sections providing teaching about how to evaluate features related to the list of <a href="https://dx.dec.ncbuded.as.well.as.ections.dec.ncbuded.as.well.as.ections.dec.ncbuded.as.well.as.ections.dec.ncbuded.as.well.as.ections.dec.ncbuded.as.well.as.ections.dec.ncbuded.as.well.as.ections.dec.ncbuded.as.well.as.ections.dec.ncbuded.as.ections.dec.ncbuded.as.well.as.ections.dec.ncbuded.as.ections.dec

The collection of sections should not be regarded as an exhaustive list. The whole of the Guidelines apply for any European patent application or patent.

As with the rest of the Guidelines, the updating of sections relating particularly to Clis is an ongoing process to take account of developments in European patent law and practice. The list below also serves to point out which sections have recently been updated as indicated by the dates which follow the section title.

Patentable inventions

G-I, 1 Patentability requirements

G-1, 2 Further requirements of an invention

G-II, 1 General remarks

G-II, 2 Examination practice

G-II, 3.6 Programs for computers (updated in GL 2018)

- G-II, 3.6.1 Examples of further technical effects (introduced in GL 2018)
- G-II, 3.6.2 Information modelling, activity of programming and programming languages (introduced in GL 2018)
- G-II. 3.6.3 Data retrieval, formats and structures (introduced in GL 2018)

Computer-Implemented Inventions – 2

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Novelty and inventive step

G-VII. 5.4 Claims comprising technical and non-technical features (updated in GL 2015)

- G-VII, 5.4.1 Formulation of the objective technical problem (updated in GL 2015)
- G-VII, 5.4.2 Examples of applying the steps listed in G-VII, 5.4 (introduced in GL 2016, with its sub-sections)
 - G-VII, 5.4.2.1 Example 1
 - G-VII, 5.4.2.2 Example 2
 - G-VII, 5.4.2.3 Example 3
 - G-VII, 5.4.2.4 Example 4

Features related to the list of Art. 52(2) and technical contribution

G-II, 3.3 Mathematical methods (updated in GL 2018)

G-II, 3.4 Aesthetic creations

G-II. 3.5 Schemes, rules and methods for performing mental acts, playing games or doing business (updated in GL 2018)

- G-II. 3.5.1 Schemes, rules and methods for performing mental acts (introduced in GL 2018)
- G-II, 3.5.2 Schemes, rules and methods for playing games (introduced in GL 2018)
- G-II, 3.5.3 Schemes, rules and methods for doing business (introduced in GL 2018)

G-II, 3.6 Programs for computers (updated in GL 2018)

- G-II, 3.6.1 Examples of further technical effects (introduced in GL 2018)
- <u>G.II. 3.6.2</u> Information modelling, activity of programming and programming languages (introduced in GL 2018)
- G-II, 3.6.3 Data retrieval, formats and structures (introduced in GL 2018)

G-II, 3.7 Presentations of information (updated in GL 2018)

G-II, 3.7.1 User interfaces (updated in GL 2017)

earch practice

8. VIII., 2.2 Subject-matter excluded from patentability under Art, 52(2) and (3) (introduced in GL 2015)



OUTPUTS



(a)

The crow crooked on more beautiful and free, He journeyed off into the quarter sea. his radiant ribs girdled empty and very least beautiful as dignified to see.

(c)

Man with the broken blood blue glass and gold. Cheap chatter chants to be a lover do.

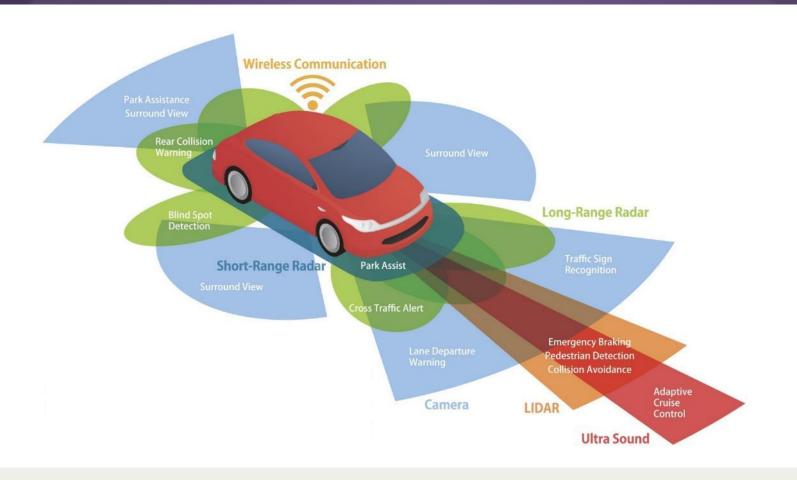
(e)

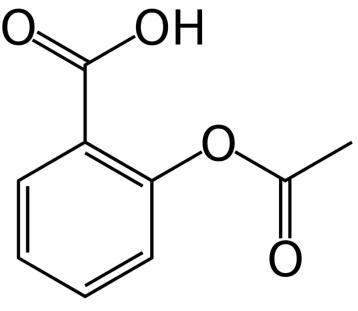
The son still streams and strength and spirit.

The ridden souls of which the fills of.



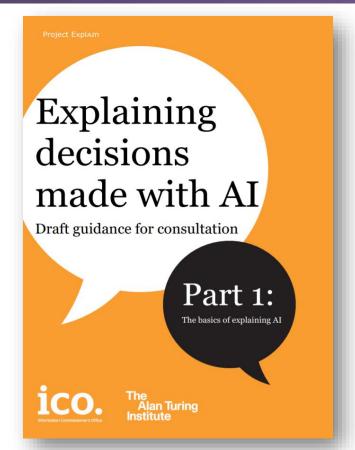
HOLISTIC STRATEGY

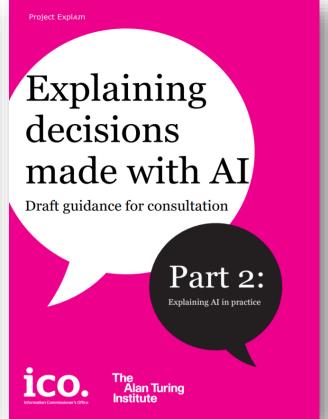


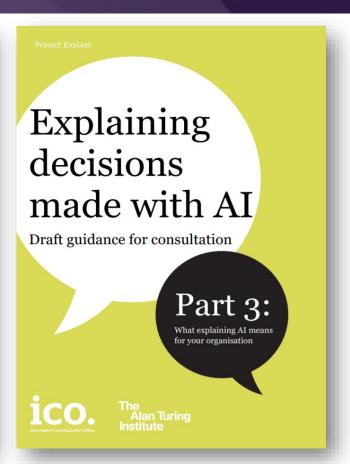




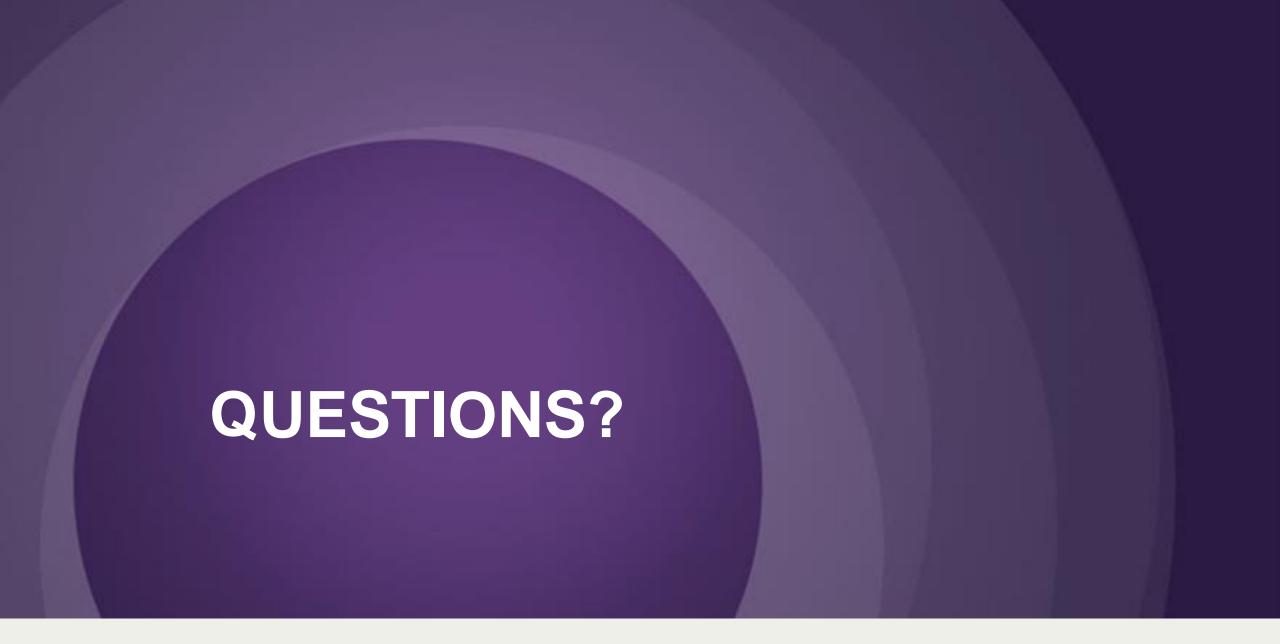
REGULATION













CONTACT



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Education

2005 - City University, London

2004 - College of Law, London

1996 - Courtauld Institute

1993 - University of Oxford

Qualified

2007 - Solicitor of England & Wales

Matt Hervey is Head of Artificial Intelligence (UK) and advises on Al across all sectors, including automotive, life sciences, finance and retail. He is co-editor of *The Law of Artificial Intelligence* (Sweet & Maxwell). Matt is in Al-related working groups for the International Chamber of Commerce (ICC), the IP Federation, the International Association for the Protection of Intellectual Property (AIPPI) and the World Law Group.

Matt is a trusted intellectual property adviser, especially for clients with complex patent disputes, including SEP (FRAND) litigation. He is described as "stand out" and "absolutely superb" for patent disputes (*Legal 500*).

His cases have involved video compression, telecommunications, software (algorithmic trading, consumer share trading platforms, 3D modelling), consumer electronics (inkjet printers), location sensing and traffic analysis. He has extensive experience of healthcare and Life Sciences work including monoclonal antibodies and medical devices.



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Partner

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Education

2008 - Queen's University Belfast, LLB Common and Civil Law with French, 2:1

Qualified

2013 - Solicitor of England & Wales 2010 - Solicitor of Northern Ireland

Neil Hendron helps clients achieve their transactional objectives efficiently and effectively.

Neil works with companies at all stages of development and regularly advises on a wide range of corporate transactions - from advising established companies and investors on significant investments to working with spin-out and start-up companies on early stage fundraising. Neil regularly acts for international corporations and institutional investors on significant acquisitions and divestments and has particular experience in international private company M&A.

Neil enjoys helping clients achieve goals which are important to their business. Corporate transactional work can often be complex and Neil sees one of his main roles as trying to manage this complexity. An important part of achieving this is working with clients and spending time getting an understanding of their business and what matters most to them.



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