



IP ITeasers 050:

Siri saves students

Young children rapidly learn to use Siri (the voice activated virtual assistant available on iPhones) to help them with their homework, especially to answer factual-based questions such as arithmetic. Einstein said that one should never bother memorising something that one could look-up (this arose because he could not remember the speed of sound). More recently, a student at Furman University in South Carolina had used ChatGPT to write a 500-word philosophy essay on Hume and the paradox of horror. While the result was grammatically correct, nicely structured and gave appropriate definitions, it failed to produce a coherent argument. Artificial intelligence programs commonly work by learning what answer has been given before to any given question. There are two weaknesses in this approach: (a) if the previous answers are wrong, then the program will, none-the-less, adopt those incorrect answers; and, (b) even if those answers are correct, it will not deviate from them to produce creative, novel, solutions. Thus, currently, such AI-driven programs are useful when dealing with unimaginative issues that have an accepted solution – such as a child’s arithmetic homework or a student’s introductory essay to a topic. Similarly, this is the reasoning that supports the argument that lawyers will become redundant, because they merely apply mechanically the law to the facts. This flawed approach to replacing judicial judgement formed the basis of the conviction of Roj Blake in Blake’s 7 (series 1, episode 1: The Way Back, 2 Jan 1978 – the evidence was tainted). The issue of AI in IP is live, with the UK IPO having already consulted on the role of AI created works in both the patent and copyright fields. Further, as to the former, the DABUS patent case continues to be litigated around the world; as to the latter, there is already provision for the protection of copyright works that were computer-generated (CDPA 1988 s.9(3)). AI’s role in IP is only set to increase.