

Artificial Intelligence As an Object of Intellectual Property

Nurillo Faizullaevich Imomov

*Professor of Civil Law Department
of Tashkent State Law University*

Abstract

The level of development of artificial intelligence can be discussed only conditionally, because its development is accelerating, and new things are quickly becoming obsolete every second. This is especially evident in the fastest growing field of artificial intelligence - artificial neural networks. By the beginning of 2023, ChatGPT, DALL-ye and other multimodal neural networks, their intellectual capabilities are improving by increasing the number of parameters (accepted methods, including those that are not available to humans), as well as by using them. Large amounts of training data that humans cannot physically process have raised the issue of creating wired artificial intelligence. For example, multimodal generative models of neural networks can create pictures, literary and scientific texts in such a way that it is not always possible to distinguish whether they were created by a human or an artificial intelligence system.

Keywords: *AI, ChatGPT, society, cyber-physical form*

INTRODUCTION

IT experts talk about two quality leaps: a speed leap (the frequency with which qualitatively new models appear), which is measured not in years, but at most in months, and a variability leap (what happens in the field of artificial intelligence not being able to accurately predict that it will happen) it is impossible to predict it even before the end of the year) . The ChatGPT-3 model (the third generation of the natural language processing algorithm from OpenAI) appeared in 2020 and can process text, the next generation model-ChatGPT-4, released by the manufacturer in March 2023, not only text, but also images and text can "work" with the model, and the next generation models can evolve and be capable of more.

A few years ago, it was believed that the approximate moment of technological singularity, when the development of machines would be almost uncontrollable and irreversible, and would fundamentally change human civilization, would come at least in a few decades, but today it is increasingly more researchers believe it. This means the emergence of a powerful artificial intelligence that exhibits abilities comparable to human intelligence and can solve similar or even broader tasks. Unlike weak artificial intelligence, it has a strong consciousness, and one of the conditions for the emergence of consciousness in intelligent systems is multimodal behavior by

combining information from different sensory methods (text, image, video, sound, etc.). is the ability to perform actions.), it is necessary to "connect" the information of different modalities to reality and build full-fledged coherent "world metaphors" characteristic of a person.

In March 2023, more than a thousand researchers, IT experts and entrepreneurs in the field of artificial intelligence signed an open letter published on the website of the Future of Life Institute, an American research center specializing in the study of existential risks for humanity. The letter calls for a halt to the training of new generative multimodal models of neural networks, as the lack of uniform security protocols and the legal vacuum significantly increase the risks, as the speed of development of artificial intelligence technologies has increased dramatically due to the "ChatGPT revolution". It was also noted that artificial intelligence models have unexpected opportunities by developers, and perhaps the share of such opportunities will gradually grow. In addition, such a technological revolution strongly encourages the creation of widespread smart gadgets, and the new generations who grew up in constant contact with artificial intelligence assistants, today's children, are very different from previous generations.

Is it possible to prevent the development of artificial intelligence so that humanity can adapt to new conditions? In theory, yes, if all countries contribute to it through national legislation. Do they do it? Judging from published national strategies, they do not; on the contrary, each country sets itself the task of winning the competition (maintaining the lead or reducing the gap). The task of rapid development of artificial intelligence technologies in Uzbekistan was adopted by the Decision of the President of the Republic of Uzbekistan dated February 17, 2021 PQ-4996 "Measures on the study and introduction of artificial intelligence technologies in 2021-2022 program of events". The program defines a number of main directions and they include: support for scientific research to ensure the advanced development of artificial intelligence, development of intelligent software, necessary for the development of artificial intelligence technologies to increase the availability of information, to create a complex system of regulating the relations that arise in this regard. with the development and use of artificial intelligence. Also, the development of artificial intelligence in the program requires support for scientific research aimed at creating radically new results, including the creation of strong artificial intelligence. A similar task has been set in the programs of artificial intelligence development in other countries of the world.

The possibilities of artificial intelligence attract entrepreneurs, so business structures invest heavily in new developments, and the success of each new model stimulates this process. Given that both private companies and the state invest in development, annual investments are increasing; the world market of artificial intelligence solutions is hundreds of billions of dollars; In particular, according to the forecasts contained in the decision of the European Parliament of May 3, 2022 "On artificial intelligence in the digital age", by 2030 the contribution of artificial intelligence to the global economy will exceed 11 trillion euros.

The result of practice-oriented business is the introduction of artificial intelligence technologies in all areas of the economy. Artificial intelligence is used in mining and processing industry (metallurgy, fuel and chemical industry, mechanical engineering, metal processing, etc.). It is used to predict the performance of products in development, automate assembly lines, reduce defects, improve logistics and prevent downtime.

The use of artificial intelligence in transportation includes both autonomous vehicles themselves and route optimization using traffic flow prediction, ensuring safety by preventing dangerous situations. Putting self-driving cars on public roads is an issue that is being actively discussed by parliaments around the world. For example, in 2021, the Ministry of Transport of the Russian Federation also developed a draft law "On highly automated vehicles and amendments to certain

legislative acts of the Russian Federation", and a year later - Russia Resolution No. 2495 of the Government of the Federation of December 29, 2022 developed the draft law "On Highly Automated Vehicles". "Experimental legal regime program in the field of digital innovations in the provision of transport services using highly automated vehicles" was developed in the territories of some subjects of the Russian Federation. Autonomous harvesters are increasingly being used at the intersection of the transport sector and agriculture, and this process is even faster in agriculture, because there are no strict legal restrictions on driving on public roads.

In the banking industry, artificial intelligence systems have almost completely replaced people in assessing the creditworthiness of borrowers, they are increasingly used to develop new banking products and improve the security of banking operations.

Artificial intelligence technologies "cover" not only business, but also the social sphere: health care, education, employment. The use of artificial intelligence in medicine makes it possible to improve diagnostics, develop new drugs, perform operations with the help of robotics; allows for individualization of lessons in the field of education, automation of assessment of professional skills of students and teachers.

The concepts of "artificial personality" and "artificial sociality" are increasingly mentioned in public discourse; this shows that the development and implementation of intelligent systems has moved from a purely technical field to the field of researching various methods of their implementation in humanitarian and socio-cultural human activities.

Considering the above, it can be said that artificial intelligence is getting deeper into people's lives. The presence of artificial intelligence systems in our lives will increase significantly in the coming years; it increases in the work environment, in public places, in the service sector, and at home. Artificial intelligence will increasingly provide increased efficiency in achieving results by intelligently automating various processes, creating new opportunities and, at the same time, creating new threats to people, communities and countries.

With the growth of its intellectual level, artificial intelligence systems will inevitably become an integral part of society; people will have to live with them. Such a symbiosis includes the cooperation of people and "intelligent" machines, which, according to J. Stiglitz, winner of the Nobel Prize in Economics, will lead to a change in civilization. Even today, according to some lawyers, "in order to improve people's well-being, when people and artificial intelligence perform the same tasks, the law should not distinguish between human activity and artificial intelligence activity." It is also important to remember that the development of humanoid robots, increasingly closer to physiology, leads, among other things, to their gender roles as partners in society.

States must adapt legislation to changing social relations: the number of laws aimed at regulating relations in which artificial intelligence systems participate in one or another role is growing rapidly around the world. According to Stanford University's AI Index Report 2023, if there was only one law in 2016, 12 in 2018, 18 in 2021, and 37 in 2022. This prompted the United Nations to formulate a position on the ethics of the use of artificial intelligence at the global level. In September 2022, a document containing principles for the ethical use of artificial intelligence appeared based on the recommendations on the ethics of artificial intelligence adopted by the UNESCO General Conference a year earlier, and despite this, the development of artificial intelligence technologies and the rate of implementation will significantly exceed the rate of change in the relevant legislation.

If we consider the legal regime of artificial intelligence as an example of the legislation of different countries, in particular, in accordance with Article 128 of the FC of Russia, objects of law are

things, other property, including property rights, protected results of intellectual activity, intangible benefits, etc.

Artificial intelligence (usually a robot) in a cyber-physical form, that is, with a "body", is considered a thing according to the current legislation, but the features of the legal regime of such things are not provided, their transfer is not restricted. According to Article 88 of the FC, it is assumed that it is permissible to describe robots as indivisible objects, as an attempt to separate the artificial intelligence itself (ie, the software) from the "body" of the robot, since its shell is its designated lead to an inevitable change in purpose or even destruction.

Artificial intelligence is a set of technological solutions that allow simulating human cognitive functions (including self-learning and finding solutions without a given algorithm) and obtaining results of certain tasks that are at least comparable to the results of human intellectual activity. The complex of technological solutions includes information and communication infrastructure (including information systems, information and communication networks and other technical means of information processing), software (including using machine learning methods), data processing and search for solutions. processes and services.

The introduction of artificial intelligence systems into legal objects does not exclude the possibility of legally combining them with legal regulatory features in the future, depending on the form of artificial intelligence - virtual or cyberphysical, as well as taking into account the difference in the level of artificial intelligence. For example, some researchers propose to separate advanced cyberphysical systems into a separate category, since the impact of "intelligent" robots on society depends on a number of factors, including the presence and appearance of the "body", that is, specific to its components. Due to its appearance in non-virtual systems, it becomes more important than the effects of virtual systems.

The idea of "full inclusion" of artificial intelligence systems and the legal status of a person is reflected in the works of some jurists. Since the provisions of the Constitution, as well as the relevant legislation, do not represent a legal definition of a person, the concept of "person" in the constitutional-legal sense theoretically allows for an expanded interpretation. In this case, persons include any persons of intelligence whose mental faculties are recognized as sufficiently developed. According to A.V. Nechkin, the logic of this approach is that the important difference between a person and other living beings lies in his uniquely highly developed intelligence. The recognition of the rights of artificial intelligence systems seems to be the next step in the evolution of a legal system that gradually expands the legal recognition of previously discriminated people and opens the door to non-humans today.

It should also be taken into account that artificial intelligence systems do not satisfy the formal nature of the organizational unit, which is mandatory for legal entities. The legal status of a legal entity has been formed for many centuries and shows the characteristics of "legal conservatism" like the law in general. On the other hand, the current legislation on legal entities largely limits the possibilities of granting rights and obligations to Artificial Intelligence systems; an attempt to apply this design leads to unreasonably restricting innovation, which is unacceptable considering the content of the above strategic documents aimed at the rapid introduction of artificial intelligence technologies in various sectors of the economy, in the social sphere.

Thus, although the concept of collective persons in relation to artificial intelligence systems has certain possibilities, it does not correspond to established legal traditions. In our opinion, it is impossible to give legal subjectivity to AI, and in this case rights and obligations should arise in relation to the person who used artificial intelligence.

References

1. Karelov, S. (2023, April 5). Telegram channel “Little-known interesting facts”. <https://t.me/s/theworldisnoteasy>
2. David Shapiro (expert on artificial cognitive architecture) predicts. “AGI within 18 months”. (2023, March 28). https://www.reddit.com/r/singularity/comments/1254azr/david_shapiro_expert_on_artificial_cognitive
3. Kolonin, A. (2021, December 8). On the depth, transparency and “power” of AI at the moment. <https://russiancouncil.ru/analytics-and-comments/analytics/o-glubine-prozrachnosti-i-sile-ii-v-tekushchemmomente/>
4. Pause Giant AI Experiments: An Open Letter. (2023, March 22). <https://futureoflife.org/open-letter/pausegiant-ai-experiments>
5. European Parliament Resolution of 3 May 2022 on Artificial Intelligence in a Digital Age (2020/2266(INI)). https://www.europarl.europa.eu/doceo/document/TA-9-2022-0140_EN.html
6. Prospects of employment and social protection worldwide: Role of digital labor platforms in transformation of labor sphere. (2021). The ILO Decent Work Technical Support Team and Country Office for Eastern Europe and Central Asia. Moscow: ILO.
7. World Robotics R&D Programs. (2023). https://ifr.org/downloads/papers/Executive_Summary_-_World_Robotics_RD_Programs_V02.pdf
8. Попова, А. В. (2018). Новые субъекты информационного общества и общества знания: к вопросу о нормативном правовом регулировании. Журнал российского права, 11(263), 14–24. https://doi.org/10.12737/art_2018_11_2
9. Филипова И.А., Вадим Д.К. Будущее искусственного интеллекта: объект или субъект права? // <https://cyberleninka.ru/article/n/buduschee-iskusstvennogo-intellekta-obekt-ili-subekt-prava>
10. Шуткин, С. И. (2020). Возможна ли правосубъектность искусственного интеллекта. Труды по интеллектуальной собственности, 35(1–2), - С. 90–137.
11. Ладенков, Н. Е. (2021). Модели наделения искусственного интеллекта правосубъектностью. Вестник Балтийского федерального университета им. И. Канта. Серия: Гуманитарные и общественные науки, 3, 12–20.
12. Понкин И.В., Редькина А.И. (2018). Искусственный интеллект с точки зрения права. Вестник Российского университета дружбы народов. Серия: Юридические науки, 1, 91–109. <https://doi.org/10.22363/2313-2337-2018-22-1-91-109>