Senate Study Bill 3013 - Introduced

A BILL FOR

1 An Act relating to the ownership of artificial intelligence
2   output and trained artificial intelligence.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **554J.1 Definitions.**
2 For purposes of this chapter:
3 1. *"Artificial intelligence"* means a machine-based system
4 that, for any explicit or implicit objective, infers from the
5 input the system receives to generate output that can influence
6 physical or virtual environments.
7 2. *"Input"* means data, directives, or instructions that a
8 user provides to guide the creation of new output.
9 3. *"Output"* means new content that an artificial intelligence
10 generates based on a user's input in relation to the data
11 used to train the artificial intelligence. *"Output"* includes
12 but is not limited to audio-visual media, images, predictions,
13 recommendations, and text.
14 4. *"Train"* means to expose an artificial intelligence to data
15 for the purpose of making the artificial intelligence recognize
16 patterns, relationships, and structures between data so the
17 artificial intelligence can employ knowledge of those patterns,
18 relationships, and structures to create new output.
19 5. *"User"* means a person that uses artificial intelligence
20 for the purpose of generating output. *"User"* does not include a
21 person giving data to an artificial intelligence for the purpose
22 of training the artificial intelligence.
23 Sec. 2. NEW SECTION. **554J.2 Ownership of output ——**
24 **ownership of trained artificial intelligence.**
25 1. Subject to subsection 3, a user who provides input to an
26 artificial intelligence shall be the owner of the output the
27 artificial intelligence generates that was based on the user's
28 input, provided that the output does not infringe on a third
29 party's existing copyrights or intellectual property rights.
30 2. Subject to subsection 3, a person that trains an
31 artificial intelligence shall be the owner of artificial
32 intelligence that results from the training if all of the
33 following apply:
34 *a.* The training data was lawfully acquired and used for
35 training purposes.

1   *b.* The person has not transferred ownership rights of the
2 resulting artificial intelligence to another person through a
3 contract or agreement.
4   3. If a person uses artificial intelligence as a part of
5 the person's employment duties, the resulting output or trained
6 artificial intelligence shall be the property of the person's
7 employer if all of the following apply:
8   *a.* The person's use of artificial intelligence is within the
9 scope of the person's employment.
10   *b.* The person's use of the artificial intelligence was
11 conducted under the direction and control of the employer.
12   *c.* If applicable, the output does not infringe on a third
13 party's existing copyrights or intellectual property rights.
14   *d.* If applicable, the training data was lawfully acquired and
15 used for training purposes.
16   4. This section shall not be construed to grant ownership
17 of property if such a grant of ownership would infringe on a
18 preexisting copyright or other intellectual property right.
19   EXPLANATION
20   The inclusion of this explanation does not constitute agreement with
21   the explanation's substance by the members of the general assembly.
22   This bill relates to the ownership of artificial intelligence
23 output and trained artificial intelligence.
24   The bill defines "artificial intelligence", "input", "output",
25 "train", and "user".
26   The bill makes a user who provides input to an artificial
27 intelligence (AI) the owner of the output generated by the AI
28 that was based on the user's input, provided that the output
29 does not infringe on a third party's existing copyrights or
30 intellectual property rights.
31   The bill makes a person that trains an AI the owner of AI
32 that results from the training if the training data was lawfully
33 acquired and used for training purposes and the person has
34 not transferred ownership rights of the resulting AI through a
35 contract or agreement.

1   If a person uses AI as a part of the person's employment
2 duties, the bill makes the resulting output or trained AI the
3 property of the person's employer if certain conditions detailed
4 in the bill are met.
5   The bill shall not be construed to grant ownership of property
6 if such a grant of ownership would infringe on a preexisting
7 copyright or other intellectual property right.