



March 14, 2025

AI Action Plan
Attn: Faisal D'Souza, NCO
2415 Eisenhower Avenue
Alexandria, VA 22314

Submitted by email to ostp-ai-rfi@nitrd.gov

**Re: Comments in Response to Request for Information on the
Development of an Artificial Intelligence (AI) Action Plan**

To Whom It May Concern:

Intellectual Property Owners Association (IPO) appreciates the opportunity to respond to the Request for Information on the Development of an Artificial Intelligence (AI) Action Plan published at 90 FR 9088 (February 6, 2025).¹

IPO is an international trade association representing a “big tent” of diverse companies, law firms, service providers, and individuals in all industries and fields of technology that own, or are interested in, intellectual property rights. IPO membership includes over 125 companies and spans over 30 countries. IPO advocates for effective and affordable IP ownership rights and offers a wide array of services, including supporting member interests relating to legislative and international issues; analyzing current IP issues; providing information and educational services; supporting and advocating for an IP system that enables innovation and creativity; and disseminating information to the public on the importance of IP rights. IPO’s vision is the global acceleration of innovation, creativity, and investment necessary to improve lives.

IPO appreciates and supports the goal to define the priority policy actions needed to sustain and enhance America's AI leadership, and to ensure that unnecessarily burdensome requirements do not impede private sector AI innovation. IPO views the following as key issues that should be considered for inclusion as part of the AI Action Plan:

- With the proliferation of AI tools to assist innovation, issues related to inventorship in the context of patents may continue to evolve. Uncertainty surrounding inventorship of AI-assisted inventions could impede innovation, hindering the development and application of new technologies. As AI technology becomes further integrated into everyday business operations, innovators must be able to confidently leverage AI tools in good faith without fear of inventions being deemed unpatentable due to new and complex inventorship considerations. It is important

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that the U.S. Patent & Trademark Office (USPTO) continue monitoring, seeking comments on, and providing guidance about this issue. IPO also recommends continuing training for USPTO personnel in evaluating questions related to inventorship in patents.

- Given the fast pace of innovation in AI, IPO recommends that the USPTO continue to iteratively refine the patent subject matter eligibility examination guidance on AI-related inventions through additional subject matter eligibility examples (and other training materials for USPTO personnel) and requests for comment as the technology and case law evolve.
- IPO recommends that the USPTO continue monitoring issues related to AI-generated prior art. The USPTO should continue to seek comments on and provide guidance about the impact of human involvement, public accessibility, operability, and reliability on AI-generated prior art.
- Copyright protection for AI-assisted works is another important topic. IPO recommends that the Copyright Office continue seeking comments on and issuing guidelines about AI as a tool for creativity.

IPO thanks you for your attention to IPO's comments submitted herein and welcomes further dialogue and opportunity to provide additional comments.

Sincerely,

A handwritten signature in black ink that reads "Krish Gupta". The signature is written in a cursive, flowing style.

Krish Gupta
President