The ‘Director’s-Forum-on-Al-in-Patenting’ is a Brilliant Idea — especially to the Point.

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This short mail — being a quick & strong answer to the USPTO’s AI initiative launched by Andrei Iancu on 21.08.2019[552] — comprises only the below brief 2 sections, the headlines of which moreover clearly indicate what they are telling.

I. An Important Clarification: Why the Director’s AIPartnership-Forum is Timely ‘to the Point’.

The reason is evident: AI has originally taken off on its triumphal course in industrial production — now it is penetrating also the mass-market, with the impact on the patent community that it may add to the PE misery an AI misery. Without control, the charm of this type of AI in the patent context may surprise.

The ‘Director’s Forum on AI in patenting’ is probably the only sufficiently authoritative instrument to stay on course with definitively resolving the PE problem, as Andrei Iancu promotes it since in office — by the next version of the USPTO’s 2019 PE-Guideline — and nevertheless optimally unfolding by this AIPartnership forum the enormous socio-economic potentials of US society’s innovativeness. Yet, once an illusionary ‘AI patenting stampede’ is on — what AI’s recent triumphal success may trigger any time — it is hard to return to rationality, as the (much smaller) PE stampede for ETCIs patenting just showed (i.e. ignoring the Supreme Court’s ‘framework warning’ instead of leveraging on it, as[9] and many publications of the FSTP-Project tell). The USPTO’s AI-initiative hence is really to the point — especially as to the many CRISPR-based patent applications[8,495].

II. My Friday Mail to You Replied already to the 16 AI Questions Asked by the Director’s Forum.

This does not mean that the Director’s AI Forum is superfluous. On the contrary: Exceeding the Section I issue, this Forum is right to the point also as to focusing the US patent community on still another fundamental aspect of AI in patenting: It is AI’s much higher disruptivity than the 12+ AI questions indicate — which hence are no new questions, but the old ones. Thereby, this holds only as the Director’s AI Forum is based on the Supreme Court’s framework requirements — otherwise, AI is next to negligible. This disruptivity is briefly explained in my preceding mail[9] & in[508].

For a patent (to be) granted on an ETCI, its AI comprises — by the FSTP-Test implementing & vastly automizing it — ●the “enforceability of its patent-eligibility & patentability” in the USPTO and in US courts, ●its draftability “totally SPL-robust”, ●testing it for (not) being totally SPL-robust, and ●identifying & drafting all sets of still unknown adjacent ETCIs, ●… All these AI aspects are disruptive for the respective hitherto necessarily ‘manual’ activities.

And from these AI implications — evidenced by the FSTP-Test, which any ETCI must pass for being patent-eligible & patentable — follows that they also answer the asked 16 AI questions (using the numbering in[552,553]). This statement trivially only holds — and the below answers — as the AI used in the FSTP-Test models the 35 USC §§ 112/101/102/103.

1. What are elements of an AI invention? Exactly those of the AI inventions in FSTPtech-KR, see[552,9].
2. What are the different ways that a natural person can contribute to conception of an AI invention and be eligible to be a named inventor? Exactly those known/applied from in ‘pre-Al-Invention’ patenting.
3. Do current patent laws and regulations regarding[552] …? NO / NONE
4. Should an entity or entities other than[552] …? NO

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The Senate Subcommittee will by its § 101 Enquiry Settle this
hindler: “Andrei Iancu’s Promises of More Certainty in USPTO’s PE
Iancu Says USPTO Patent Eligibility Guidance Bringing Clarity”,
Courts Can Resolve Patent Eligibility Problems, Iancu Says
chindler: –

The final sentence
2.
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Excerpt from the FSTP-Project’s Reference List

Many FSTP-Project-mails, including this one, are written in preparation of the textbook[10] – i.e. are not fully self-explanatory independent of other FSTP-mails.

[2] The term ‘Artificial Intelligence’ here denotes specific cutting edge determin-
ist IT & Mathematics areas, e.g. in KnowledgeRepresentation (KR) Description Logic (DL) Natural Language (NL) Semantics/ Semantics (Nonsequential) System Design... i.e. a resilient fundament for analyzing 35 USC/SPL by AI-based Facts Screening/Transforming/Presenting, FSTP-Technology, deve-
toped here, induced by the US Supreme Court’s framework decisions[12]. All the ETCIs’ meanings, especially Molecular Biology meanings of all ‘BIO-

The Congress’s New § 101 Initiative Accelerates Consolidating &

The CAFC’s Rebellion is Over

Improve the PE Notion Vastly Agreed: this mail, publ. 15.02.2019[12]

17.04.2019[12]

Iancu: “Statement delivered before the US House Subcommittee on Courts, IP, and the Internet Committee on the Judiciary”, DC, 09.05.2019[12]

S. Schindler: “The Congressional Committee’s PE Initiative Basically Confirms USPTO’s 2019 PE-Guideline — Yet the Latter’s Vastly Agreed § 101 Meaning Requires Further Specificity for being PE[10]”, publ. 30.05.2019[12]

S. Schindler: “The Senate Subcommittee will by its § 101 Enquiry Settle this
issue, with no Vagueness or Clustering in US SPL”, publ. 22.06.2019[12]

S. Schindler: “Andrei Iancu’s PTO-PE-2019:GuideLine Approaches the Frame-
work — Broadly Agreed The P. R. by Sens. Tillis & Coons — about the
CAFC’s PE Uncertainties — Promises Rapid Relief”, publ. 15.07.2019[12]

Tillis, Coons: “What We Learned at Patent Reform Hearings”, publ. 24.06.2019[12]


CAFC: Athena vs. Mayo, 03.07.2019[12]


B. Stoll, mail, 25.07.2019.

G. Berkely: “A treaties concerning the principles of human knowledge”, 1710.

S. Schindler: “A Comment on Two Heavyweight Letters to the Congressional Subcommittee on IP”, publ. 05.08.2019[12]

S. Schindler: “The Director’s Forum on AI & Patenting Is a Brilliant Idea — as to the Point” this mail, publ. on 02.09.2019[12]


S. Peter: “USPTO announces FRN on artificial intelligence patent issues”, 26.08.2019[12]

*) docs & complete Ref. List on www.FSTP-expert-system.com