

# Navigating the Landscape of Generative AI: Insights from Day One of INTA's Conference on The Business of AI

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At the recent conference on the Business of Al in New York City, hosted by INTA, experts emphasized the evolving nature of interacting with generative Al ("GenAl") systems, highlighting the need for skill refinement as platforms advance. Organizations are leveraging GenAl for tasks ranging from drafting IP applications to corporate meeting minutes, underscoring its potential for efficiency and innovation. However, caution is urged regarding potential inaccuracies and ethical considerations, prompting businesses and legal professionals to navigate the evolving landscape with vigilance and strategic planning.

# Things You Need to Know

Interacting with GenAl systems requires a skill set that must be honed over time. Prompt writing, in particular, is evolving into an art form as Al platforms continue to advance. Some providers are now offering curated data sets to guide prompts toward more useful results, while certain prompts may be blocked altogether for safety or proprietary reasons or requirements.

GenAl systems are already revolutionizing various tasks, from preparing meeting minutes to drafting patent claims. Despite the clear potential, it is crucial to remember that GenAl will always return some kind of response to a prompt, even if it is incorrect or unhelpful. Legal implications span across intellectual property law (trademark, copyright, etc.), as well as other areas including rights of publicity, privacy obligations and existing agreements. Additionally, some GenAl systems still allow users to bypass safeguards, leading to potential issues with inappropriate information disclosure and harmful content.

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# Resources

For those delving into the world of GenAl, valuable resources are available to navigate legal and ethical considerations. The World Intellectual Property Organization offers a tracker of Al initiatives at IP offices, while Theresa Weisenberger (one of the conference's excellent presenters) of BakerHostetler provides a very helpful Al case tracker for copyright and class actions related to this field.

# **Who This Affects**

GenAl systems have far-reaching implications for businesses, customers, and legal professionals. Each group must weigh the incredible efficiencies offered by these tools against their own set of particular risks and issues. Legal professionals, in particular, must stay informed about state-of-the-art resources and tools, and without too much more delay, update their client engagement letters to acknowledge the increasing likelihood that GenAl will become integrated into aspects of their services. Those implementing GenAl tools should also establish firm Al policies to navigate this evolving landscape, and those using GenAl services should become familiar with the terms and conditions of use.

# What's Next?

As the use of GenAl becomes more prevalent, it is crucial to prioritize the issues of accountability, data privacy, transparency and protection from discrimination. Interested adopters of GenAl should ask probing questions about providers' privacy and security certifications, data gathering processes and built-in safety features before using these tools, and negotiate to appropriate contractual parameters whenever possible. Moreover, vigilance is necessary to ensure compliance with evolving laws and guidelines surrounding Al technology.

For more insights from the conference, you can visit the event page here.

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