

## **ROLE OF ARTIFICIAL INTELLIGENCE IN DATA PROTECTION- WITH PARTICULAR REFERENCE TO COPYRIGHT PROTECTION**

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### ***Abstract***

Artificial intelligence intersects with Intellectual Property Laws in many ways. We are in a new era wherein machines act independently without human intervention behind the inventive and creative act itself. Similar to humans, they can autonomously invent and generate creative works. When an artificial intelligence entity is deemed as the source of a new idea or creation, the question as to who will have ownership rights over that particular creation arises. The authors have made an attempt to know whether the existing Intellectual property system needs to be modified to provide balanced protection for machine created works. Nowadays, the major issue is that the data which is used for training an AI is not protected as such. Though AI can create a work on its own, unless sufficient data base for such nature of work is not provided it cannot create a work at all. Therefore, all the work of the AI is based on a database. Indeed, the structure of this database is to be protected according to the EU Database Directive. On the other hand, data produced by AI is also currently not protected under copyright law. Work generated by an AI system can be qualified as a trade secret according to the new EU Directive on the protection of undisclosed know-how and business information (trade secrets). Since, under copyright law as trade secrets are not real property rights this protection is clearly weaker. This paper is an attempt to analyse the role of artificial intelligence in copyright data protection.

***Keywords:*** *Artificial intelligence, copyright work, data protection, trade secret*