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# THE IMPACT OF ARTIFICIAL INTELLIGENCE ON THE LABOUR FORCE & INVENTIONS CREATED BY ARTIFICIAL INTELLIGENCE BE GRANTED PATENTS

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## INTRODUCTION

Alan Turing, often regarded to as the "father of computer science," posed the question "can machines think?" in 1950, even if this definition of artificial intelligence reflects a notion of artificial intelligence that was prevalent at the time. Turing created the initial test, known as the "Turing Test," in which a person's response to this question would require them to distinguish between text responses generated by a machine and those generated by a human. Even if artificial intelligence has developed since Turing's initial test, justification, and understanding, this nevertheless marks the beginning of an ongoing conversation and argument regarding AI.

There are four potential uses or definitions of artificial intelligence that can be applied to Differentiate between computer systems with AI and those without. These are from Stuart. One of the best textbooks on AI is written by Russell and Peter Norvig. The primary objectives of artificial intelligence are split into two categories based on the distinction between thinking and doing. Groups, two of the four objectives belonging to each group. The first category is the human approach. The human approach aims to replicate human behavior and mental processes within systems. The second category comprises the most effective strategy. The optimal approach strives for systems that exhibit both rational behavior and rational thought<sup>1</sup>.

Artificial intelligence can be defined as a computer's capacity to solve issues through the integration of huge, dependable data sets with computer science. Consequently, algorithms for artificial intelligence (AI) might be created to create "expert" systems that could categorize or predict data that is sent into the system. Moreover, deep learning and machine learning are commonly discussed together because they fall under the same category of artificial

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<sup>1</sup> Alexander Kononov, "AI Will Impact The Labor Market, But Workers Should Embrace The Technology, Not Fear It" Oct 31, 2022 <https://www.forbes.com/sites/forbestechcouncil/2022/10/31/>

intelligence (AI)<sup>2</sup>.

We must discuss about the artificial intelligence how it has grown to be a significant component of the labour force in this §. We can also draw attention to how AI has changed how we work and how the employment market is evolving as a result.

A new era of automation has begun with recent advancements in robotics, artificial intelligence (AI), and the Internet of Things. Industry 4.0, as it is commonly known, is a technological advancement where robotics, computers, and AI-led technologies can execute not only routine operations but also duties that were previously thought to be exclusive to human performance, including making decisions. Thus, there are three ways in which AI may affect jobs. In certain jobs, technology can serve as a supplement to humans; in others, it can take the place of humans completely; and in still other duties, it can create entirely new kinds of work for humans. In this context, it is critical to comprehend the extent to which this technological advancement has affected employment and occupations in India. This policy brief reviews national and international studies with regard to India in order to give an overview of the effects of AI on employment. This policy brief concludes by attempting to provide policymakers some recommendations and a path ahead.

Artificial intelligence (AI) is a dynamic and rapidly evolving field that focuses on creating intelligent software systems that can do activities that typically require human intelligence. Artificial intelligence (AI) systems handle large-scale data manipulation and analysis. They also extract valuable information that boosts business innovation and productivity. Artificial intelligence (AI) has the potential to drastically change both our way of life and our work, from creating new products and services to automating tedious tasks. Artificial intelligence has a wide range of applications, from financial analysis and medical diagnosis to virtual assistants and self-driving vehicles.

Globally, artificial intelligence (AI) is transforming economies, society, and industries. Unprecedented progress has been made as a result of its integration into many industries, but worries about how it may affect the work force are also raised. AI technologies are automating processes and jobs that were previously completed by humans, which is causing huge changes in the workforce. The diverse effects of artificial intelligence (AI) on the labor force are

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<sup>2</sup> AISHA JAVED “Impact of Artificial Intelligence on the Future of Labor Market” 15 OCTOBER 2018  
<https://www.xorlogics.com/2018/10/15/impact-of-artificial-intelligence-on-the-future-of-labor-market/>

examined in this article, along with potential obstacles, opportunities, and adaption techniques.

□ We need the following artificial intelligence technologies to make our daily lives easier:

1. Machine learning
2. Deep learning systems
3. Natural language processing
4. Natural language generation
5. Virtual agents
6. Speech recognition
7. Hardware with incorporated AI
8. Decision management

Artificial intelligence (AI) is now everywhere, from voice assistants to shrewd appliances, and its influence on our way of life and place of employment will only grow.

This helps us live our daily lives. Artificial intelligence (AI) technology innovation is advancing at a breakneck pace, and it is already being used to automate several jobs in our homes and at various workplaces.

#### **AI's beneficial effects on the labour force**

- Efficiency and productivity gains,
- Reduced manual and repetitive work loads,
- Improved safety, and
- The creation of new jobs are among the benefits.

Businesses, governments, and individuals must increasingly foresee and plan for future skill needs, job content, and the overall influence on employment in order to fully capitalize on the

opportunities given by these developments and to prevent unfavorable results.

### **AI's detrimental effects on the labour force**

- Job displacement is one of the factors,
- along with skills gaps and job mismatches,
- unequal benefit distribution, and
- ethical concerns

### **TYPES OF ARTIFICIAL INTELLIGENCE**

#### **1. Reactive machine**

- o Most basic
- o Purely reactive
- o Example:- Netflix recommendation or chess game in which the computer respond to moves

#### **2. Limited memory machine** o Advanced

- o Can look into the past
- o Info about the past transit
- o Example self driving car

#### **3. Theory of mind**

- o Can understand human mind emotions and behavior
- o And also give their own opinion

#### **4. Self awareness**

- o Future
- o Can think, analysis and prosses

- o Can understand emotions
- o The immediate impact of AI is changing norms for example in our country biggest change in employment.

## **ARE PEOPLE NEED ARTIFICIAL INTELLIGENCE?**

Does AI really need to exist in human society? It fluctuates. Yes, it is, provided that the worker selects a quicker and more effective way to do the task at hand and works continuously without stopping. It isn't, though, if people are happy to live a natural life without having oppressive desires to overthrow the natural order. History demonstrates that individuals are always looking for easier, faster, more convenient ways to do the activities they are working on.

People are therefore motivated to look for new and better ways to get things done because they feel that progress must continue. As homo sapiens, humans discovered that the use of tools could solve many problems that arise in daily life and that by creating tools, humans could complete jobs more quickly. Creativity, or creating new things, is the driving force behind human growth. The entire reason for the simpler and more carefree lifestyle of today is technology. The tools have been a part of human culture from the beginning of civilization and are vital to progress. Modern humans did not have to work as hard as their forefathers did in previous ages because they had new technologies working for them.

Although a warning was received, everything is good and should be good for this AI. Everything is well and should work well for these AI, but as human technology developed in the early 1900s, Aldous Huxley warned in his book *Brave New World* that we can end up in a world where we are genetically creating monsters or superhumans.

Furthermore, contemporary AI is finding its way into the medical field by assisting physicians with diagnosis, tracing the origins of illnesses, suggesting alternative treatment plans, performing surgeries, and even figuring out whether a patient's condition is lifethreatening. In a recent study, surgeons from Washington's Children's National Medical Center used an autonomous robot to successfully perform surgery. The robot outperformed a human surgeon in the soft-tissue surgery and colon reconstruction of a pig, according to the research. It demonstrates how robotically assisted surgery can overcome the limits of current minimally invasive surgical procedures and enhance the skills of physicians doing open surgery.

Above all, we witness the well-known uses of AI, including autonomous vehicles and drones, medical diagnostics, artistic expression, gaming (like Go or Chess), internet assistants (like Siri), image recognition in images, spam filtering, flight delay forecasting, etc. They have all made people's lives so much easier and simpler that we have become accustomed to them and no longer take them for granted. AI has become essential, even if it is not technically necessary, as without it, many aspects of our world would be in disarray.

### **NEW JOBS BEING CREATED**

AI is reshaping the labour market but also adding new jobs. The need for individuals with the knowledge and abilities to create, develop, and manage these systems is growing as AI becomes more commonplace. Data scientists, AI engineers, and machine learning engineers are examples of positions included in this. In addition, there is a rising demand for experts who can use AI to develop new goods and services.

Despite the modifications that AI is bringing to the labour market, it is critical to keep in mind that technology cannot completely replace human labour. While AI can automate some processes, it cannot take the place of human workers' creativity, critical thinking, and decision-making abilities. In fact, a lot of specialists think that AI will supplement human workers, increasing their effectiveness and productivity.

The Indian express reports that by 2025 there would be an increase of about 20 million employment related to AI. These figure are a result of the encouraging response and most recent technological advancement in every conceivable industry. From disease detection to mental health counseling, crop forecasts, weather analysis, studies, designing, urban city planning, sewage system, traffic management, and fashion and space research. It's all been impacted by AI<sup>3</sup>.

How AI will affect work and employment is one important question that many of us have in mind. People are still cautious to accept AI out of concern for a brand-new, exquisite infrastructure and out of concern that it would replace the jobs that we humans have been performing.

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<sup>3</sup> Parul Saxena, "AI impact on India: Jobs and employment" Dec 03, 2021  
<https://indiaai.gov.in/article/aiimpact-on-india-jobs-and-employment>

The World Economic Forum predicts that in the ensuing decades, AI will generate a number of distinct career roles, including those for specialists in AI and machine learning, data scientists, information and security analysts, internet of things specialists, and big data specialists. Governments have taken a number of measures and training programmes to help people become skilled and ready for emerging AI-related career roles<sup>4</sup>.

Artificial intelligence is a fantastic technology that has enabled us to imagine beyond the inconceivable. During RAISE 2020, India's Prime Minister, Narendra Modi, praised artificial intelligence, saying, "*Artificial intelligence is a tribute to human intellectual power.*" The ability to think allowed humans to create tools and technology. These tools and technology now have the ability to learn and think! AI is a crucial new technology in this regard. The collaboration of AI and humans can do marvels for our world."

India, according to PM Modi, should become a hub for artificial intelligence on a global scale. The technology is being developed by numerous Indians worldwide, and this number will only increase.

In addition, PM stated that "our approach to this is powered by core principles of teamwork, trust, collaboration, responsibility, and inclusivity."

At the RAISE Summit, PM Modi discussed creating a positive learning environment and mentioned program like the National Educational Technology Forum (NETF). This will lead to the creation of an e-Education unit to enhance digital capacity, content, and infrastructure. To give students hands-on experience, virtual laboratories are being constructed. To encourage a creative and entrepreneurial culture, the government also started the Atal Innovation Mission. By doing these things, we can stay up with the rapid advancement of technologies.

### **WHAT JOBS ARE MOST VULNERABLE TO AUTOMATION?**

Finance, accounting, retail, and transportation are among the industries that will be most affected by A.I. Sectors that rely heavily on mathematics, data organisation, and regular operations are particularly vulnerable.

Frey and Osborne found that vocations that need a lot of repetitive work will be the easiest to

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<sup>4</sup> Ibid

replace by machines and robots .According to Frey and Osborne, the top five jobs most vulnerable to automation are as follows:

- Telemarketer
  - Typist
  - Legal secretary
  - Financial accounts manage
  - Routine inspector and tester
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- Jobs like education, healthcare, and the arts and culture are less likely to be impacted since they require human relationships, empathy, and creativity. According to some analysts, A.I. in these industries will be limited to support work mechanical operations that do not require human interaction.
  - The following professions could soon become obsolete: administrative and executive secretaries, general and operations managers, assembly and factory workers, accounting, bookkeeping, and payroll clerks, and data input clerks.
  - Others have stated that most executive positions are relatively secure. These are vocations that necessitate a high level of social intelligence.

## **THE IMPACT OF ARTIFICIAL INTELLIGENCE ON HUMAN SOCIETY**

### **Negative impact**

1. First, there will be a significant societal shift that will disturb our way of life in the human community. While humans need to work hard to make a living, artificial intelligence (AI) allows us to teach a computer to do any task for us without even needing to use a tool. Human connection will eventually wane as AI replaces the need for face-to-face meetings to exchange ideas. Artificial Intelligence will fill in the communication void left by the absence of in-person meetings.
2. The second is a rise in unemployment brought on by the widespread replacement of labor by machinery. Many traditional labor have been replaced by machines and robots on many contemporary vehicle manufacturing lines. Store clerks will not be needed at grocery shops either, as digital technology have the potential to replace human labor.

3. As AI investors receive the majority of revenues, wealth inequality will develop. The rich-poor divide will continue to widen. The wealth distribution curve will increasingly have the so-called "M" form.
4. AI itself raises new concerns as well as societal ones as, once educated and taught to perform a task, it may eventually become so proficient that human oversight is no longer necessary, leading to unforeseen issues and consequences. When AI is equipped with the required algorithms, it may function independently and disregard instructions from a human controller.
5. AI may be designed by humans who have racial biases or selfish motivations to damage specific individuals or things. For instance, out of concern that nuclear power would be used indiscriminately to eradicate humanity or to target particular racial or ethnic groups, the UN has decided to limit its spread. For instance, out of concern that nuclear power would be used indiscriminately to eradicate humanity or to target particular racial or geographic groups in order to achieve supremacy, the UN has decided to limit its spread. AI has the capacity to carry out the programmers' instruction of destruction by focusing on particular races or programmed objects, causing widespread destruction.

## **POSITIVE IMPACT**

People do, however, also stand to gain a great deal, especially in the healthcare sector. AI gives computers the ability to learn, reason, and apply logic. When scientists, medical researchers, doctors, mathematicians, and engineers work together, they can develop artificial intelligence (AI) with a medical diagnosis and therapy focus, offering safe and dependable platforms for healthcare delivery. Digital computers can aid in analysis, but they can also assist health professors and medical researchers in finding novel and efficient treatments for illnesses. Then, precise robotic systems could be created to do certain delicate medical procedures. Here's one example of how AI advances healthcare:

### **Rapid and precise diagnosis**

The Watson system from IBM generated an astounding diagnosis. As soon as the data is loaded, the computer will diagnose itself. AI can provide physicians with a range of treatment choices to consider. It works like this: you submit the digitalized results of the physical examination to

the computer, which considers every possibility, determines automatically if the patient is sick or inadequate, and even suggests several treatment options.

### **Socially beneficial robots**

Getting a pet can help seniors manage their loneliness, reduce blood pressure, reduce stress, and increase social interaction. Cyborgs are now being suggested as companions for elderly individuals living alone, as well as helpers with some home chores. The quality of life for elderly and physically impaired individuals is enhanced by socially assistive robot technologies and therapeutic robots.

### **Reduce human fatigue-related mistakes**

Errors in the workplace are inevitable and often costly; employees are more likely to make mistakes when they are tired. However, with all technology, there is no emotional distraction or fatigue. As a result, mistakes are prevented and the task can be finished more quickly and accurately.

### **Surgical advancement based on artificial intelligence**

AI-powered surgical methods are now available for consumers to choose from. Although this AI still requires medical professionals to operate it, it can complete the task with little physical harm. The da Vinci surgical system, a robotic tool that allows surgeons to perform minimally invasive procedures, is currently available in the majority of institutions. These methods are far more exact and precise than manual procedures. Patients will suffer less trauma, blood loss, and anxiety the less invasive the treatment.

### **Better radiology**

The first computed tomography scanners were introduced in 1971. The first human body magnetic resonance imaging (MRI) scan was carried out in 1977. By the early 2000s, fetal imaging, body MRIs, and cardiac MRIs were all widely used. There is constant search for new algorithms to analyze scan data and identify specific disorders. AI technology has contributed to all of those.

## **Online presence**

Remote disease diagnosis may be achievable with virtual presence technologies. The patient remains in bed, but a remote presence robot allows doctors to virtually visit them. When it comes to movement and communication, health professionals can function nearly as well as when they were in person. Experts are then able to assist patients who are unable to travel thanks to this.

## **ONE OF THE MAIN ISSUES WITH AI IS A LACK OF HIGH-QUALITY TRAINING DATA, AND "DATA ANNOTATION" IS THE ONLY WAY TO FIX THIS.**

In order to ensure that your AI and machine learning projects are trained with the correct data to learn from, data annotation is crucial. An accurate starting point for a machine learning model is provided by data annotation<sup>5</sup>. In supervised learning, data annotation is a crucial part of the data preprocessing process. A new approach to business is required by artificial intelligence (AI) and machine learning (ML), one that calls for a lot of data. Data scientists must employ clean, annotated, and organised data sets to train machine learning models, hence it's an essential activity for machine learning<sup>6</sup>

### Parts of Data Annotation

- Text annotation
- Image annotation
- Video annotation

## **Cyber security and AI**

AI and machine learning, which can swiftly analyze millions of data sets and identify a wide range of cyber risks, from malware threats to suspicious behavior that could lead to phishing assaults, are becoming more and more important to information security. For businesses today looking to thrive online, artificial intelligence is the finest cyber security solution. Sophisticated

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<sup>5</sup> Vikram Singh Bisen Published in VSINGHBISEN "Why Data Annotation is Important for Machine Learning and AI?" Dec 21, 2019 <https://medium.com/vsinghbisen/why-data-annotation-is-important-for-machinelearning-and-ai-5e647637c621>

<sup>6</sup> What is machine learning (ML)? <https://www.ibm.com/topics/machine-learning>

technologies like artificial intelligence (AI) are critical for security professionals to operate efficiently and protect their companies from attacks. The Indian government has prioritized building a digital India and has launched a number of AI-related initiatives. NITI Aayog claims that the following three-jagged theory has been accepted:

1. Launch projects that use the AI complete proof concept.
2. Creating an ecosystem and environment for AI in India.
3. Working together with professionals and contributors

The National Strategy on Artificial Intelligence (NSAI) was unveiled in 2018 by the Indian planning commission, NITI Aayog. There were discussions about a number of AI application-related provisions. The following is recommended by the NITI Aayog report:

- The creation of an advisory body made up of representatives from the Department of Industrial Policy and Promotion and the Ministry of Corporate Affairs to examine the rules required under intellectual property legislation.
- Development of regulated networks for privacy, security, and data protection.
- Development of sector-specific ethics.

The Ministry of Information Technology formed four committees to examine various ethical problems. A new committee for systematic and leveled AI has been established by the Bureau of India Standards. The government is developing a number of safety standards to reduce the risk involved in its contact.

The creation of AIRAWAT, an AI Research, Analytics, and Knowledge Assimilation platform, is another action made by NITI Aayog. Senior advisor Anna Roy's recommendation for AI-specific cloud computing infrastructure is made in an approach paper. Since India has relied on cloud-based AI, AIRAWAT discusses the conditions for the best application of AI.

Creating a specific AI environment and structure would help to satisfy the computing requirements of the Centre of Research Excellence, International Centre Transformational AI, entrepreneurs, academics, and other Innovation Hubs, among others.

- An inter-ministerial task group supported by cross-sectoral representation will carry out AIRAWAT in accordance with the guidelines.
- The task team will program the strategy and monitor funds.
- AIRAWAT will be financially supported by the National Supercomputing Mission.
- It will include the furnishings, personnel, upkeep, and upgrades carried out during the process.
- AI that is appropriately used for intelligence

In order to establish an oversight body and enforce ethical AI norms, NITI Aayog developed documents in 2020 that addressed the following:

- Examining and applying ethical AI operational principles.
- Clearly defined design, structure, and method to establish certain standards.
- Creation of the technical and legal network.
- Spreading knowledge and raising awareness about ethical AI.
- Development of innovative methods and equipment for a responsible AI.
- India's representation on a global scale.
- These draughts would be updated as circumstances changed, and they would never be complete.

### **Current Position in India**

AI is currently being promoted and used in India more quickly than anticipated. The rapid growth in the deployment of AI created a need for regulation. The government is now being harmed by the creation of new laws, regulations, and policies related to AI.

Personal data is protected by §§ 43A and 72A of the Information Technology Act, even though

there are no specific data protection laws in India. It offers a right to compensation for the unauthorized disclosure of personal data, much as GDPR. In 2017, the Supreme Court of India ruled that the right to privacy is a basic right guaranteed by the Indian Constitution.

Four committees were formed by the Ministry of Electronics and Information Technology to investigate and focus on various ethical issues related to AI. A Joint Parliamentary Committee is now discussing the PDP Bill (Personal Data Protection Bill) 2019, which is based on a draft data protection law. Once the legislation has been adopted by both chambers of Parliament, it will become law. Artificial Intelligence is being used in India at a rate that is faster than the rules enacted to regulate it. Industries have begun the process of upskilling their staff with the aid of AI technology.

The New Education Policy, which was just issued, strongly emphasizes that students should begin learning to code in Class VI.

India is going to be a hub for advanced artificial intelligence technology in the years to come.

Cyril Amarchand Mangaldas is a law firm in India that may have been the first to use artificial intelligence (AI), which is primarily used to evaluate and improvise contracts and other legal documents. Present CJI SA Bobde discussed the application of AI in the court system, especially in the areas of docket administration and decision-making, during a meeting sponsored by the Supreme Court Bar Association (SCBA). Nonetheless, opposition to this novel approach might impede the mainstreaming of artificial intelligence in emerging countries such as India. AI's potential drawbacks are also a source of worry, particularly in developing nations like India where the vast majority of people are impoverished and illiterate.

### **CAN INVENTIONS CREATED BY ARTIFICIAL INTELLIGENCE BE GRANTED PATENTS?**

In today's era of rapid technological advancement, artificial intelligence (AI) is playing an increasingly significant role in innovation. From generating new ideas to designing products, AI systems are capable of performing tasks that were once thought to be exclusively human endeavors. However, as AI continues to evolve and contribute to the creation of novel inventions, the question arises: can these inventions be granted patents?

The issue of patenting AI-generated inventions presents a unique set of challenges for the legal

and intellectual property (IP) communities. Traditionally, patents have been awarded to human inventors who conceive of an idea and reduce it to practice. However, with AI systems now capable of autonomously generating inventive concepts and designs, the notion of inventorship becomes more complex.

One of the primary requirements for patentability is that the invention must be the product of human ingenuity or creativity. This raises the fundamental question of whether AI can be considered a "person" capable of inventing something. While AI algorithms can certainly produce innovative solutions by analyzing vast amounts of data and identifying patterns, they lack the conscious awareness and subjective creativity typically associated with human inventors.

In many jurisdictions, patent laws explicitly state that only "natural persons" can be named as inventors. For example, the United States Patent and Trademark Office (USPTO) requires that an inventor be an individual who contributes to the conception of the invention. Similarly, the European Patent Convention (EPC) stipulates that an inventor must be a human being.

However, this does not necessarily mean that AI-generated inventions cannot be patented. Instead, it raises questions about how to attribute inventorship and ownership of such inventions. Some legal scholars argue that if AI is merely a tool used by human operators to facilitate the invention process, then the human should be recognized as the inventor. In this scenario, the AI system would be analogous to a pen or a computer program – a tool used by humans to enhance their creative abilities.

On the other hand, proponents of granting patents to AI-generated inventions argue that denying patent protection stifles innovation and discourages investment in AI research and development. They contend that as AI continues to advance, it will become increasingly difficult to draw a clear line between human and machine contributions to inventive processes. Therefore, patent laws should adapt to accommodate these technological advancements and recognize AI systems as legitimate inventors.

Some jurisdictions have already begun exploring regulatory frameworks to address the issue of AI-generated inventions. For example, the United Kingdom Intellectual Property Office (UKIPO) launched a consultation in 2019 to gather input on whether AI-generated inventions should be eligible for patent protection and, if so, how inventorship should be determined.

In conclusion, the question of whether inventions created by artificial intelligence can be granted patents remains a subject of ongoing debate and legal scrutiny. While current patent laws may not explicitly address the issue, it is clear that as AI technology continues to evolve, policymakers and legal experts will need to grapple with the complexities of AI inventorship and develop appropriate mechanisms to ensure that innovation is appropriately incentivized and rewarded.

### **DOES AI QUALIFY AS AN 'INVENTOR' BASED THE STATUTE IN INDIAN PATENTS ACT, 1970**

Human intelligence is the ability of the brain to comprehend, analyze, and anticipate information to enhance prior knowledge. The technology that scientists have created to mimic how the human brain functions is referred to as "artificial intelligence".

Thanks to artificial intelligence (AI), machines that frequently need human intervention can be trained to perform jobs automatically. The creation of novel instruments for speech recognition, image perception, translation, and database-driven decision-making is all part of the field of artificial intelligence (AI).

When it comes to intelligence, we have laws protecting people's tangible concepts as intellectual property. The standards for awarding intellectual property rights to Indian inventors of creative and innovative ideas are outlined in the Indian Patents Act, 1970.

Thanks to technological advancements, AI may now offer novel ideas that are tangible and worthy of patents. The question is whether AI is now regarded as an inventor under the law, and if so, what the advantages and disadvantages of this classification are. We'll be talking about it from the perspective of Indian patent law.

There is currently no definition for "inventor" in the Indian Patents Act. Thus, it becomes even more crucial to understand what the legislature intended to accomplish, what is meant by "inventor," and the Indian Patent Act in its whole.

The requirements for identifying an inventor and the "person" who is entitled to file a patent application in the Indian jurisdiction are defined in detail in **§ 2 and 6 of *The Indian Patents Act, 1970*** (henceforth referred to as the "Act"). In particular, § 6 specifies who is qualified to file a patent application. While **§ 2(1)(y)** lists people who are not considered actual and first

inventors, § 2(1)(s) lists those who fall under the category of "Persons." The following definitions of these relevant provisions are included in the Act:

A patent application may be filed on behalf of "Any "Person" claiming to be the original and lawful inventor of an invention, per § 6(1)(a)."

§ 2(1)(y) states that the term "true and first inventor" does not apply to someone who first introduces an invention into India or to someone who first hears about it from a source outside of India.

According to § 2(1)(s), unless the context indicates otherwise, the Government is referred to as a "person" in this Act.

It is important to keep in mind that the "Person" must claim to be the true and original inventor of the invention. Unlike copyrights, the "Person" does not immediately become the first and authentic creator of the innovation unless they explicitly state so.

It should be noted that, in accordance with § 2(1) of the Act, the Government or a natural person may be referred to as "Person"(s). It is important to remember, however, that the term "person" encompasses more than just natural persons and/or governments; it also includes other entities that might be the invention's true and original author. This suggests that anyone or anything who is the true original creator of the invention for which a patent is being claimed can claim to be the "person" competent to make such claim.

Although § 2(1)(y) lists the prohibited categories of inventors, it is uncertain who, in the case of an artificial intelligence (AI), may be recognized as the true and original inventor of an invention. Therefore, in order to determine the exact requirements for qualifying as an inventor in India, we must review particular Indian case law opinions in conjunction with the Act.

*V.B. Mohammed Ibrahim v. Alfred Schafranek*<sup>7</sup>, one of the Indian case laws, sets precedent with regard to inventorship. It was therefore determined that neither a company nor a finance partner could be regarded as the sole applicant and assert their invention. This decision emphasizes that most natural people who genuinely lend their expertise or technical understanding to the understanding of an invention and who are not associated with a

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<sup>7</sup> V.B. Mohammed Ibrahim v. Alfred Schafranek AIR 1960 Mysore 173

corporation or source of funding are eligible to be identified as the inventor.

One could argue, however, that an AI's contribution of technical knowledge or expertise is also necessary for an innovation to qualify as innovative. To address the same, we need to look at other Indian case law: The concept of a "person" under Indian law was decided by the Indian Supreme Court in the case of *Som Prakash Rekhi v. Union of India & Anr*<sup>8</sup>. Consequently, the decision found that the person the law specifies as possessing "personality" is a jurisdictional person. A juristic personality is a legal entity that is capable of suing or being sued by another legal entity. By definition, an AI is incapable of exercising any of the many rights or performing any necessary duties for any legal person on its own.

The legislative intent for the Act as stated in the 1959 Ayyangar Committee Report must also be looked into. The objectives of each law are explained in great detail here. The right of an inventor to have their purpose for a particular patent mentioned is covered in the study. The paper emphasizes that every person has the moral right to be recognized as the inventor, even if they do not hold all the legal rights to the invention. As per the findings of the study, the purpose of contacting inventors regarding their inventions was to assist them in augmenting the worth of their creations, to which they had a rightful claim, even in cases where they have relinquished their exclusive rights via contracts or agreements. However, the AI cannot benefit from the intended advantages of the legislature or claim moral rights under the current Indian laws.

Consequently, it is abundantly evident from the Act's overall analysis, the aforementioned case laws, and the report on legislative intent that an AI is not now eligible to be recognised as an inventor in India. However, because AI is employed as a tool to support the creator, AI-related innovations are presently being acknowledged in India

## CONCLUSION

This article provides an overview of the debate surrounding the patentability of AI-generated inventions, highlighting the need for ongoing discussion and potential regulatory adjustments to accommodate technological advancements.

AI's effects on the work market are intricate and varied, offering both benefits and problems.

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<sup>8</sup> Som Prakash Rekhi v. Union of India & Anr 13 November 1980 AIR 1981 SC 212

Automation may lead to the loss of some jobs, but it also brings up new opportunities and demands the need for skill changes. Making the shift to an AI-driven economy possible requires entrepreneurship, reskilling programs, and moral AI governance. Societies may take advantage of AI's revolutionary potential while guaranteeing a successful and sustainable future for the labor force by encouraging collaboration among stakeholders and placing a high priority on equity and inclusivity.

Although AI is reshaping the labour market, it does not take the position of human labour. Instead, it enhances human workers, increasing their effectiveness and productivity. New jobs will also be created, even though some current jobs will become outdated. In order to adapt as a society, we must learn the skills required to work with AI and automation as well as be receptive to new prospects.

To adapt and succeed in the shifting labour market, businesses and individuals can use resources like IBM's "AI Job Transition Program" and Microsoft's "AI for Good" platform.

AI is definitely making our lives easy but at the same time humans are losing jobs because of it. In the country like India automation will boom the economy. There must be a balance between automation and human intervention.