



EUIPO

OFICINA DE PROPIEDAD INTELECTUAL
DE LA UNIÓN EUROPEA

Exploring Generative AI: Opportunities and use in IP

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05/03/2024

**TUESDAY
WEBINARS**



Exploring Generative AI: Opportunities and use in IP

This webinar will dive into the world of generative AI, explaining its fundamentals and its growth, and how it is revolutionising various industries.

PROGRAMME

50'
Presentation

1. Introduction
2. What is GenAI and why does it matter?
3. Prompt Engineering
4. GenAI and use in IP
5. Conclusions

10'
Questions and answers

1

INTRODUCTION



IN THIS WEBINAR...

Transformers

Professor of Anthropology

George Clooney

Rolling Stones

Pablo Picasso

FC Barcelona

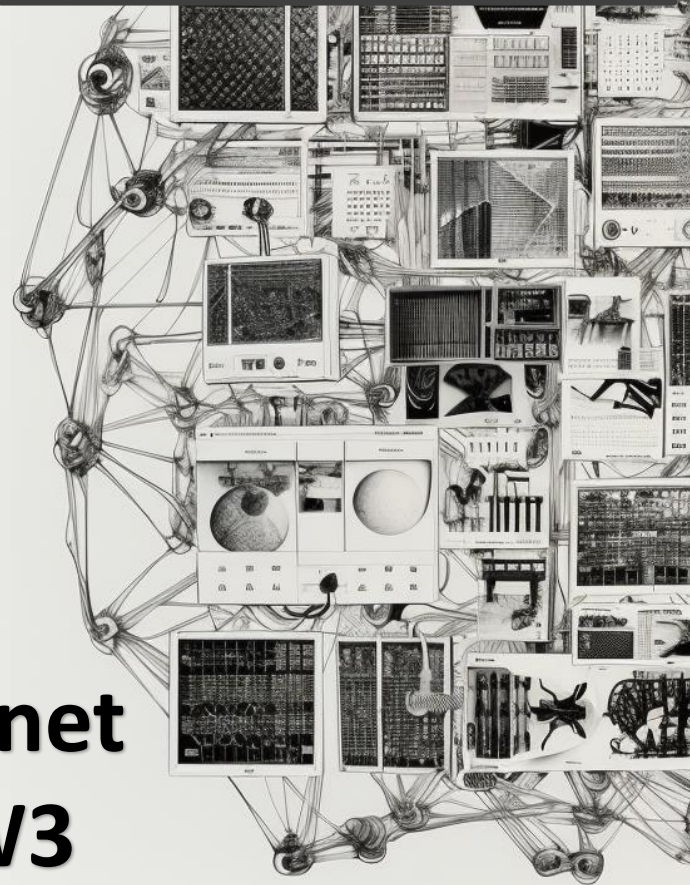
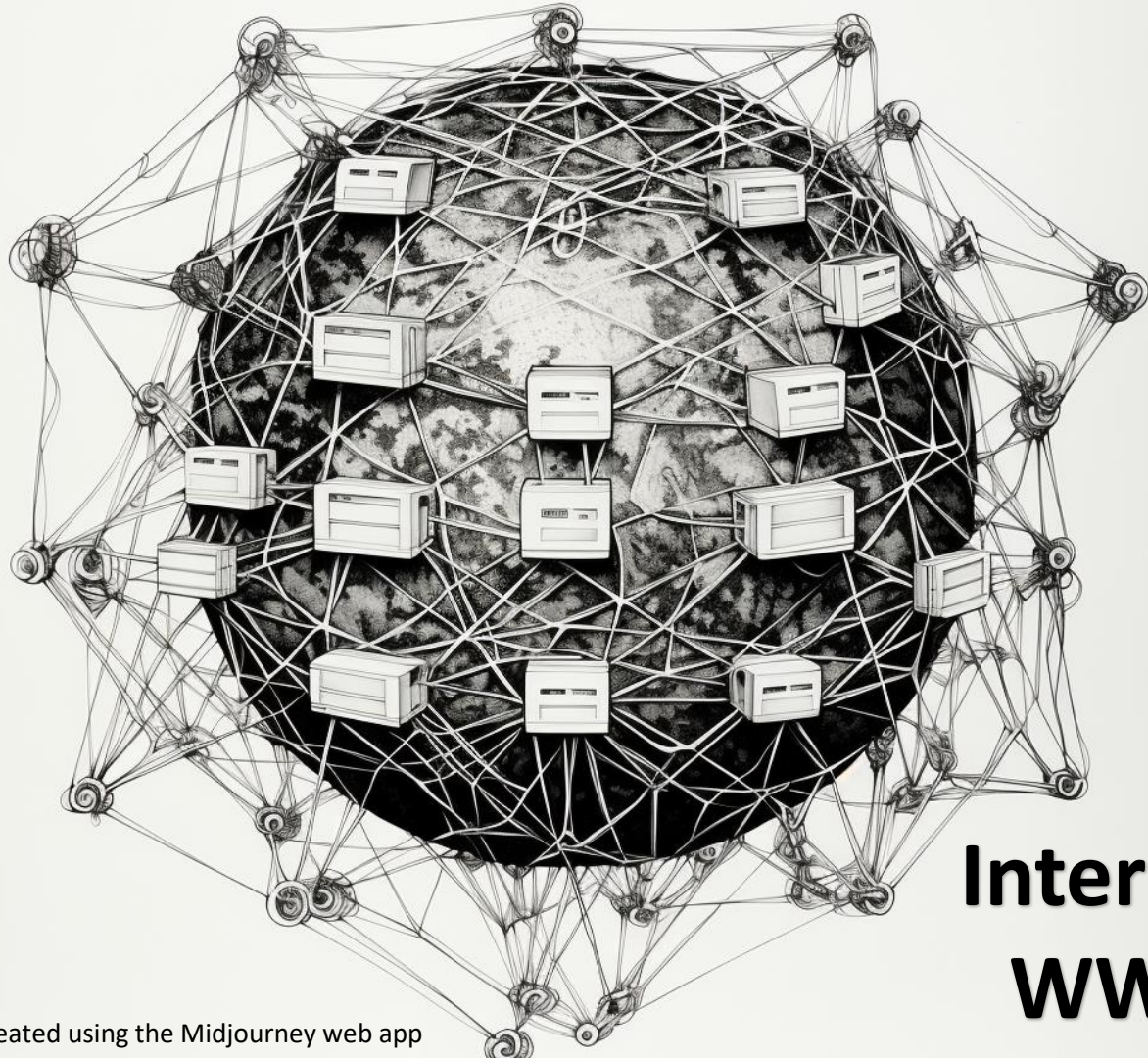
ChatGPT

Meaning of life

Brad Pitt

Lion on a beach, sitting on a towel

1992-1993



Internet WW3

1992-1993





1992-1993

AI status:

- **First steps in NLP**
- **Backpropagation in Neural Networks**

**Shift to
Mobility**

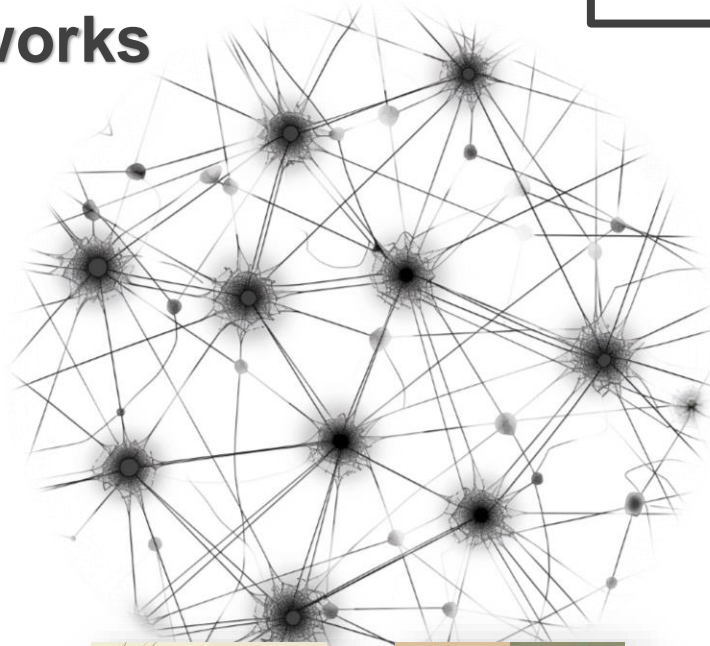
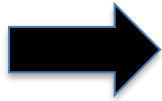
2007-2010



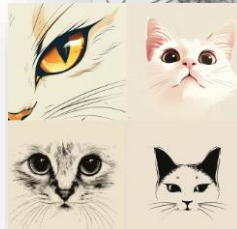
smartphone

2007-2010

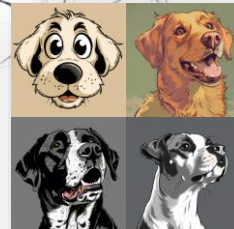
Artificial Neural Networks



CAT!



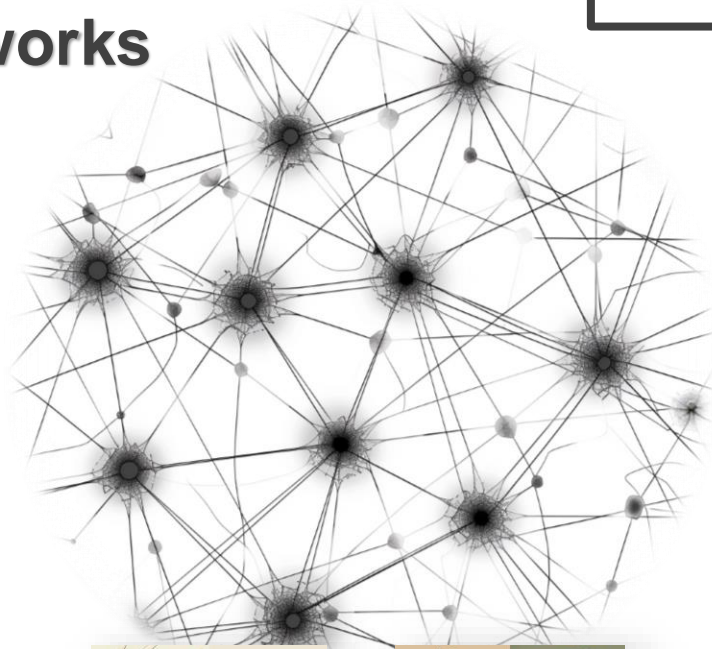
Cats



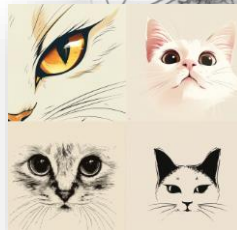
Dogs

2007-2010

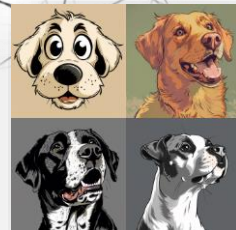
Artificial Neural Networks



?????



Cats



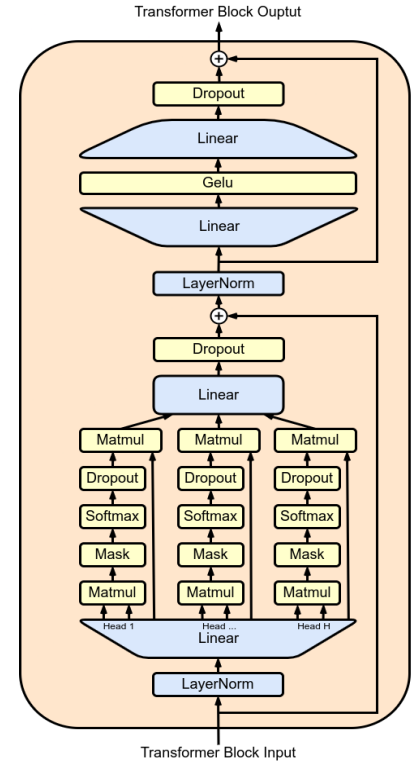
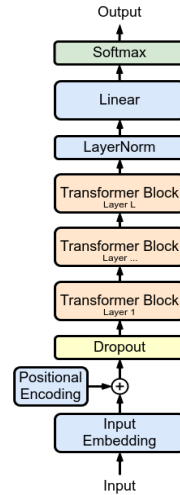
Dogs

2017

Transformers



Created using the Midjourney web app



Generative Pre-Trained Transformer (GPT)



2022
2023

Generative AI

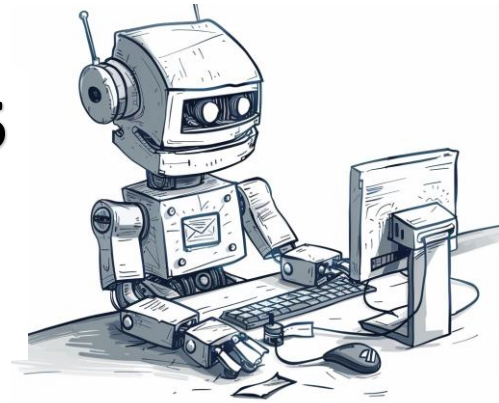
IMPACT of Generative AI

Everypixel Journal

AI has already created as many images as photographers have taken in the past 150 years. Statistics for 2023.

There will be no more programmers in 5 years!

(Data from GitHub indicating that a significant portion of the code (41%) on the platform is AI-generated)



2023

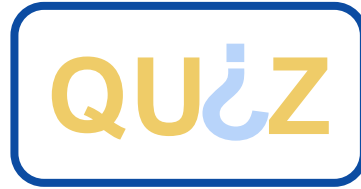


Source: <https://www.fcbarcelona.es>

2030



- Is there going to be an impact on my job?
- Will I have to learn new skills?
- Will jobs be destroyed?

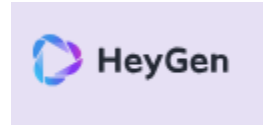


What Experience do you have with **Generative AI?**

1. Generative what ???
2. Occasional user.
3. I use it as much as possible when my boss is not looking.
4. I am addicted to it, I just can't get enough!

2

WHAT IS GENERATIVE AI AND WHY DOES IT MATTER?



Midjourney



ChatGPT X OpenAI



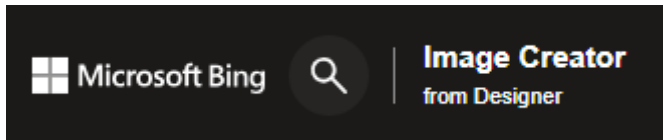
**MISTRAL
AI_**



Stable Diffusion



176B params · 59 languages · Open-access



Capabilities

Gemini ▾

🔄 Gemini was just updated. [See update](#)



Hello My good friend
How can I help you today?

Come up with a recipe
for an upcoming event



Briefly summarize this
concept: urban
planning




Suggest beautiful
places to see on an
upcoming road trip



Act like Mowgli from
The Jungle Book and
answer questions



- Professional advice
- Generate text
- Multilingual support
- Information analysis

 Your conversations are processed by human reviewers to improve the technologies powering Gemini Apps. Don't enter anything that you wouldn't want to be reviewed or used.

[How it works](#) [Dismiss](#)

Enter a prompt here

Prompt



Concerns and Limitations

- Data protection
- Incorrect responses
- IP infringement
- **Bias**
- **Hallucination**
- **MuS effect**



Bias



Created using the Midjourney web app

‘A group of 3 senior EU officials discussing a new piece of regulation.’

Hallucination



Created using the Midjourney web app

‘Hallucination is a confident response by an AI that does not seem to be justified by its training data.’

Hallucination



Created using the Midjourney web app

Lawyer Uses ChatGPT In Federal Court And It Goes Horribly Wrong

Matt Novak Senior Contributor @

*FOIA reporter and founder of Paleofuture.com,
writing news and opinion on every aspect of...*

Source: <https://www.forbes.com>

Hallucination



who is Miguel Ortega Lafuente?

Hallucination



who is Miguel Ortega Lafuente?



Based on the information I found online, Miguel Ortega Lafuente appears to be an individual with experience in both academia and intellectual property. Here's what I found about him:

Intellectual Property:

- **Digital Transformation Manager at the European Union Intellectual Property Office (EUIPO):** Led large teams in implementing key projects utilizing new technologies like AI and Blockchain to transform the digital landscape of the organization.
- **Expertise:** Possesses strong skills in information technology, management, budgeting, procurement, and software development methodologies.
- **Additional Information:** Participated in defining the EUIPO's Digital Strategy, focusing on an open, user-friendly, and problem-solving approach.



Hallucination



who is Miguel Ortega Lafuente?



Based on the information I found online, Miguel Ortega Lafuente appears to be an individual with experience in both academia and intellectual property. Here's what I found about him:



- **Professor of Anthropology:** Currently teaches at the Faculty of Communication Sciences at the Universidad Francisco de Vitoria (UFV) in Spain.
- **Expertise:** Holds a Doctorate in Humanities and specializes in Anthropology.
- **Additional Roles:**
 - Director of the Master's program in Institutional Strengthening at the Fundación Botín.
 - Director of the Expert Course in Marriage and Family.
 - Responsible for Management and Quality of Secondary and Baccalaureate Education at UFV.



MuS EFFECT



**Makes
U
Stupid!**

GEN AI TOOLS



Text Generation



ChatGPT 3.5

Free

4.096 tokens

(8 pages, 3k words)



**MISTRAL
AI_**

Free

32.000 tokens

(60 pages 25k words)



Free

Pay

128.000 tokens

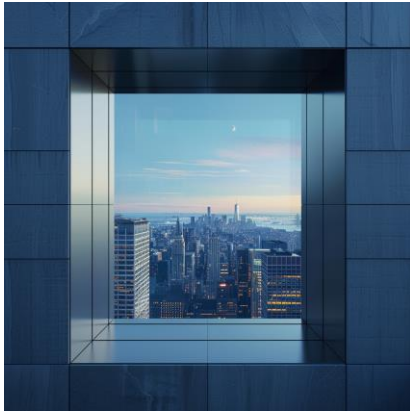
(240 pages, 100k words)



ChatGPT Turbo

Pay

Large Language Model - Context Window



ChatGPT 3.5
4.096 tokens
(8 pages, 3k words)



ChatGPT Turbo/Gemini
128.000 tokens
(240 pages, 100k words)

Text Generation – Comparing Models

Rank ▲	🤖 Model ▲	★ Arena Elo ▲	📊 95% CI ▲	🗳️ Votes ▲	🏢 Organization ▲	📄 License ▲	📅 Knowledge Cutoff ▲
1	GPT-4-1106-Preview	1254	+5/-5	38745	OpenAI	Proprietary	2023/4
2	GPT-4-0125-Preview	1253	+10/-8	6308	OpenAI	Proprietary	2023/4
3	Bard...(Gemini...Pro)	1218	+8/-7	10313	Google	Proprietary	Online
4	GPT-4-0314	1191	+6/-6	20430	OpenAI	Proprietary	2021/9
5	GPT-4-0613	1164	+5/-6	32941	OpenAI	Proprietary	2021/9
6	Mistral...Medium	1152	+5/-7	17847	Mistral	Proprietary	
7	Claude-1	1150	+7/-5	19017	Anthropic	Proprietary	
8	Qwen1.5-72B-Chat	1147	+8/-8	5204	Alibaba	Qianwen License	
9	Claude-2.0	1132	+6/-8	12753	Anthropic	Proprietary	
10	Gemini...Pro...(Dev...API)	1122	+7/-7	9024	Google	Proprietary	
11	Claude-2.1	1120	+6/-4	27723	Anthropic	Proprietary	
12	Mixtral:8x7b:Instruct-v0.1	1120	+5/-6	18410	Mistral	Apache 2.0	
13	GPT-3.5-Turbo-0613	1118	+5/-5	36704	OpenAI	Proprietary	
14	Gemini...Pro	1115	+9/-9	6958	Google	Proprietary	
15	Yi-34B-Chat	1111	+7/-8	7734	01 AI	Yi License	

LMSYS Org

The Large Model Systems Organization develops large models and systems that are open, accessible, and scalable.

<https://lmsys.org/>

You can also try the voting demo: <https://arena.lmsys.org/>

Image Creation



Midjourney

<https://www.midjourney.com/>



Stable Diffusion

<https://stablediffusionweb.com>

DALL·E 3

<https://www.bing.com/images/create>

Image Creation



Midjourney

<https://www.midjourney.com/>



Stable Diffusion

<https://stablediffusionweb.com>



DALL-E 3

<https://www.bing.com/images/create>

Prompt 1: 'lion on a beach, sitting on a towel.'

Prompt 2: 'Stunning, ultra-realistic photo. Lion on a beach, sitting on a towel. Captured on a CANON EOS 5D 40mm f/2 CF lens. Aperture of f/4, ISO 400 and a shutter speed of 1/200 second. The image is a breathtaking piece of photographic art, skilfully capturing the perfect balance of form and function.'

Stunning, ultra-realistic photo. Lion on a beach, sitting on a towel. Captured on a CANON EOS 5D 40mm f/2 CF lens. Aperture of f/4, ISO 400 and a shutter speed of 1/200 second. The image is a breathtaking piece of photographic art, skilfully capturing the perfect balance of form and function.



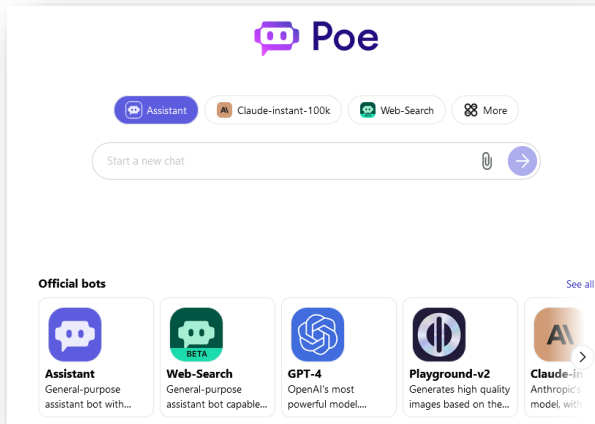
Stunning, ultra-realistic photo. Lion on a beach, sitting on a towel. Captured on a CANON EOS 5D 40mm f/2 CF lens. Aperture of f/4, ISO 400 and a shutter speed of 1/200 second. The image is a breathtaking piece of photographic art, skilfully capturing the perfect balance of form and function.



Midjourney

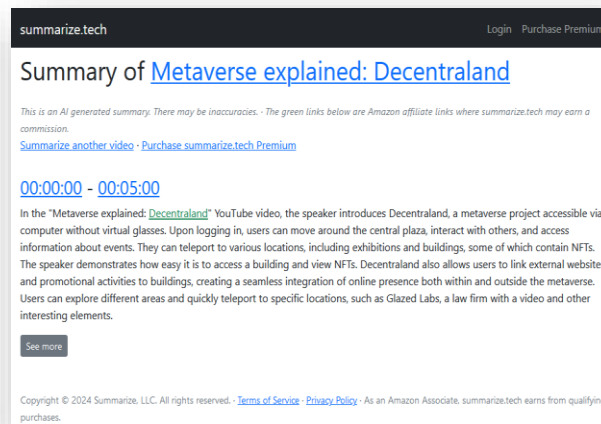
Some tools using Generative AI

<https://www.poe.com>



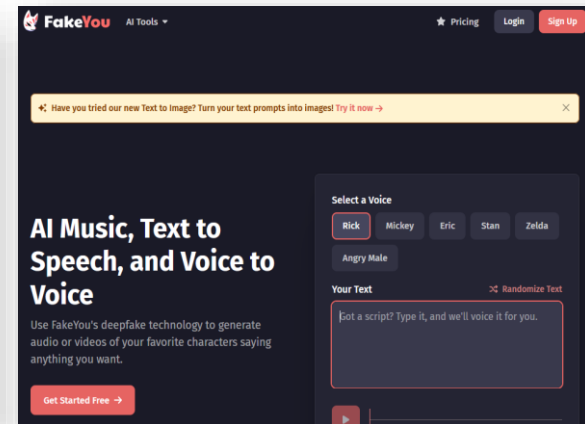
The screenshot shows the Poe.com interface. At the top, there's a search bar with "Poe" and a chat icon. Below it, there are buttons for "Assistant", "Claude-instant-100k", "Web-Search", and "More". A "Start a new chat" button is also visible. At the bottom, there's a section for "Official bots" with icons for Assistant, Web-Search (marked BETA), GPT-4, Playground-v2, and Claude-instant (marked BETA).

<https://www.summarize.tech>



The screenshot shows the Summarize.tech interface. The header includes "summarize.tech", "Login", and "Purchase Premium". The main content is a summary of a video titled "Metaverse explained: Decentraland". It includes a timestamp "00:00:00 - 00:05:00" and a "See more" button. The footer contains copyright information: "Copyright © 2024 Summarize, LLC. All rights reserved. - Terms of Service - Privacy Policy - As an Amazon Associate, summarize.tech earns from qualifying purchases."

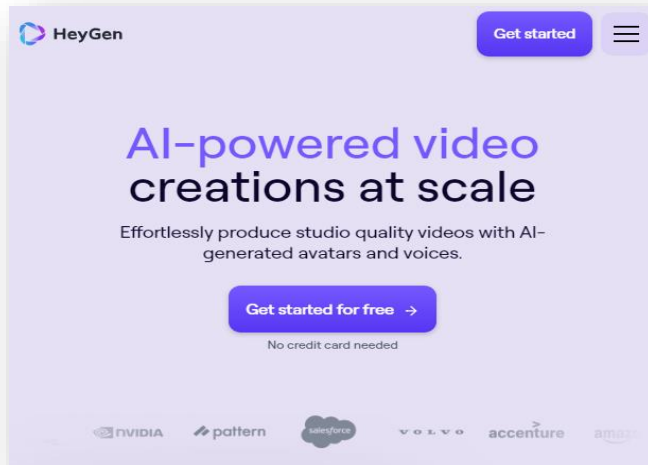
<https://www.fakeyou.com>



The screenshot shows the FakeYou.com interface. The header includes "FakeYou", "AI Tools", "Pricing", "Login", and "Sign Up". A notification banner says "Have you tried our new Text to Image? Turn your text prompts into images! Try it now!". The main content is "AI Music, Text to Speech, and Voice to Voice" with a "Select a Voice" dropdown menu showing options like Rick, Mickey, Eric, Stan, Zelda, and Angry Male. There's a "Your Text" input field and a "Randomize Text" button. A "Get Started Free" button is at the bottom.

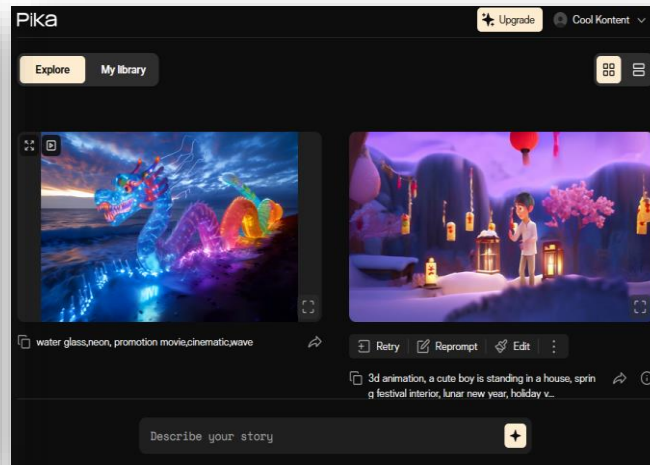
Some tools using Generative AI

<https://www.heygen.com>



The screenshot shows the HeyGen website homepage. At the top left is the HeyGen logo. To its right is a 'Get started' button and a menu icon. The main heading reads 'AI-powered video creations at scale'. Below this, a sub-heading says 'Effortlessly produce studio quality videos with AI-generated avatars and voices.' A large purple button says 'Get started for free →' with the text 'No credit card needed' underneath. At the bottom, there are logos for NVIDIA, pattern, Salesforce, VOLVO, accenture, and amazon.

<https://www.pika.art>



The screenshot shows the Pika website interface. At the top left is the Pika logo. To its right are 'Upgrade' and 'Cool Kontent' buttons. Below the logo are 'Explore' and 'My library' tabs. The main area displays two video thumbnails. The first thumbnail shows a colorful, abstract scene with the caption 'water glass,neon, promotion movie,cinematicwave'. The second thumbnail shows a 3D animation of a boy in a house with the caption '3d animation, a cute boy is standing in a house, spring festival interior, lunar new year, holiday v...'. Below the thumbnails are buttons for 'Retry', 'Reprompt', and 'Edit'. At the bottom, there is a text input field labeled 'Describe your story' and a plus sign button.



and many, many more...

QUIZ

What is your Experience so far with this **Webinar**?

1. I am enjoying very much, keep it going!
2. Best webinar ever!
3. Presenters are awesome!
4. All of the above

3

PROMPT ENGINEERING



PROMPT ENGINEERING

What is **prompt engineering**?

Fine-tuning your questions to get the best and most relevant answers from the **GenAI** system



**Judge a man by his questions
rather than his answers**

PROMPT ENGINEERING

What is **prompt engineering**?

Fine-tuning your questions to get the best and most relevant answers from the **GenAI** system



**Expected Answers
Good Questions Brings**

PROMPT ENGINEERING

How to properly write **commands**?

PROMPT ENGINEERING - How to properly write commands?

1

Be clear and specific: Provide context, task and purpose

- 1. You are a representative who wants to register a client's EUTM.*
- 2. Your task is to write an application letter.*
- 3. To register your client's mark.*

PROMPT ENGINEERING - How to properly write commands?

2

Use **delimiters** to clearly indicate distinct parts of the input.

Could you explain 'generative AI' to a 12-year-old kid?

PROMPT ENGINEERING - How to properly write commands?

2

Use **delimiters** to clearly indicate distinct parts of the input.

Summarise the text delimited by triple backticks into a single sentence: ``{text}``

PROMPT ENGINEERING - How to properly write commands?

3

Ask for a **structured output** (HTML, JSON, lists...).

Generate a **list** of three made-up book titles along with their authors and genres.
Provide them in the following **format**:

- *Book ISBN*
- *Title: X*
- *Author: Y*
- *Genre: Z*

PROMPT ENGINEERING - How to properly write commands?

4

Provide one or more examples (*few-shot* prompting).

Your task is to answer in a consistent style.

<child>: *Teach me about patience.*

<grandparent>: *The river that carves the deepest valley flows from a modest spring; the grandest symphony originates from a single note; the most intricate tapestry begins with a solitary thread.*

<child>: *Teach me about resilience.*

<grandparent>:

PROMPT ENGINEERING - How to properly write commands?

5

Iterative prompting using an output as another input
(chain-of-thought prompting).

PROMPT ENGINEERING - How to properly write commands?

5

Iterative prompting using an output as another input
(chain-of-thought prompting).

- Start with a simple prompt
 1. *Your task is to make a summary in Spanish of the piece of news delimited by triple backticks.*
Piece of news: ``{piece_news}``

PROMPT ENGINEERING - How to properly write commands?

5

Iterative prompting using an output as another input.

1. *Your task is to make a summary in Spanish of the piece of news delimited by triple backticks.*

Piece of news: ```{piece_news}```

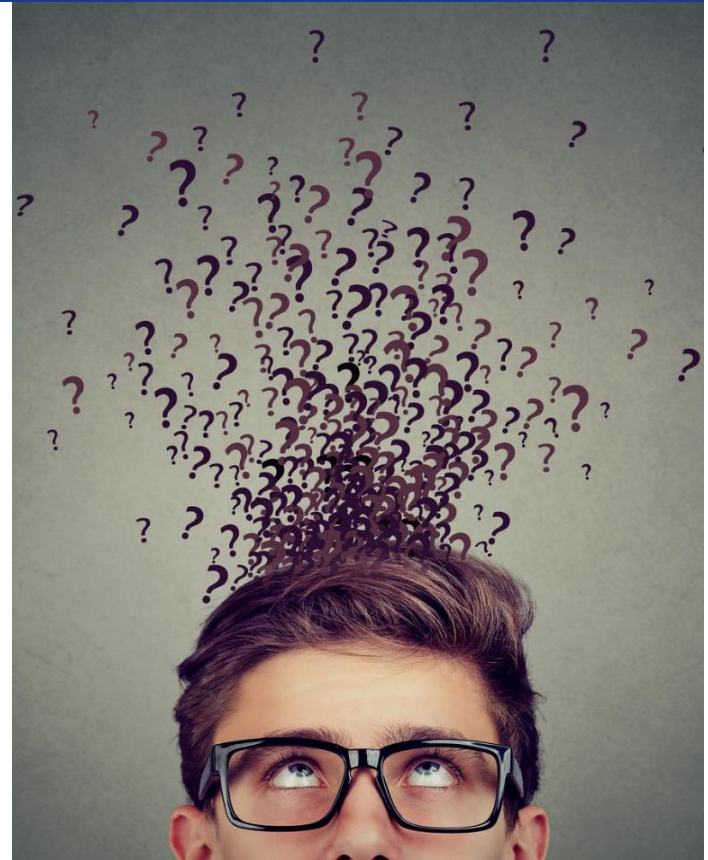
2. *Format the text as HTML that can be used in a website.
Bear in mind that the odd lines must be headings.*

PROMPT ENGINEERING

Principles:

1. Be clear and specific (focus on the topic).
2. Delimit your text to differentiate them from your instructions.
3. Request structured outputs.
4. Provide examples.
5. Talk iteratively with the model.

PRACTICE MAKES BETTER!



4

GENERATIVE AI AND IP



GENERATIVE AI AND LEGAL PROFESSION

Potential Impact of **Generative AI** on **Legal Profession** and **IP Industry**.

1. **Efficiency Enhancement**

Generative AI has the potential to optimise legal workflows, leading to more streamlined and cost-effective processes.

GENERATIVE AI AND LEGAL PROFESSION

Potential Impact of **Generative AI** on the **legal Profession** and **IP industry**

1. **Efficiency Enhancement**

Generative AI has the potential to optimise legal workflows, leading to more streamlined and cost-effective processes.

2. **Augmented Decision-Making**

The technology empowers legal professionals with advanced analytical insights, which help them make better-informed decisions. Case Analysis and Prediction:

- quickly analyse historical information
- identify weaknesses/strengths
- provide recommendations and potential outcomes

Artists and Illustrators Are Suing Three A.I. Art Generators for Scraping and 'Collaging' Their Work Without Consent

The plaintiffs claim the A.I. tools have unlawfully scraped and used their artwork in training datasets.



Are the creations of Generative AI infringing copyright?

Are AI generators using artworks without consent to build their training sets?

GENERATIVE AI AND IP CONTROVERSY



*‘Good artists
copy, great
artists steal.’*

Pablo Picasso

GENERATIVE AI AND IP CONTROVERSY



*‘Good artists
copy, great
artists steal.’*

Pablo Picasso

GENERATIVE AI AND IP CONTROVERSY



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GENERATIVE AI AND IP CONTROVERSY



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GENERATIVE AI AND IP CONTROVERSY



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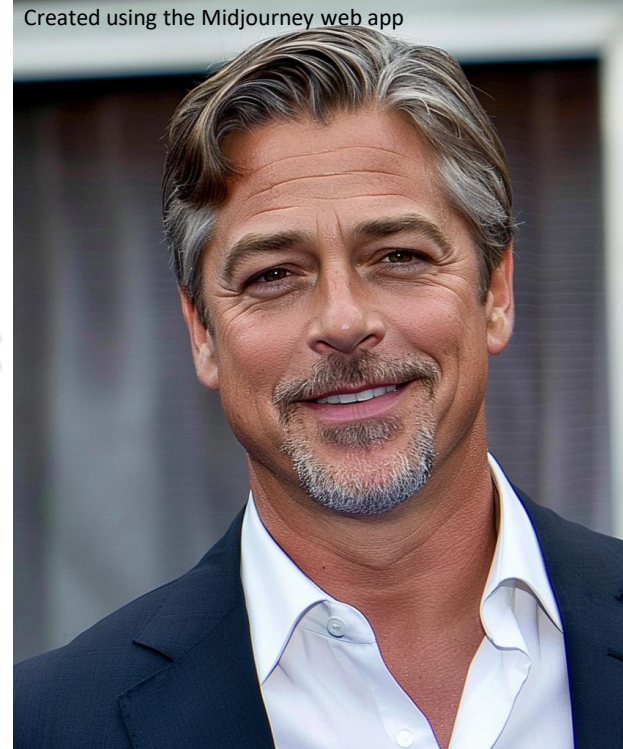
Exercise: Creating an influencer



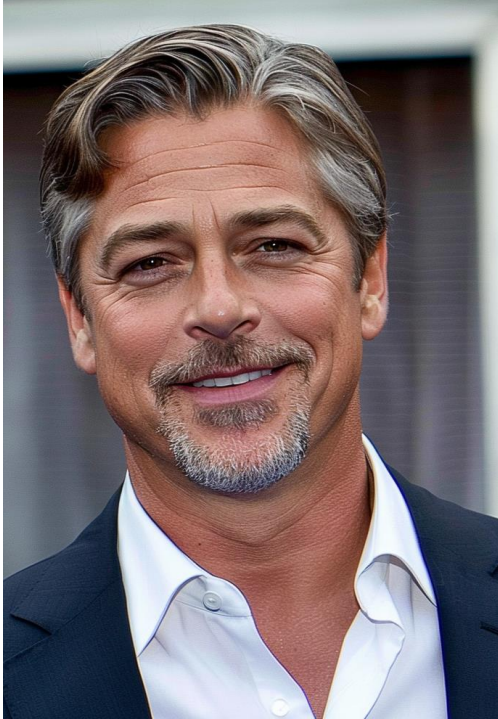
+



=



Exercise: Creating an influencer



+



=



TRADE MARK DENOMINATION

1

*You are a **representative** who wants to register a client's EUTM at the EUIPO. Your client's business consists of selling fruit - specialising in apples.*

*Your task is to **suggest a list of names** for his company related to his business that can be registered **according to the EUTM rules**.*

TRADE MARK DENOMINATION

You are a **representative** of the EUIPO. Your client is a business that can be described as **specialising in apples**. Your task is to suggest a trade mark related to his business.



ChatGPT

When suggesting a name for your client's company related to selling apples, it's important to ensure that the name meets the requirements for registration as a European Union Trade Mark (EUTM) according to the rules set by the EUIPO (European Union Intellectual Property Office). Here are some suggestions that could align with the client's business and potentially meet the registration criteria:

1. AppleHarvest GmbH
2. OrchardFruit Ltd.
3. CrispApple Co.
4. AppleGrove Enterprises
5. OrchardFresh Foods
6. AppleHaven Trading
7. JuicyApple Ventures
8. ApplePeak Producers
9. OrchardBliss GmbH
10. AppleLand Distribution

When suggesting a name, it's essential to ensure that it is distinctive, not descriptive or generic, and does not infringe on existing trademarks. Additionally, it's advisable to conduct a thorough trademark search to verify the availability of the proposed name and to consult with legal experts specializing in trademark law to ensure compliance with EUTM regulations.

is **EUTM** at the EUIPO. Your client is a business that can be described as **specialising in apples**. Your task is to suggest a trade mark related to his business.

TRADE MARK LOGO

Create a **LOGO** for a company that sells apples with the word 'Juicy Apple Ventures 4U'



Created using the Midjourney web app

NICE CLASS RECOMMENDATION

2

*You are a **representative** who wants to register a client's EUTM at the EUIPO. Your client's business consists of providing the following ";" separated **goods and services**:*

``fresh apples; apple pies; apple chips; stewed apples; apple puree; apple juice; apple skin cream.``

*Your task is to **suggest the proper Nice Classes** for the aforementioned goods and services.*

NICE CLASS RECOMMENDATION



ChatGPT

To properly register your client's EUTM (European Union Trademark) at the EUIPO (European Union Intellectual Property Office), we need to classify the goods and services according to the Nice Classification system. Based on the provided list, here are the suggested Nice Classes for each category:

1. Fresh apples; apple pies; apple chips; stewed apples; apple puree; apple juice:
 - Nice Class 29: Fresh fruits and vegetables
 - Nice Class 30: Bakery products; pastry and confectionery
 - Nice Class 32: Fruit juices; fruit beverages
2. Apple skin cream:
 - Nice Class 3: Cosmetics and cleaning preparations

So, your client's goods and services would be classified into Nice Classes 29, 30, 32, and 3 for the EUTM registration process. This classification ensures that your trademark is properly categorized and protected under relevant classes.



*You are a
EUIPO. You
separated
"fresh ap
juice; app*

*Your task
goods an*

*he
;"
ole
oned*

SUMMARY

3

You are a **representative** who wants to register a client's EUTM. The EUIPO has replied to your application for EUTM registration with the so called **letter 110**: Notice of ground for refusal of an application.

Your task consist of **summarising** the EUIPO's response, which has been added below delimited by triple backticks, highlighting the points for which your client's application has been rejected.

L110: ``` **{letter_text}** ```

SUMMARY

You are a **representative** of the client's EUTM. The EUIPO has replied to your appeal. **Article 110**: Notice of ground for refusal. Your task consist in **submitting observations** which have been added below detailing the reasons which your client's appeal is based on.

L110: `` {letter_text} ``

ChatGPT
The EUIPO has issued a Notice of Grounds for Refusal of the client's application for a European Union trade mark (EUTM) for the word mark 'ANDAR'. The rejection is based on Article 7(1)(b) and (c) of the EUTMR due to the following reasons:

1. Descriptiveness:

- The EUIPO contends that the word 'ANDAR' describes certain characteristics of the goods listed in the application, particularly items related to sports clothing and equipment.
- The relevant Portuguese and Spanish-speaking consumers would perceive 'ANDAR' as meaning 'to walk' or 'walking', as supported by dictionary references.
- As a result, the sign 'ANDAR' is considered descriptive of the kind and intended purpose of the goods, falling under the prohibition of Article 7(1)(c) and Article 7(2) EUTMR.

2. Lack of Distinctiveness:

- The EUIPO argues that since 'ANDAR' has a clear descriptive meaning, it lacks distinctive character and is incapable of performing the essential function of a trademark.
- There is nothing about the sign 'ANDAR' beyond its informational meaning that would enable the relevant public to perceive it as a distinctive trademark for the goods in question.
- Therefore, the sign is considered descriptive and devoid of distinctive character, making it ineligible for registration under Article 7(1)(b) EUTMR.

The applicant has been given a deadline of two months to respond to this communication. Failure to submit observations within this timeframe will result in the rejection of the application for the goods related to sports clothing, sportswear, sports shoes, sports caps and hats, sports socks, headbands, wristbands, articles of clothing, shoes, hats, caps, and bandeaux (Class 25), as well as sports equipment, sporting articles, sports training apparatus, bags adapted for sporting articles, and bags specially adapted for sports equipment (Class 28). However, the application may proceed for the remaining goods, namely candles, fragranced candles, and scented candles (Class 4).

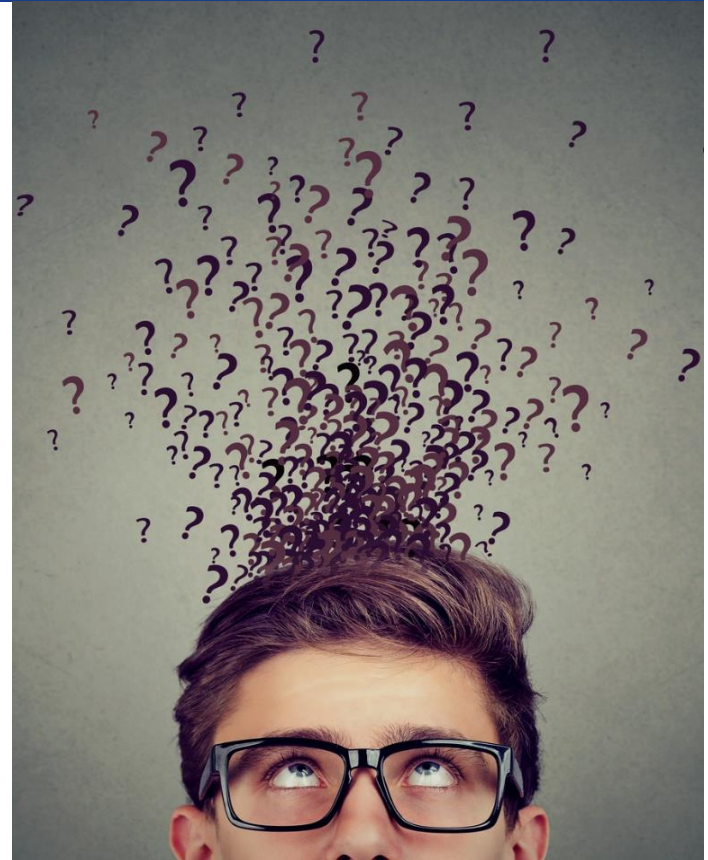
client's EUTM. The EUIPO has replied to your appeal with the so called **letter**

of the EUIPO, which has been added below detailing the points for

GENERATIVE AI AND IP

More **Use Cases:**

- Translations
- Tone transformation/Adaptation
- Spell/Grammar check
- Virtual assistants
- Content creation assistance
- Logo and brand analysis
- Meaning of words in all the EU languages
- ...



5 CONCLUSIONS



30'' **QUIZ**

Is there going to be an impact on **my job**? **YES!**

Will I have to learn **new skills**? **YES!**

Are there going to be **new jobs**? **YES!**

Are jobs going to be **destroyed**? **PASS!**

Are there going to be **new opportunities**? **YES!**

QUIZ

Is there going to be an impact on my job? YES!

Will I have to learn **new skills? YES!**

Are there going to be **new jobs? YES!**

Are jobs going to be **destroyed? PASS!**

Are there going to be **new opportunities? YES!**

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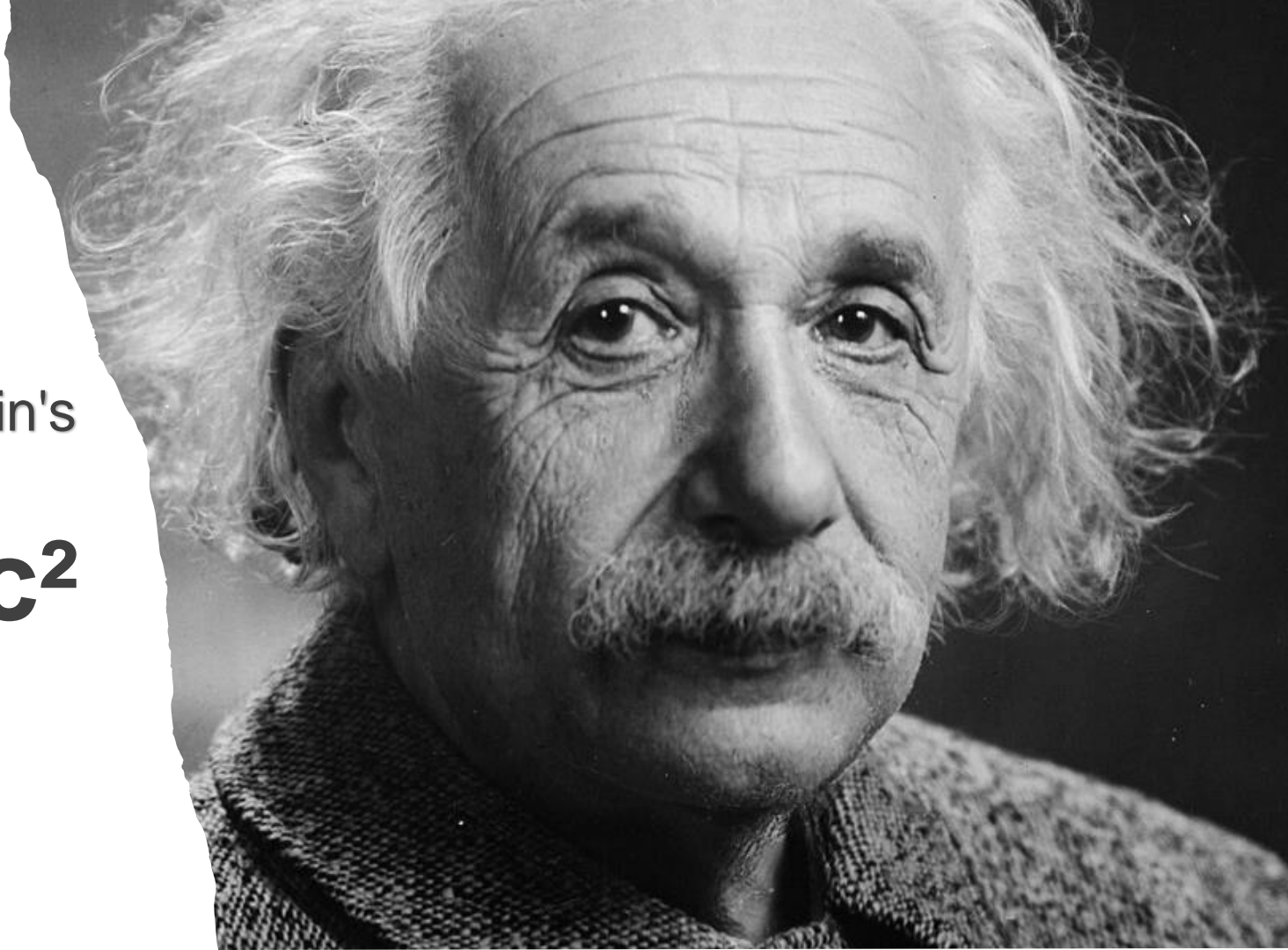
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Are there going to be new opportunities? **YES!**

1905

Albert Einstein's
Formula:

$$E = mc^2$$





Miguel's formula

2024

AUGMENTATION!

Human x Technology \equiv Human²

Human x GenAI \equiv Human³

This is Digital Transformation



Created using the Midjourney web app

This is also Digital Transformation!



Created using the Midjourney web app

On which side you want to be?



Future Predictions



Future Predictions

- Today's Generative AI tools represent the **most basic version** of what we will have access to in the not-so-distant future.



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- **Generative AI will provide meaningful opportunities** for IP professionals to improve the processes associated with legal decision-making.



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- Today's Generative AI tools represent the **most basic version** of what we will have access to in the not-so-distant future.
- Generative AI will provide **meaningful opportunities** for IP professionals to improve processes associated with legal decision-making.
- **What will always matter is the quality of ideas** and the understanding of what you want, Generative AI is just the tool to get there.



Future Predictions

- Today's Generative AI tools represent the **most basic version** of what we will have access to in the not-so-distant future.
- Generative AI will provide **meaningful opportunities** for IP professionals to improve processes associated with legal decision-making.
- What will always matter is the **quality of ideas** and the understanding of what you want, Generative AI is just the tool to get there.
- **Generative AI will evolve towards real-time processing** and maximum **interoperability**, fostering creativity.



Future Predictions

- Today's Gen AI tools represent the **most inferior version** of what we will have access to in the not-so-distant future.
- Gen AI will provide **meaningful opportunities** for IP Professionals to improve processes associated with legal decision-making.
- What will always matter is the **quality of ideas** and the understanding of what you want, generative AI is just the tool to get there.
- GenAI will evolve towards **real-time processing** and maximum **interoperability** fostering creativity.
- **The relevance of generative AI tools is crucial, but your data's significance will be paramount.**



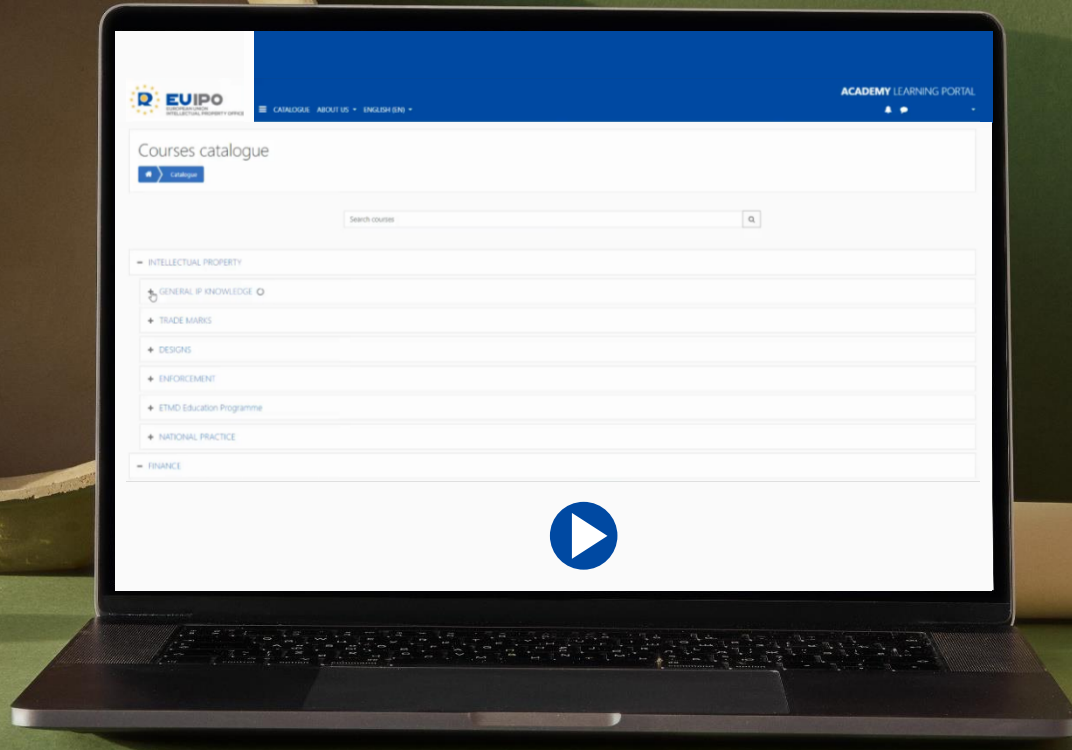
2030



2030!



Keep in touch with the EUIPO Academy





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THANK YOU