

# Research on the Law of Copyright Protection of Artificial Intelligence Products

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**Abstract:** With the continuous increase of China's economic level and the continuous improvement of comprehensive national strength, especially since entering the new era, China's electronic information technology has been greatly developed. Artificial intelligence has entered the lives of the broad masses of the people in China, according to artificial intelligence. The process of creating products can be divided into two major categories, namely, the first type of products with human beings as the core and the second type of products with artificial intelligence as the core. However, due to the lack of the legal system, there are certain differences in the copyright ownership of artificial intelligence products. In view of the above problems, this paper starts with the concept of artificial intelligence and generators, through the qualitative research on artificial intelligence products, finds the problems existing in the current artificial intelligence products and copyrights in China, and proposes certain solutions to generate artificial intelligence in the future. The copyright of the object provides a certain idea and theoretical basis.

## 1. Conceptual Description of Artificial Intelligence and Its Products

At present, artificial intelligence technology has developed rapidly in the world, and it has been able to independently create artistic achievements such as artificial intelligence and painting. In the museums of the United States, it has exhibited art works created by artificial intelligence. As far as China is concerned, Tencent Networks has also developed artificial intelligence for writing news using the Dream writer software to write specific types of news [1]. In addition to the field of painting and writing, the field of artificial intelligence creation has been extended to the field of music and film, and both have achieved certain results. At present, the independent creation of artificial intelligence has developed to a certain stage, and the works created have also been recognized and loved by the broad masses of the people. The painting products created by Google's artificial intelligence deep have been auctioned successfully with the help of Google, and the creation of artificial intelligence has entered the field of game production. Computer games created with natural humans have also been officially released. Has been praised by the majority of game enthusiasts. The production of artificial intelligence has high commercial value, and it has high creative and unique characteristics, which brings great challenges to current copyright law and intellectual property law [2].

## 2. Qualitative Research on Artificial Intelligence Products in Copyright

The creative work is the main protection field of the copyright law. According to the protection theory of the dichotomy in the copyright law, the copyright law is a pointer to the external expression of the work, and protects the intellectual property of the creative work, but it needs to achieve a certain originality to accept Protection of copyright law. The so-called originality simply means that the creator is to complete the creation of this work independently, which is the collection and cohesion of the author's wisdom, and is the embodiment of value. Whether the creation of artificial intelligence is original or not is one of the key factors for whether artificial intelligence products are protected by copyright. At present, China's creation of artificial intelligence is protected by copyright. It can be divided into two genres. One of the schools thinks that the creation of artificial intelligence is only a mechanical upgrade. Any computer can be realized through the Internet. It is also a resource that utilizes big data. It is not originality but only an inductive

summary analysis of the data. There are clear provisions in China's "Copyright". Any use of other people's creations, or accepting the material conditions of opinions provided by others or the rest of the auxiliary help, is not an creation, and therefore is not protected by copyright. This also leads to the fact that most people still believe that the works created by artificial intelligence are not completely pure works and are not protected by copyright. The concept of the second genre thinks that artificial intelligence has autonomy and intelligence, and the corresponding is also original, and the corresponding is also protected by copyright law. At present, the qualitative research on the artificial intelligence bio-products copyright is persuasive and scientific. The artificial intelligence is divided into two basic types, namely the first type of products and the second type of products.

The so-called first type of biological production is that human beings have established certain rules, and artificial intelligence is created within the rules. This creation has certain commercial value or can improve the quality of human biology. The first type of artificial intelligence products still belong to human beings. Creation, therefore, can be protected by copyright law, copyrighted, and protected by intellectual property rights.

The second type of product refers to the product created entirely by artificial intelligence, completely out of the thought of the control of the creation, but for now the current level of technology can not reach this level, but for the second type of generation The material should be part of a forward-looking study to consider whether it is protected by copyright. The corresponding second-generation products and human-created works are not quite different. Although the copyright law proposes standards of originality, this standard is limited to one independent completion, but does not specify what the meaning of independence is. From this point of view, the second type of products produced by artificial intelligence should be protected by China's copyright law.

### **3. Status of Copyright Protection of Artificial Intelligence Products**

#### **3.1. Institutional barriers to artificial intelligence copyright**

At present, there is still more controversy about whether the works created by artificial intelligence are protected by the copyright law. At present, many artificial intelligence creations need to be considered as assistance and sharing of data resources to realize the creation of works, but with the level of technology With continuous improvement, the generation of artificial intelligence is constantly developing towards the second type of products. It can be separated from human control and spontaneously create works and form the independent creation of artificial intelligence. As far as the provisions of China's current copyright law are concerned, it is possible to protect human beings, legal persons, and other legal entities. There is no detailed regulation on the generation of artificial intelligence. Artificial intelligence does not belong to objects or humans. Therefore, it is always controversial to protect the products from copyright. At present, the protection of artificial intelligence products is based on the topic protection, and the arbitrary switching between the object and the subject is prohibited. According to the current law of writing, artificial intelligence as a kind of object does not have consciousness, and the product of artificial intelligence does not accept the protection of copyright. Artificial intelligence as a subject can not be converted. If it is necessary to protect the creation of artificial intelligence by the corresponding copyright law, it is necessary to realize the conversion of the object and the subject, but the transition process between the subject and the object is an institutional obstacle that cannot be realized.

#### **3.2. The property right of artificial intelligence products is the actual demand of the times**

At present, with the rapid development of China's economy, the new information technology of the Internet as the main body has developed at a high speed. At present, China has entered the era of big data in an all-round way. Under such an era, the development speed of the artificial intelligence industry has also been greatly improved. The improvement, and the state strongly supports the development and reference of artificial intelligence technology. In recent years, China's professional

technology of artificial intelligence technology has been continuously developed. Artificial intelligence instead of manual labor has been engaged in some complicated and cumbersome work, which has become an inevitable trend of the times. Intelligent technology has a very broad development prospects and broad development space. The generation of artificial intelligence has certain value, and the development of artificial intelligence technology has a good prospect. Realizing the intellectual property of artificial intelligence technology is an inevitable trend and an actual demand for the development of the times.

### **3.3. Artificial intelligence copyright is the actual embodiment of balancing social interests**

The existence of the legal system is to balance and develop the interests of the society. The copyright of artificial intelligence is the actual embodiment of balancing the interests of China's society. The protection of the production rights of artificial intelligence products needs to balance the interests of all levels of society, and objectively evaluate artificial intelligence. The actual value of the product, because the production of artificial intelligence is protected by the copyright law, will greatly balance the interests of society, and stimulate the development and research of artificial intelligence in China, and prevent the emergence of disputes. Although artificial intelligence is only a subject object that is considered to be created, artificial intelligence is a smart producer and creator, and the product has a certain value. Therefore, we protect the copyright of artificial intelligence products, which is to protect the copyright of knowledge and protect it. The intellectual property system also balances the social interest system.

## **4. Measures Against the Copyright Protection of Artificial Intelligence Products**

### **4.1. Strengthen the guiding role of the government**

For the development of artificial intelligence in China, compared with the developed countries in the West, the right and actual control of the development of artificial intelligence has been handed over to the economic market, which has greatly utilized the positive role of the market economy system in promoting the development of science and technology. However, we must clearly understand that although the market economy system can promote the development of artificial intelligence technology, the correct guidance of the government is also essential, especially for artificial intelligence products, the government should increase the artificial intelligence products. The protection of intellectual property rights, thus promoting the development of artificial intelligence technology.

### **4.2. Defining the artificial intelligence product security system from the perspective of copyright**

China should strengthen the perfection and clarification of the legal system for the creation of artificial intelligence products. According to the actual creation process of artificial intelligence products, we can clearly see that the originality principle of the creation of welfare software for artificial intelligence products is in line with the scope of copyright protection. Therefore, for artificial intelligence products, we should establish a proprietary copyright law on artificial intelligence products, allowing artificial intelligence products to establish patents.

### **4.3. Clarify the artificial intelligence tort liability legal system**

Establish and improve the construction of China's legal system for the production of artificial intelligence, Qinhuai, and when the legal rights of artificial intelligence products are infringed, according to the corresponding laws, certain penalties and compensations may be imposed on the infringers to protect artificial intelligence products. Legal rights are maintained.

## **5. Conclusion**

At present, China has entered the era of big data in an all-round way. In the context of the era of big data, the products of artificial intelligence are also derivatives of human civilization and

high-tech information technology. The creation of artificial intelligence products is individualized, specialized, knowledgeable, etc. The characteristics have high commercial value, but the artificial intelligence products undoubtedly bring comprehensive challenges to the existing copyright and intellectual property rights in China. However, in terms of the trend of the times, providing artificial copyrights for artificial intelligence products can effectively promote the development of artificial intelligence products, enrich China's information technology and material culture, and promote the development of China's economy. The practical significance and necessity. With the continuous improvement of artificial intelligence technology, it will bring huge challenges to existing intellectual property rights. Therefore, we need to take the initiative to actively carry out corresponding countermeasures and make full use of the role of law to let artificial intelligence promote China's social economy. The system is developing rapidly.

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