

QUESTIONNAIRE ON ARTIFICIAL INTELLIGENCE POLICIES

BACKGROUND

Artificial Intelligence (AI) has become a strategic priority for many governments across the globe. In addition, data are a critical component of AI since AI applications rely upon machine learning techniques that use data for training and validation.

As well as AI capacity building, education and regulatory measures, there is a question whether the established intellectual property (IP) system should be modified to in response to AI developments. WIPO has been requested by Member States to provide a forum for discussion of AI and IP Policy, which also includes data. WIPO has therefore started an open conversation on AI/data and IP, including a draft issues paper¹, and is planning to continue the conversation in Geneva on May 11-12, 2020.

REQUEST FOR INFORMATION

In order to aid this discussion, WIPO is seeking to collate country/regional information regarding strategies, frameworks and legislation of relevance to AI/data and IP.

This questionnaire aims at taking stock of the different national and regional landscapes of legislation and instruments applicable to AI/data and IP.

A summary of the answers provided in this questionnaire will be used to create a publically available resource to facilitate information sharing. Personal information provided, such as contact details of individual persons, will not be made publically available but may be used solely by the Division of AI Policy to share the results of the questionnaire and to gather further information in the future.

Please send the completed questionnaire, including null responses, to ai2ip@wipo.int.

TELL US WHO YOU ARE

Country/Region	Hungary
Name of the person completing this survey	Mr Dénes Legeza
Organization	Hungarian Intellectual Property Office
Position	head of department
Phone	+361 474 5836
E-mail	denes.legeza@hipo.gov.hu
Website	https://www.sztnh.gov.hu/en

¹ https://www.wipo.int/about-ip/en/artificial_intelligence/call_for_comments/index.html

NATIONAL AI STRATEGIES

1. Does your country have a national/regional AI strategy in place?

- No
- Yes**
- Draft/proposed only**
- Do not know

2. If so, does the AI strategy identified in Q1 consider IP?

- No**
- Yes
- Draft/proposed only
- Do not know

3. Please provide details of the AI strategy identified in Q1 (name, short description, year, URL, responsible organization name and, if relevant, its relation to IP).

A Hungarian "National strategy for AI" is proposed, but there is a so called Hungarian "AI action plan", and also a document published by the European Commission called "WHITE PAPER On Artificial Intelligence - A European approach to excellence and trust" (Brussels, 19.2.2020 COM(2020) 65 final https://ec.europa.eu/info/sites/info/files/commission-white-paper-artificial-intelligence-feb2020_en.pdf)

The National Security Strategy (introduced in April 2020) also refers to AI as an important tool for future development. The National Security Strategy aims to extend the use of AI technologies with special attention to their lawful and efficient application. However, there are no specific provisions.

AI AND IP LEGISLATIVE MEASURES

4. Does your country have any measures/provisions in its IP framework that were specifically enacted for AI (an example would be a modification of copyright law for computer generated works)?

- No**
- Yes
- Draft/proposed only
- Do not know

5. Please provide details of the relevant legislative measures/provisions identified in Q4 (name, section, short description, year and URL).

6. Is there any case law relevant to AI and IP in your country/region?

- No**
- Yes
- Do not know

7. Please provide details of the decision(s) relating to Q6 (name, short description of subject matter, year and URL).

EXAMINATION GUIDELINES

8. Has your country's IP office (or other IP registration body) amended its examination guidelines and procedures due to AI-related inventions or works?

- x **No**
 Yes
 Draft/proposed only
 Do not know

9. Please provide details of the relevant guidelines and sections identified in Q8 (name, short description, year and URL)

DATA RIGHTS

10. Does your country/region have any legislative measures/provisions for database rights?

- No
x **Yes - enacted law**
 Draft/proposed law only
 Do not know

11. Please provide details of the relevant legislative measures/provisions identified in Q10 (name, short description, year and URL).

60/A. § - 62. § Act No. LXXVI. of 1999 on Copyright
https://www.hipo.gov.hu/sites/default/files/szjt_lxxvi_1999_en_rev_1.pdf

12. Does your country recognize any rights or ownership in data?

- x **No**
 Yes
 Draft/proposed only
 Do not know

13. Please provide details of the relevant legislative measures/provisions identified in Q12 (name, short description, year and URL).

--

14. Does any AI strategy identified in Q1 or other strategy consider data and any creation of a *sui generis* right for data and/or databases?

- No
 Yes
 Draft/proposed only
 Do not know

15. Please provide details of the data strategy identified in Q14 (name, short description, year, URL and responsible organization name).

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS: A European strategy for data (Brussels, 19.2.2020 COM(2020) 66 final) (<https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1593073685620&uri=CELEX%3A52020DC0066>)

OTHER AI AND IP RELATED INFORMATION

16. Please provide details of any other related processes related to AI/data and IP undertaken in your county/region, for example, public consultation processes, guidance notes for legislative interpretation, policy guidance, communications, working groups, etc. (name, short description, year and URL).

Since October 2018, there is a cooperation forum between stakeholders, universities and the government, which is called "Artificial Intelligence Coalition". This forum enhances communication in order to coordinate the national strategy of AI development.
<https://digitalisjoletprogram.hu/hu/tartalom/mesterseges-intelligencia-koalicio>

YOUR COUNTRY'S CONTACT OFFICE FOR AI (IF ANY)

Organization	Hungarian Intellectual Property Office
Unit	Patent Department
Website	https://www.sztnh.gov.hu/en
Phone	+361 474-5894
E-mail	katalin.miklo@hipo.gov.hu
Contact person	Ms Katalin Mikló

[End of document]