John Hutchins Joins AI and Patent Law Brainstorming Session at the Sedona Conference

Banner Witcoff's John Hutchins will participate in a brainstorming session during the Sedona Conference WG9 and WG10 Joint Annual Meeting in Tampa, Florida, on Tuesday, September 24.

The brainstorming session will focus on AI and patent law, specifically, the definition of the hypothetical person of ordinary skill in the art ("POSITA").

There is an open question of whether the POSITA definition should assume access to generative AI platforms. Would such access greatly expand the POSITA's knowledge? And if access to generative AI platforms is considered, what are the contours of those platform(s)? If a POSITA is assumed to have access to AI, what are the implications for the motivation to combine analysis and analogous art issues under § 103? What are the implications for considering whether a patent contains an enabling disclosure under § 112?

The brainstorming group will propose an outline based on dialogue and consensus that may be used to draft a Commentary addressing these important issues. The panel will elicit input from members on these issues at this meeting to help frame the resulting project charter.

You can read more about the Sedona Conference WG9 and WG10 Joint Annual Meeting by clicking here.