## Views from The Hong Kong Institution of Engineers on Copyright and Artificial Intelligence

Artificial Intelligence (AI) is having a transformative impact across industries and societies. The Hong Kong Institution of Engineers (HKIE) would like to provide its submission regarding the public consultation launched by the Commerce and Economic Development Bureau (CEDB) that addresses copyright issues arising from AI to help ensure that the copyright framework encourages creativity, innovation, and investment while supporting the development of AI technologies.

2.  Firstly, we would like to address the need for clarity regarding the intellectual property (IP) rights retained by software editors when their AI solutions are used to create content. Recent news concerning software developer Adobe's terms and conditions, which claim IP ownership over a significant amount of content created with their generative AI (GenAI) solution, has raised concerns among consumers. We believe it is crucial to inform and educate software consumers about the IP rights associated with AI solutions. The Bureau may consider collaborating with professional bodies to promote transparency in the market by possible means such as establishing a standard charter or set of categories with standardised terms and conditions. Such measures would provide peace of mind to consumers and ensure they are aware of the rights retained by the software editors and the consumers themselves when utilising AI software for content creation.

3.  In light of academic publications, it is imperative to disclose the utilisation of AI in manuscript preparation. We propose the inclusion of a formal declaration in these works to distinguish AI-generated content from human-authored material. Additionally, citing the databases and references used in the AI processes can serve as a valuable tool in distinguishing between AI-generated and Human-AI collaborative works. This approach not only enhances transparency but also ensures proper recognition of the contributions made by both AI technologies and human authors in scholarly outputs.

4.  Similarly, it is essential to clarify the rights involved in training AI models using consumer-generated content. As GenAI expands its capabilities to cover various domains such as text and music, it is reasonable to anticipate its future involvement in generating technical drawings, construction sequences, and other similar documents related to the engineering industry. Therefore, it is important to take into consideration the nature of these documents and the corresponding rights associated with them. Clear guidelines and regulations should be established to define the ownership and usage rights of AI-generated content, particularly in domains where technical accuracy and reliability are paramount.

5.  Furthermore, we would like to draw attention to the evolving nature of workflows, which are transitioning towards "no-document" processes. In such workflows,

models undergo updates, coordination, and approval without necessarily relying on traditional document-based methods to capture progress. This shift has implications for the information generated by GenAI and its corresponding IP. It is essential to recognise that information produced by AI models may not be contained within a traditional document format. Instead, it becomes a valuable contribution to a collective model or system. Therefore, the legal framework should adapt to accommodate these forms of information and ensure proper recognition and protection of the IP involved.

6.    The HKIE recommends proactive measures to anticipate and address these developments to ensure the protection of IP and promote innovation in Hong Kong. We trust that our recommendations will contribute to the ongoing discussion on copyright issues related to AI and GenAI.