The Assault (Infringement) of Material (Financial) Rights Stemming from the Intellectual Property of Creators by Using the Artificial Intelligence AI: A Descriptive Study

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Abstract

This paper aims to study the phenomenon of assault on material rights resulting from intellectual rights of creators using artificial intelligence through a descriptive study in which the researcher defines artificial intelligence and intellectual rights, then shows the forms of assault on material rights resulting from intellectual rights using artificial intelligence with the aim of promoting The idea of protecting these rights and not stealing them. The researcher followed the descriptive methodology, so he sought to clarify scientific terms in the research, then tracked cases of theft of material rights of creators and documented some forms of these cases, then came out with results including the importance of protecting intellectual rights of creators in the law and activating the ethical aspect of protecting rights. He also concluded that working to protect the rights of creators should be collective, not individual, by institutions and governments.

Keywords: La Intellectual Property Protection, Artificial Intelligence and Ethics, Material Rights Violation.

1. Introduction

International systems and laws have protected the intellectual rights of authors, both moral and material, and the violation of these rights exposes its owner to legal and moral accountability. Violations have taken many forms, and with the development of the ages, the forms of violations have increased, until the era of artificial intelligence came and instead of using it in what benefits and does not harm, and what serves and does not destroy, some users have made artificial intelligence a means of violating intellectual property rights. Because these practices need to be stopped, researchers must shed light on them, and institutions and legislative bodies must legislate what guarantees the rights of creative people, and regulatory institutions must cooperate

with everyone to stop these violations that will lead us to a new era in which the least of which is the unjust usurpation of the creator's right.

Importance:

The importance of the research is evident from several points, the most prominent of which are:

- Statement of what artificial intelligence is.
- Statement of what the material intellectual rights of creators are.
- Attempt to reduce the violations that creators are exposed to.
- Draw attention to new forms in which the moral rights of creators are attacked.

This research aims to achieve several goals, the most important of which are:

- Explaining what artificial intelligence is.
- Explaining what the material intellectual rights of creators are.
- Shedding light on stopping attacks on intellectual property rights.
- Showing some examples of attacks on intellectual property rights by artificial intelligence.

The research problem in this study lies in the main question: What are the forms of violations of the material rights resulting from the intellectual rights of creators through artificial intelligence?

Several questions arise from the research problem:

1- What is meant by artificial intelligence?

2- What is meant by moral intellectual rights?

3- What are the forms of attacks on material rights resulting from the intellectual rights of creators.

2. Methodology:

In this research, the researcher followed the descriptive analytical approach. He studied the phenomenon by clarifying the meaning of the terms included in the research, then described the situation in the research by clarifying the most prominent forms of attacks on the financial rights resulting from the intellectual property rights of creators.

This research consists of an introduction, three chapters, and a conclusion. Introduction: It includes the importance of the research, its objectives, its problem, its questions, its methodology, and its structure.

Section One: Definition of Artificial Intelligence.

Section Two: Definition of Intellectual Property Rights.

Section Three: Forms of Infringement of Financial Rights Resulting from Intellectual Rights of Creators Using Artificial Intelligence.

Conclusion: It contains the results and recommendations.

2. Definition of Artificial Intelligence.

Intelligence in language is quick wit and sharpness of heart. The intelligent person is quick and complete in wit (Al-Ain, 2004, p. 399 and Al-Sahah Taj Al-Lughah, 2005, p. 2346).

Some of them defined it and said: It is "the speed of sparking results, and it was said: persistence in the matter, and the speed of deciding the truth" (Dictionary of Keys of Sciences, 2001, p. 200). It was also said: "The strength of the soul prepared to acquire opinions according to language" (Al-Kulliyyat, 2001, p. 456 and Dustur Al-Ulama, 2002, p. 89).

Artificial in the language: attributed to artificiality, from the verb "to make", which is what was made unnaturally. It is said: an artificial rose, and an artificial heart (Dictionary of Contemporary Arabic Language, 2002, p. 1323).

As for the definition of artificial intelligence in terminology: "It is one of the fields of science and technology that has developed over the past thirty years, and its development has relied on many fields of knowledge, the most important of which are electronic engineering, computers, cybernetics, and psychology, especially with regard to perception and mental operation of information, in Addition to specialized knowledge related to the fields of application" (Bahri, 2020, p. 3).

Some of them defined it as "the technology of building machines that have the ability to simulate humans in the processes of thinking, forming opinions, issuing judgments, and the ability to develop and learn. These methods are not limited to building machines and devices, but rather extend to designing and developing electronic systems and programs that give these machines the characteristic of human simulation. Without linking these machines to computer systems and programs, they cannot perform operations characterized by intelligence" (Bahri, 2020, p. 3).

The American scientist John McCarthy, who is considered the originator of the term artificial intelligence in 1956, defined it as: "The science and engineering of making intelligent machines, especially intelligent computer programs, or: it is the branch of computer science that aims to create intelligent machines" (Al-Qasim, 2018, p. 3).

Some of them define artificial intelligence as: "the study of mental abilities through the use of computational models" (Al-Qasim, 2018, p. 3).

Some define it as: "The study of how to make computers do things that humans currently do better" (Al-Qasim, 2018, p. 3).

Some of them say that it is: "The study and design of intelligent agents, as the intelligent agent is a system that understands its environment and provides actions that increase its chances of success in its goals" (Al-Qasim, 2018, p. 3).

Some of them defined it as: "A set of efforts made to develop computerized information systems in a way that enables them to act and think in a manner similar to humans. These systems can

learn natural languages, accomplish actual tasks in integrated coordination, or use images and cognitive forms to rationalize physical behavior. At the same time, they can store accumulated human experiences and knowledge and use them in the decision-making process." (Artificial Intelligence Applications as a Modern Trend to Enhance the Competitiveness of Business Organizations, 2021, p. 13.)

In simple terms: Artificial intelligence is the study of intelligent behavior in humans, animals, and machines, and it also represents an attempt to find ways in which such behavior can be introduced into artificial machines (Whitby, 2020, p. 15).

Despite the differences between academics, philosophers and scholars in defining and specifying the concept of intelligence itself, consensus on the concept of artificial intelligence has been present since the emergence of the first research in the early 1950s. Artificial intelligence is the scientific and technical trend that includes methods, theories and techniques that aim to create machines capable of simulating intelligence (Artificial Intelligence between Reality and Hope: A Technical Field Study, 2021, p. 6).

It can be said that the previous definitions revolve around a meaning, which is the ability of a device or machine to think or act like humans; however, recent applications have tried to go beyond human intelligence, so artificial intelligence can be defined as: simulating optimal behavior (in terms of intelligence) in computers.

It can also be said that artificial intelligence applications aim to have:

Applications that think like humans.

Applications that think rationally.

Applications that act like humans.

Applications that act rationally (Al-Qasim, 2018, p. 6).

In other words: thinking like humans, thinking reasonably, acting like humans, and acting reasonably.

Artificial intelligence is either general or limited. General intelligence is an attempt to make a machine perform human mental, physical, or emotional tasks successfully. Many scientists believe that the idea of general intelligence does not exist at all.

Narrow AI: It is a group of specialized systems that can handle a limited set of tasks.

For example, some applications can master a certain game, making it difficult for a person to beat it, but they cannot defeat him in another game.

At the beginning of work on artificial intelligence applications, the game of chess represented an exciting challenge and a good example of intelligent human behavior. In one of the matches in 1997, a computer called (Deep Blue) succeeded in defeating the world chess champion (Gary Kasparov. Today, smart machines and smart applications can play chess and other things better than before (Whitby, 2020, p. 20).

Examples of current AI applications include email spam classification applications, Google Translate, Apple's Siri application, Amazon's Alexa application, Microsoft's Cortana application, speech recognition applications, integrated advertising classification, and prediction applications such as smart writing, which suggests to the user texts that he can write in his messages.

Today, artificial intelligence is entering the fields of healthcare, aviation, transportation, media, energy, security, education, and entertainment.

3. Definition of intellectual property rights.

Intellectual property refers to the creativity produced by humans that is unique to them and attributed to them. It has been defined in several ways, including:

- Definition of the World Intellectual Property Organization: “Rights in literary, artistic and scientific works, such as artistic performances, chromograms, creative works, inventions in all fields, scientific discoveries, industrial designs, trademarks, service marks, trade names, protection against unfair competition and any other rights secured by intellectual activities in the industrial, scientific, literary and artistic fields” (Cook, 2006, p. 105).

- The World Trade Organization defined it as: “the rights granted to human beings over the products of their mental creations, which include industrial property rights as well as literary property rights” (The Future of the Intellectual Property Rights Agreement, 2001, p. 10).

- It is also known as: “moral rights that give their owners the exclusive right to exploit a new objective innovation such as a patent, or a new innovation in form and design such as industrial drawings and models, or to exploit certain marks or signs to distinguish the establishment such as a trade name, or to distinguish its products such as a trademark” (Cook, 2006, p. 107).

There are other definitions, but through the above and others we can say that intellectual rights are special creative rights that include literary, artistic and scientific works. These rights have been granted to their owners for the mental, intellectual, literary, scientific and creative effort they have made to reach them.

This is a definition of intellectual property rights in general. These rights are divided into moral intellectual rights and material rights. Our discussion here is about the latter, not the former. By material rights here we mean the material exploitation of intellectual rights, whether they are direct financial from intellectual and creative production or indirect.

4. Forms of infringement on material intellectual property rights using artificial intelligence.

We have previously talked about intellectual rights and that their cause is creativity and the effort exerted by its owner in any field of creativity, whether literary, artistic, scientific or mental. If this creativity has a material value, then the person who deserves it is its owner. This is what scientists, authors, inventors, artists and others obtain. The laws of countries preserve these financial rights resulting from intellectual rights, and their theft is considered a crime punishable by law. With the emergence of artificial intelligence and the ease of theft through it, the thieves have expanded on the rights of others using artificial intelligence. I will present here the most

important forms of theft of the financial and material rights of creators through artificial intelligence. Among these forms are:

- Robbery of the financial right resulting from reproduction, as the creator has the right, and no one else, to reproduce his work in any way, permanently or temporarily, and he can, based on this, sell this right permanently or temporarily. This right prevents others from exploiting it financially because it is a right of the creator, and everything taken from him is robbery of the creator's right, and its owner will be held legally accountable. This right is inherited by the creator's heirs after his death, and they have the right to exploit it financially in the manner recommended by the creator or in the manner they see fit if it is not a will.

- Robbery of the financial right resulting from copying the work, as the creator has the right to the original creativity and the financial result thereof, and he also has the right to copy the creative work and the financial result thereof, as he may deliberately use artificial intelligence to copy a number of creative works and then benefit financially from them, and this is contrary to the financial intellectual right of the author, as the right to copy is one of the rights specific to the author and it is not permissible to violate it (Hawas, 2017, pp. 606-607).

- Stealing the financial right resulting from translation, since the author has the financial right resulting from his creative work, this financial right resulting from the translation of this product was subject to this, so the translation of the product is not a creative work that deserves to be singled out without regard to its origin, as the owner of the original is the main creator and does not have the right to steal his right and sell it in another language, as artificial intelligence may be used to translate the creative work into different languages and then the financial rights are collected from these translations, and this is not permissible except after obtaining permission from the owner of the intellectual right (Al-Sabai, available online).

- Robbery of the financial right resulting from transforming the creative work's template, as the template can be transformed into the creative work. Poetry can be transformed by recitation, singing, acting, publishing on the media, or transforming it into software or other things, and so on, and all of this is available through artificial intelligence, and its owner may reap a financial right for this transformation into the creative work, while it is basically a right for its owner. This is a way to rob the financial rights of the creative product.

5. Results:

- Artificial intelligence is the ability of a device or machine to think or act like humans; however, recent applications have attempted to surpass human intelligence. Artificial intelligence can be defined as: simulating optimal behavior (in terms of intelligence) in computers.

- AI applications aim to think like a human, think reasonably, act like a human, and act reasonably.

- Intellectual rights are special creative rights that include literary, artistic and scientific works. These rights are granted to their owners for the mental, intellectual, literary, scientific and creative effort they have made to obtain them.

- By material intellectual rights we mean the material exploitation of intellectual rights, whether they are direct financial from intellectual and creative production or indirect.

- The most prominent forms of infringement on material intellectual rights by artificial intelligence are the following: theft of financial rights resulting from reproduction, theft of financial rights resulting from copying the work, theft of financial rights resulting from translation, and theft of financial rights resulting from transforming the format of the creative work.

3. Recommendations:

The most important recommendations made by the researcher are the following:

- Expanding the scope of accounting for financial intellectual property rights to be global.

- Creating specialized programs to detect plagiarism with its changing forms.

- Setting controls for artificial intelligence programs that prevent the use of what has intellectual property rights as raw materials.

- The need for cooperation between individuals and entities to seek to paralyze the hands that seek to take the rights of creators.

- Enacting deterrent laws to stop those who violate moral intellectual rights through artificial intelligence.

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