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Akin Intelligence



March 2024

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Welcome to the March edition of Akin Intelligence. This month, the EU AI Act was approved by the European Parliament, moving one step closer to becoming the first major AI law. In the U.S., the DOJ brought criminal charges over trade secret theft related to AI, and lawmakers continue to propose new legislation. In industry news, NVIDIA held its annual conference, which emphasized the expanding role of AI across every field and announced new AI-focused hardware to power the growing demand.

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Akin Spotlight



President Biden Unveils Key AI Priorities in FY 2025 Budget Request

On March 11, 2024, President Biden unveiled his fiscal year (FY) 2025 budget request, which includes funding to implement key directives outlined in his extensive executive order regulating artificial intelligence (AI EO) (see prior alert here), as well as other AI priorities across federal agencies.

[Click here to read the full article](#)

Federal Action

OMB Presses Ahead on Implementation of AI EO

The Office of Management and Budget (OMB) continues to press ahead on implementing President Biden's AI executive order (EO), by releasing its first government-wide policy on AI for federal agencies, issuing a request for information (RFI) on procurement of AI in government, and announcing that the U.S. government will hire at least 100 AI experts by the summer. Responses to the RFI are due April 29, 2024.

State Department Hosts Inaugural Plenary Meeting on Responsible Military Use of AI and Autonomy

On March 19-20, 2024, the U.S. Department of State hosted 161 participants from 60 countries for a two-day inaugural plenary meeting of States endorsing the Political Declaration on Responsible Military Use of Artificial Intelligence and Autonomy. The Declaration, endorsed by 54 States, is comprised of 10 foundational measures of responsible behavior, which aim to provide a basis for an international framework. At the plenary, endorsing States developed plans for three working groups, to be chaired by Austria, Bahrain, Canada, Portugal and the United States.

NIST to Develop Safety Tools for Synthetic Biology to Defend Against AI Misuse

On February 16, 2024, the Department of Commerce's National Institute of Standards and Technology (NIST) announced that it entered a two-year cooperative research agreement with the Engineering Biology Research Consortium (EBRC), a nonprofit created by members of the National Science Foundation-funded Synthetic Biology Engineering Research Center (SynBERC), to develop screening and safety tools concerning the potential misuse of AI related to nucleic acid synthesis. This builds on President Biden's directive in the Executive Order on Safe, Secure and Trustworthy Artificial Intelligence (the AI EO), which called on federal agencies, including NIST, to develop standards and best practices with respect to nucleic acid synthesis as it relates to the risk posed by AI's increased capabilities in this area. The partnership is tasked with identifying the infrastructure needed to accomplish that goal. As part of the agreement, the organizations will seek input from industry, universities, government agencies and other relevant stakeholders.

NTIA Solicits Comments on Open-Weight AI Models

On February 21, 2024, the Department of Commerce's National Telecommunications and Information Administration (NTIA) launched a Request for Comment on the risks, benefits, and potential policy related to open-weight AI models. According to NTIA, open-weight AI models "allow developers to build upon and adapt previous work, broadening AI tools' availability to small companies, researchers, nonprofits and individuals [. . .] [which] may

accelerate the diffusion of AI's benefits and the pace of AI safety research, but it may also increase the scale and likelihood of harms from advanced models." Comments were due on March 27, 2024, with NTIA seeking input on several issues, including:

- The varying levels of openness of AI models
- The benefits and risks of making model weights widely available compared to those of closed models
- The impacts of making AI model weights more or less open to innovation, competition, safety, security, trustworthiness, equity and national security concerns
- The role of the U.S. government in guiding or regulating the availability of AI model weights

FTC Affirms Protections Against AI-Enabled Scam Calls

On March 7, 2024, the Federal Trade Commission (FTC) announced a proposed rule that would provide the agency with new tools to combat AI-enabled scam calls. The notice of proposed rulemaking proposes amending the Telemarketing Sales Rule (TSR), which currently applies to virtually all telemarketing activities in the United States and to U.S. consumers from abroad, to extend its coverage to inbound telemarketing calls (i.e., calls made by consumers to telemarketers) involving technical support services. This rule is intended to help prevent deception and consumer harm by tech support scams in which consumers call scammers posing as tech support operations in response to advertising.

FTC Proposes New Protection to Combat AI Impersonation of Individuals

On February 15, 2024, the Federal Trade Commission (FTC) announced that it is seeking public comment on a supplemental notice of proposed rulemaking that would prohibit the impersonation of individuals. The proposed rule would extend protections of the near-final rule on government and business impersonation. This proposed rule is in response to emerging technologies, like AI-generated deepfakes, that threaten to harm consumers through impersonation fraud. The FTC is also seeking comment on whether the revised rule should declare it unlawful for a party, such as a generative AI platform, to provide goods or services that they know or have reason to know is being used to harm consumers through impersonation. Comments are open through April 30.

DOJ Designates First Chief AI Officer

On February 22, 2024, the Department of Justice (DOJ) announced the designation of Jonathan Mayer as the department's first Chief Artificial Intelligence Officer. As the Chief AI Officer, Mayer will advise the DOJ on complex issues requiring technical expertise, including on matters related to AI and other areas of emerging technology. He will also lead DOJ's efforts to build its technological capacity, including by advising on recruiting technical talent, to ensure the department is equipped to meet the challenges ahead.

OPM Announces Survey to Analyze AI in Government Jobs

On February 20, 2024, the Office of Personnel Management (OPM) announced that it released a survey for current federal employees to assess their experiences working with AI. The survey targets federal employees involved with AI work at the Office of Science and Technology Policy, chief information and chief data officers and others with technical and subject-matter expertise across the government. The results of the survey may be used to determine how many federal employees work in positions related to AI, forecast how many AI jobs each agency will need and develop an "AI competency model."



House Bipartisan AI Task Force Takes Shape

On February 20, 2024, House Speaker Mike Johnson (R-LA) and Minority Leader Hakeem Jeffries (D-NY) announced the creation of a bipartisan task force on AI, chaired by Rep. Jay Obernolte (R-CA) and co-chaired by Rep. Ted Lieu (D-CA). The task force includes 12 lawmakers from each side, with Speaker Johnson and Leader Jeffries playing pivotal roles in the formation of the working group. The task force will be tasked with crafting a regulatory framework for AI that aligns with the Senate, addressing issues such as workforce implications and copyright concerns. Rep. Don Beyer (D-VA) has stated that the task force will attempt to advance four to ten AI bills this year, namely the *Creating Resources for Every American To Experiment with Artificial Intelligence (CREATE AI) Act* ([H.R. 5077](#)), which would authorize the establishment of a National Artificial Intelligence Research Resource to be overseen by the National Science Foundation.

Congressional Black Caucus Unveils AI Policy Series

The Congressional Black Caucus (CBC) announced the launch of a new Artificial Intelligence Policy Series to examine the potential for AI systems to discriminate against marginalized communities in the United States. A number of Member-only sessions are expected, including those on design/governance, civil rights/jobs equity and misinformation/disinformation, followed by staff-level briefings.

House/Senate Lawmakers Introduce Standalone Bills

- On February 15, 2024, Rep. Ted Lieu (D-CA) introduced the *Healthcare Enhancement and Learning Through Harnessing Artificial Intelligence Act* (HEALTH AI Act, [H.R. 7381](#)), which would direct the National Institutes of Health (NIH) to establish a grant program to facilitate research regarding the use of generative AI in health care.
- On March 5, 2024, House Homeland Security Chair James Comer (R-KY) and Ranking Member Jamie Raskin (D-MD) introduced the *Federal AI Governance and Transparency Act* ([H.R. 7532](#)), which aims to define federal standards for responsible AI use, strengthen federal AI use requirements, establish agency AI governance charters, create additional public accountability mechanisms, streamline existing law regarding government use of AI and update federal procurement rules.
- On March 8, 2024, Rep. David Schweikert (R-AZ) introduced the *Algorithms Utilized to Detect Institutional Transactions Act* (AUDIT Act; [H.R. 7603](#)), which would direct the U.S. Department of Defense (DoD) to adopt innovative technologies such as AI to facilitate an audit of the Department, while retiring outdated financial management systems.
- On February 29, 2024, Sens. Mark Warner (D-VA) and Marsha Blackburn (R-TN) introduced the *Promoting United States Leadership in Standards Act of 2024* ([S. 3849](#)), which aims to bolster U.S. leadership in standard-setting for AI and other emerging technologies. The legislation directs NIST to submit a report to Congress identifying U.S. participation in AI standard-setting, establish a web portal to inform stakeholders on the U.S.' participation in standard-setting and establish a \$10 million pilot program over four years to support meetings on standard-setting.
- Continuing her push to regulate the use of AI in election interference, Sen. Amy

Klobuchar (D-MN), alongside Sen. Lisa Murkowski (R-AK), introduced the *AI Transparency in Elections Act* ([S. 3875](#)) on March 6, 2024. This bill would require disclaimers on political advertisements containing AI-generated images, audio or video. This marks the third bill that Sen. Klobuchar has sponsored, featuring a focus on the prevention of AI in politics, after previously introducing the *REAL Political Advertisements Act* ([S. 1596](#)) and the *Protect Elections from Deceptive AI Act* ([S. 2770](#)).

- On March 8, 2024, Sens. Brian Schatz (D-HI), Ben Ray Lujan (D-NM), Laphonza Butler (D-CA) and Peter Welch (D-VT) introduced the *Transformational AI to Modernize the Economy Against Extreme Weather Act* (TAME Against Extreme Weather Act; [S. 3888](#)), which promotes the adoption and implementation of AI to better predict and respond to extreme weather. Specifically, the bill would task three agencies with the following:
 - [National Oceanic and Atmospheric Administration](#) (NOAA): Improving weather forecasting and wildfire detection.
 - [U.S. Department of Agriculture](#) (USDA): Cracking down on deforestation and illegal wood products.
 - [U.S. Department of Energy](#) (DOE): Optimizing electrical grids against extreme weather and developing technology for efficient environmental review.

House Committees Convene Hearings Examining AI Impacts

- On February 15, 2024, the House Veterans' Affairs Subcommittee on Health held a [hearing](#) titled, "Artificial Intelligence at VA: Exploring its Current State and Future Possibilities." During the hearing, Chair Marianne Miller-Meeks (R-IA) highlighted the need for the Department of Veterans' Affairs (VA) to develop a comprehensive strategy for utilizing AI, testing applications and implementing successful AI strategies across the organization. Moreover, Ranking Member Julia Brownley (D-CA) underscored AI's role in complementing rather than replacing the human touch in healthcare, and in alleviating provider burnout, enhancing diagnostic tools and improving patient care, while safeguarding the integrity of the clinical workforce.
- On March 12, 2024, the House Oversight Subcommittee on Cybersecurity, Information Technology and Government Innovation held a [hearing](#) titled "Addressing Real Harm Done by Deepfakes." This marks the panel's second hearing examining the state of deepfake technologies, focusing specifically on the resulting impact on children. The hearing featured witnesses from the National Center for Missing and Exploited Children (NCMEC), NetChoice and the parent of a high school student who was a victim of deepfake images.

Bicameral Group of Democrats Issue Letter to HHS and CMS

On March 4, 2024, Sens. Sherrod Brown (D-OH), Elizabeth Warren (D-MA), Bernie Sanders (I-VT), Dick Durbin (D-IL), Peter Welch (D-VT), Jeff Merkley (D-OR), Cory Booker (D-NJ), Richard Blumenthal (D-CT), Ed Markey (D-MA) and Tina Smith (D-MN), penned a [letter](#) to the U.S. Department of Health and Human Services (HHS) and the Center for Medicare and Medicaid Services (CMS) urging CMS to, among other things, ensure that insurance companies do not prevent older adults and people with disabilities from obtaining care via onerous prior authorizations, AI algorithms or limited networks. Reps. Pramila Jayapal (D-WA), Rosa DeLauro (D-CT) and Jan Schakowsky (D-IL) in February sent a [letter](#) to HHS and CMS expressing similar concerns and calling on both organizations to protect enrollees on Medicare Advantage.

Sens. Warner and Young Provide Insight on State of AI

On February 29, 2024, Sens. Mark Warner (D-VA) and Todd Young (R-IN) spoke at a Punchbowl News [briefing](#) on AI policy. During the event, Sen. Young reflected on the Senate AI Insight Forums that were conducted by the “Gang of Four”—Senate Majority Leader Chuck Schumer (D-NY), Sen. Martin Heinrich (D-NM), Sen. Todd Young (R-IN) and Sen. Mike Rounds (R-SD)—and how the work done during the forums will be sent to committees of jurisdiction to inform their legislating processes.

Health Care



FDA Commissioner Robert Califf Stressed Need for Long-Term Monitoring of AI

During the public launch of the nonprofit arm of the Coalition for Health AI (CHAI) on March 5, 2024, FDA Commissioner Califf [expressed concern](#) that provider organizations are not equipped to safely implement and test AI tools. He emphasized the need for providers to follow up with patients who have received AI-assisted care and evaluate long-term outcomes. Califf explained that long-term evaluation is necessary to ensure that algorithms retain their effectiveness. He offered that a network of assurance laboratories that provide local testing of algorithms would help the FDA oversee AI in health care.

FDA Cleared AI-Powered EnsoSleep PPG to Support Diagnosis of Sleep Disorders

[EnsoData received clearance from FDA](#) on February 20, 2024, for EnsoSleep PPG, which enables AI-powered sleep diagnosis using photoplethysmogram (PPG) signals recorded by FDA-cleared pulse oximetry devices. Using this data, EnsoSleep PPG’s deep learning models automatically detect respiratory events, including sleep disordered breathing events such as apneas or hypopneas, sleep stages including REM, deep sleep, light sleep, wake and other sleep measures, which may be displayed and edited by a qualified healthcare professional and then exported into a final sleep report for a patient.

\$48 Million Granted for AI Drug Repurposing Database

The Advanced Research Projects Agency for Health (ARPA-H) [provided](#) \$48 million to non-profit Every Cure to identify ways to repurpose medicines using AI. The funds will allow Every Cure to continue work on developing an open-source drug repurposing database. The database will include a portal for clinicians and researchers to contribute to repurposing ideas and publicize predictive efficacy scores for drugs. Renee Wegrzyn, director of ARPA-H, said that the agency takes on projects that are too risky for the private sector, allowing them to explore underfunded areas, such as in rare disease and orphan disease.

FDA Issued a Plan for Oversight of AI in Medical Products

On March 15, 2024, FDA issued a paper, [Artificial Intelligence & Medical Products: How Center for Biologics Evaluation and Research \(CBER\), Center for Drug Evaluation and Research \(CDER\), Center for Devices and Radiological Health \(CDRH\), and Office of Combination Products \(OCP\) are Working Together](#), about how FDA’s centers are coordinating to promote responsible use of medical products that incorporate or are developed with AI. FDA emphasizes the importance of careful management of AI applications throughout the product life cycle, from ideation and design to model development, deployment, monitoring and maintenance. In the paper, FDA highlights focus areas for the centers, including objectives such as developing a framework and strategy for quality assurance of AI-enabled tools, issuing guidance on life-cycle management for medical products and promoting international cooperation on standards for the use of AI.

Judicial Action & Administrative Proceedings

OpenAI Targeted by Elon Musk

On February 29, 2024, Elon Musk filed a [complaint](#) against OpenAI alleging breach of contract and related allegations in California state court. The complaint alleges that OpenAI's founding agreement requires it to develop AI "for the benefit of humanity" rather than profit and suggests that the company has developed artificial general intelligence—human-like intelligence—without open-sourcing it for public benefit.

On March 5, OpenAI published a [statement](#) refuting Mr. Musk's allegations.

OpenAI & Microsoft Move to Dismiss Some of NYT's Copyright Claims

On February 26 and March 4, 2024, respectively, [OpenAI](#) and [Microsoft](#) moved to dismiss some of the New York Times's allegations of copyright infringement. Similar to the allegations dismissed in several other cases, these motions seek to dismiss contributory infringement claims, certain DMCA arguments and misappropriation theories.

Familiar Copyright Allegations Made Against NVIDIA

On March 8, 2024, plaintiffs filed a complaint in the Northern District of California against [NVIDIA](#), accusing its NeMo Megatron LLMs of copyright infringement. The complaint is similar to the *Kadrey* and *Silverman* copyright cases covered in previous newsletters, filed by the same law firm with nearly identical pleadings regarding the books3 data set. One notable difference is that the complaint only includes direct copyright infringement, following the dismissal of other theories in the earlier cases. The case was assigned to Judge Jon S. Tigar.

DOJ Brings Criminal Charges Over AI Trade Secrets

On March 5, 2024, a Chinese national residing in California was [indicted](#) for the alleged theft of AI-related trade secrets from Google. The defendant is accused of stealing proprietary information about chip architecture and software design, including over 500 files containing trade secrets and confidential information. The indictment includes four counts of Theft of Trade Secrets (18 U.S.C. § 1832), which could result in a penalty of 10 years in prison and up to a \$250,000 fine for each count.

State Action

Massachusetts

On February 14, 2024, Governor Maura Healey signed [Executive Order 629](#), establishing the Artificial Intelligence Strategic Task Force to study AI and its impact on the state, constituents, educational institutions and private businesses. The task force will collect input from experts and stakeholders, advise the Governor on AI policy and encourage leading industries to adopt certain technology. The goal of the task force is to create recommendations that would best support businesses within the state. The task force will

consist of 26 individuals who will represent various fields that are affected by AI and will be organized into subject-specific working groups.

Rhode Island

On February 29, 2024, Governor Dan McKee signed an [executive order](#) that will create the Artificial Intelligence Task Force and a Center of Excellence for AI and Data. The Department of Administration will lead the Center of Excellence for AI, alongside the Institute for Cybersecurity & Emerging Technologies. Both entities will write a code of ethics for AI use and the Data Center of Excellence will guide state leaders on how to best use data in their decision making. The Data Center will be led by a new state position of chief data officer.

A statewide data platform will also be created and will compile existing infrastructures such as the Data Ecosystem at the Executive Office of Health and Human Services and the Rhode Island Longitudinal Data System.

New Mexico

On March 5, 2024, New Mexico [House Bill 182](#) was signed into law. The law will require a disclaimer for election-related media that was generated by AI. The notice must be clearly displayed and indicate that the media was manipulated. The law will also make purposefully distributing materially deceptive media a misdemeanor on the first conviction and a fourth-degree felony on the second.

West Virginia

On March 4, 2024, [House Bill 5690](#) passed and was sent to Governor Jim Justice. If signed, the bill would create an AI task force within the Office of the Governor. Responsibilities of the task force include recommending a definition of AI for cohesive usage in legislation, determining relevant State agencies that will develop and oversee AI policy and its implementation, developing best practices for AI use in the public sector and recommending legislation to protect individual rights and consumer data as well as recommending policies for schools to address the use of AI by students.

Washington

On March 5, 2024, [Senate Bill 5838](#), a bipartisan bill to create an AI task force in the Attorney General's office was sent to Governor Jay Inslee, who signed the bill into law on March 18. The task force will be comprised of industry representatives, experts in the field, civil liberty groups and labor organizations to discuss the risks and benefits of AI as well as make recommendations to the state legislature. Additional responsibilities for the task force include identifying high-risk uses, including discrimination and biases; review of public policy issues and existing protections; and recommendations for regulatory principles as well as opportunities to support innovation. The task force will meet twice a year, and its final report is due to the Governor and Legislature on July 1, 2026.

Virginia

On March 8, 2024, [Senate Bill 487](#) passed and was sent to Governor Glenn Youngkin. The bill would prohibit any public entity from implementing any system that uses AI unless that public entity conducts an initial impact assessment to ensure that the system does not discriminate against any group of individuals, and, if it does, the system cannot be used. If the system does not exhibit any form of discrimination, it can be used, but impact assessments must be conducted on a regular basis. The bill requires all public bodies that

implement such systems to submit an annual report on such assessments and provide an inventory of all such systems used.

SB 487 further directs the Chief Information Officer of the Commonwealth to develop, publish and maintain policies and procedures concerning systems that employ AI and are used by public bodies. The bill creates the Commission on Artificial Intelligence to advise the General Assembly on issues related to artificial intelligence and make advisory recommendations on its findings. The Commission sunsets on July 1, 2027. The bill is currently set to be effective on July 1, 2025. Governor Glenn Youngkin has until April 8 to sign the bill.

Industry Action



OpenAI Board and Review

On March 8, 2024, OpenAI announced the addition of three new members to its Board of Directors, marking a significant expansion in its governance. The new members are Dr. Sue Desmond-Hellmann, former CEO of the Bill and Melinda Gates Foundation; Nicole Seligman, former Executive Vice President and General Counsel at Sony Corporation; and Fidji Simo, CEO and Chair of Instacart. In addition to these new members, Sam Altman, CEO of OpenAI, has rejoined the Board of Directors. This expansion brings a diverse range of experience, which is expected to guide OpenAI's growth and mission to ensure that "artificial general intelligence benefits all of humanity."

Anthropic Announces Claude 3

On March 4, 2024, Anthropic introduced Claude 3, featuring a three-tiered family of models: Claude 3 Haiku, Claude 3 Sonnet and Claude 3 Opus. Each model offers varying levels of capability, speed and cost efficiency—with Opus being the most capable and costly. These models are designed to excel in a broad spectrum of tasks, including improved performance in analysis, code generation and multi-language conversations. Anthropic states that the Claude 3 models show significant enhancements in speed, accuracy and long-context processing.

AI-Assisted Drug Candidate Enters Phase II Clinical Trials

On March 8, 2024, Insilico Medicine published a paper detailing the development of what the company claims to be the first AI-generated and AI-discovered drug. Researchers used AI to identify and screen target candidates to treat idiopathic pulmonary fibrosis, a severe lung disease. The candidate entered Phase II clinical trials, which is a significant milestone in the use of AI for pharmaceutical development, potentially revolutionizing the way drugs are discovered and brought to market by significantly reducing time and cost. For additional information on intellectual property and AI-assisted drug discovery, see Akin's article published in Pharma Forum.

AI Companies Join Open Letter

Several major AI companies signed an open letter from Silicon Valley Angel (SV Angel) calling for "everyone to build, broadly deploy, and use AI to improve people's lives and unlock a better future." The non-binding letter emphasizes the potential and challenges of AI to frame the need for responsible development. The list of signatories includes OpenAI, Meta, Google, Microsoft, Hugging Face, Mistral and Salesforce, along with other companies and individuals.

NVIDIA GTC Focuses on AI

On March 18, 2024, NVIDIA kicked off its annual GPU Technology Conference (GTC), branded this year as an AI Conference and Expo, with a [keynote](#) address announcing new hardware designed for AI and showing off a wide range of AI applications. NVIDIA's CEO, Jensen Huang, described AI as a new market industry that supports others, rather than a displacement. In his presentation, he emphasized the use of digital twins—simulated versions of real-life subjects—across industries from automotive design to healthcare. The keynote also demonstrated a deep integration between AI and robotics, highlighting the advances enabled by combining the technologies. The conference included presentations on AI security, technical developments and specific applications in an extensive variety of fields. Recordings of many of these sessions are available on NVIDIA's GTC [page](#).

Google Issues AI Cybersecurity Report

Google [released](#) a [report](#) calling on policymakers to allow access to publicly available data while attempting to limit the amount of data and computational resources available to potentially malicious actors for training powerful models.

R Street Outlines Principles for House AI Task Force

The R Street Institute [outlined](#) ten principles for consideration by the recently-formed bipartisan House AI Task Force and other congressional leaders, with a focus on promoting innovation, regulatory flexibility and preemption of state and local AI laws that could hinder development of the AI marketplace.

ITI Submits Feedback on GSA's Plan to Prioritize AI for FedRAMP

In [comments](#) submitted by the Information Technology Industry Council (ITI) on the General Services Administration's (GSA) framework for prioritizing generative AI for federal cloud services, the group urged the agency for assurances the prioritization will not exacerbate a current backlog of companies seeking approval or create a "skip the line" approach for emerging technologies over existing products.

Brookings Launches AI Equity Lab

The Brookings Institution [launched](#) an AI Equity Lab tasked with developing ways for identifying and eliminating bias throughout the AI life cycle, performing research, and elevating perspectives frequently excluded from AI policy discussions.

AI Alliance Aims to Improve Network Efficiency

At the end of February, I-RAN Alliance, a new coalition aimed at integrating AI into cellular technology to further advance radio access network (RAN) technology and mobile networks, [launched](#) at the GSMA Mobile World Congress in Barcelona. The alliance's founding members include Amazon Web Services, Inc. (AWS), Arm, DeepSig Inc. (DeepSig), Telefonaktiebolaget LM Ericsson (Ericsson), Microsoft Corporation (Microsoft), Nokia, Northeastern University, NVIDIA, Samsung Electronics, SoftBank Corp. (SoftBank) and T-Mobile USA, Inc. (T-Mobile).



EU AI Act Approved by European Parliament

On March 13, 2024, the European Parliament voted to approve the new groundbreaking, sector-agnostic EU AI Act, which has extraterritorial reach. The Act prohibits the use of certain AI systems and (among other things) imposes strict obligations on high-risk AI systems and on General Purpose AI systems and models, with the aim to reduce risk of harm to health, safety and fundamental rights, as well as to protect democracy, the rule of law and environmental sustainability. The obligations impact a wide range of stakeholders in the AI value chain, including providers, deployers, importers, distributors and others. The Act must now undergo a final lawyer-linguist check and will require a final endorsement by the European Council. Hailing the vote, the EU's internal market commissioner, Thierry Breton, stated, "I welcome the overwhelming support from the European Parliament for the EU AI Act . . . Europe is now a global standard-setter in trustworthy AI."

Oxford Study Warns of AI use in Creating Social Care Plans

On March 10, 2024, the Oxford Institute for Ethics in AI warned that social care organizations' reliance on chatbots like ChatGPT and Bard to create care plans for recipients presented a number of potential risks, including to patient confidentiality, reliance on faulty or wrong information and substandard output by chatbots. At the same time, one research fellow from the study noted its benefits, such as aid with the "administrative heavy work" and allowing "people to revisit care plans more often."

U.K. Government to Pilot AI Tools to Boost Administrative Efficiency

On February 29, 2024, the U.K. government announced that U.K. ministers will pilot AI tools to analyze responses to government consultations and respond to questions from parliament. The pilot is a bid to boost ministers' efficiency in "routine" policy work, and the tools will be a mix of government-hosted versions of ChatGPT and other open-source models. If the pilots are successful, Deputy Prime Minister Oliver Dowden stated that the government would wish to "scale them up as fast as possible" across its departments. The Deputy Prime Minister has stressed, "We can't have the private sector adopting it at pace, and then us being laggards . . . [there must be] constant and relentless pressure" for AI adoption across the public sector.

U.K. and France to Collaborate on AI

On February 29, 2024, the U.K. and France announced a joint declaration to strengthen U.K.-France ties on AI research. The initiative will include a new partnership between the U.K. AI Safety Institute and the French National Institute for Research in Digital Science and Technology to "jointly support the safe and responsible development of AI technology" and "[bring] France into a growing global network that is collaborating on AI safety testing."

China Updates



Basic Requirements for Security of Generative Artificial Intelligence Services

On February 29, 2024, the National Cybersecurity Standardization Technical Committee promulgated its Basic Requirements for Security of Generative Artificial Intelligence Services. The document provides the basic security requirements for generative AI services, including corporate security, AI models, security, security practices and assessments. Providers of generative AI services are tasked with improving their security and conducting security assessments on their own or by trustworthy third parties. The documentation also

provides a reference for the relevant authorities to evaluate the security level of generative AI services.

First Judgment on Copyright Infringement of AI-generated Images

On February 26, 2024, a China court reportedly ruled on a case of copyright infringement by an AI-generated service. The plaintiff, Tsuburaya Production Co., alleged that the defendant unlawfully, without authorization, used the plaintiff's Ultraman content to train its model and generate substantially similar images. The court found that the images generated by the defendant partially or completely copied the original artistic work, and thus ordered the defendant to pay RMB 10,000 (approximately \$1,400) in compensation to the plaintiff for economic loss. This judgment specified a duty of care for providers of generative AI services, requiring AI service providers to establish a complaint-reporting mechanism to assist rights holders in protecting their copyrights.

OnAir with Akin



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[Unveiling the Highlights: A Recap of CES, the Global Technology Trade Show in Las Vegas](#) (February 20, 2024)

[Exploring the Intersection of Intellectual Property, Copyright and Artificial Intelligence | Akin Intelligence](#) (December 20, 2023)

[Artificial Intelligence \(AI\) Executive Order | Akin Intelligence](#) (November 22, 2023)

Akin Thought Leadership



[Michelle Reed Discusses the Legal Complexities of Data Breaches and Cybersecurity on TalksOnLaw Podcast](#) (April 5, 2024)

[Wall Street Journal Quotes Jonathan Poling on BIS Efforts to Address Sensitive Technologies](#) (March 28, 2024)

[President Biden Unveils Key AI Priorities in FY 2025 Budget Request](#) (March 13, 2024)

[AI-Assisted Inventions May Be Patentable, but Only Humans Can Be Inventors](#) (February 23, 2024)

[Akin IP Lawyers Publish AI-Assisted Drug Discovery Article in PharmaPhorum](#) (February 20, 2024)

[FCC Ruling on AI-Generated Robocalls Reflects Focus on Artificial Intelligence](#) (February 9, 2024)

[Hot Issues in 2024 for TMT Companies](#) (February 2024)

[Commerce Issues Proposed Rule on “Malicious Cyber-Enabled Activities” and Artificial Intelligence](#) (January 31, 2024)

[Akin IP Lawyers Author Article on Safeguarding Fund Data and IP When Using AI - Part Two](#) (January 16, 2024)

[ONC Steps into AI Regulation by Imposing Requirements for ‘Predictive Decision Support Interventions’; Also Updates Information Blocking Rules](#) (January 11, 2024)

[Congress and White House Press Ahead on AI in Health Care & Life Sciences](#) (January 4, 2024)

Events

[AI for Good Global Summit](#)

May 30-31, 2024

Geneve, Switzerland

The AI for Good Global Summit is the leading action-oriented United Nations platform promoting AI to advance health, climate, gender, inclusive prosperity, sustainable infrastructure, and other global development priorities.



Learn more about Akin’s Artificial Intelligence & Machine Learning practice.

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Questions?

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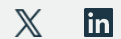


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