

# PUBLIC SUBMISSION

<b>As of:</b> October 07, 2019
<b>Received:</b> September 24, 2019
<b>Status:</b> Pending_Post
<b>Tracking No.</b> 1k3-9cd9-54f2
<b>Comments Due:</b> October 11, 2019
<b>Submission Type:</b> API

**Docket:** PTO-C-2019-0029

Request for Comments on Patenting Artificial Intelligence Inventions

**Comment On:** PTO-C-2019-0029-0001

Request for Comments on Patenting Artificial Intelligence Inventions

**Document:** PTO-C-2019-0029-DRAFT-0014

Comment on FR Doc # 2019-18443

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## General Comment

A "patentable" invention requires inductive reasoning. Since an artificial intelligence (AI) computer cannot engage in inductive reasoning, it is incapable of the "flash of genius" required for patentability. Instead, no matter how complicated or unexpected the invention, the AI computer can only accelerate or otherwise enhance the process of deductive reasoning. Accordingly, contributions to an invention made by an AI computer are insufficient for patentability, given nothing more. Instead, the issue of patentability hinges on what natural persons have accomplished. If the invention results from a flash of genius, then it is patentable as being invented by the natural persons whose flash of genius produced the invention. If the overall result was aided by an AI computer, this does not disqualify the invention from patentability, provided that what is claimed as the invention is limited to that which was invented as a consequence of a flash of genius. In this context, the AI computer is a tool. If the invention could have been made by an AI computer using only the prior art, then the invention is obvious, in other words, it is the result of deductive reasoning given that no flash of genius was required.