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COPYRIGHT – PROTECTION OF INTELLIGENT MAN OR ARTIFICIAL INTELLIGENCE?

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Purpose: The aim of the study is to indicate the essence of copyright in the context of what was, is, and may be. Drawing attention to the changing reality, the expansion of artificial intelligence as a potential author of a given work, who as the creator will be entitled to legal protection. If we assume that a snail and cancer can be a fish, a carrot can be a fruit, and a machine cannot be an inventor because it is just a tool, then what is copyright in human life? What is the difference between artificial intelligence in copyright law and the natural intelligence of a given author - creator, if both are intelligent creations? Why is there talk of a higher than natural intelligence in a situation in which it is not so much about something completely new and from the beginning, but about something that is simply better, faster, more accurate and more efficient in some respects than an intelligent man, whom this thing does not replace, but only helps.

Design/methodology/approach: The research method used in this article is the analysis of legal sources, scientific studies of interdisciplinary scope, supplemented by interviews, observations and experience of the author. The research procedure included the analysis of information sources, a review of Polish and foreign literature, an analysis of legal acts, a method of analysis and synthesis, a case study and logical deductive reasoning in the timespace of yesterday – today – tomorrow.

Findings: For centuries, man has wanted to be better, to overcome basically everything, including Nature, to create something that could have existed so far without his participation or with his indirect participation. The emergence of concepts related to artificial intelligence only seemingly suggests a desire to take control of man. Man is a realistic, rich structure composed of soul and body, which artificial intelligence does not have. Who will be the creator and who will be entitled to the rights and how they will be protected when the object of protection becomes the product of artificial intelligence. Thanks to the algorithms used, an artificial intellectual creator is able to quickly assimilate many things, but first he must know what. Here we come to a very important issue – who should "feed" artificial intelligence data so that the so-called biased algorithms are not created. At the moment, attributing copyright to machines and devices and granting them legal protection as a creator seems to be an action incompatible with the natural protection of man as a creator.

Research limitations/implications: The limitations of the results obtained may result from a limited research sample, including textual sample. They may result from too innovative invention of comprehensive use of artificial intelligence, which in the case of copyright is attributed to man. The trick is to come up with an innovative solution and construct some

unprecedented thing, but the success of this mainly depends on their widespread use. In many areas, artificial intelligence is to be used on the march, it will be more difficult to use it in areas that are inherently reserved for man with his creativity.
Originality/value: The presented research, suggestions and conclusions provide not only practical but also theoretical tips to scientists and average citizens, mainly those who are not aware of what copyright is, what copyright protection is, who it is supposed to cover and to what extent. One of the objectives of the legislation on the use of artificial intelligence is to increase the protection of creators. Creating regulations to effectively protect the rights given to people, perhaps in the future also artificial intelligence.

Keywords: man, law, nature and artificial intelligence.

Category of the paper: scientific work.

General

The unlimited and irrepressible drive of man, the competition of all with all, the desire to be the best at all costs depend increasingly on complex solutions, defined as the product of a new civilization, a new intellectual generation, technological progress, the need for human development and the environment in which he lives. Man becomes the creator of basically everything, constructs tools of destruction, designs and invents devices and robots, is the creator of all kinds of technologies, invents mathematical-logical algorithms that are able to not only support man, but are able to replace him and even defeat him, which does not seem to be anything special, provided that he acquires the ability to respect and use what is human, with what is artificial. Carl Gustav Jung, in the subject of the breakthrough of civilization, says: "man must guard against recognizing one as reality and the other as an illusion" (2017, p. 245 et seq.). The key question is not what man is able to invent and in what form, but whether such solutions are able to make a person happy?

Beginning in the eighteenth century, the world was revolutionized by technology and engineering. As a result of a mental change in the results achieved, humanity has come to the conclusion that it is impossible to develop without innovation (Chwalba, 2008). Man became the inventor, discoverer and constructor of many solutions, which over time became not only the result of the prestige or popularity of the author of a given work, but also a good as a commodity, the authenticity and use of which had to be legally secured. Humanity quickly realized that the good from which it is possible to derive benefits, including mainly material ones, is their thinking, the realization of visions, the product of imagination, the concept referred to as intellectual property, which is divided into two categories: industrial property and copyright.

Intellectual property rights, like other property rights, allow creators and owners of exclusive rights to derive financial or professional benefits from their rights. This is legally regulated in Article 27 of the Universal Declaration of Human Rights (enacted on 10.12.1948

in Paris), which states that every person has the right to the protection of moral and material benefits resulting from any of his scientific, literary or artistic activities. The importance of intellectual property was recognized in the first international acts: the Paris Convention of 20 March 1883 on the Protection of Industrial Property (Journal of Laws of 1932, No. 2, item 8) and the Berne Convention for the Protection of Literary and Artistic Works of 9 September 1886 (Journal of Laws of 1935 No. 84, item 515). These treaties are administered by the *World Intellectual Property Organization* (WIPO).

The broadly understood evolution of humanity for many years made the community aware of the need to regulate copyright and related rights, which only recently it was pointed out that they are a commodity and can be traded, bring income. Already in ancient times, the creation of a work led to the formation of legal relations, even when there was no law referred to as copyright yet. The origin of copyright derives from printing privileges. The first legal acts protecting copyright in the current meaning are the English *Statute of Anne* (1710) and the French acts of 1771 and 1773 (Grzybowski, 2003). However, much later the protection of personal copyrights developed, which took place at the end of the nineteenth century. According to S.M. Grzybowski, "Copyright, as an independent part of the legal order, can be spoken of when in this legal order it is possible to distinguish, think and in fact a system of legal norms regulating the relations arising in connection with the already completed creation of a 'work' or its actual creation, or even with the very intention of its creation" (1973, p. 34). Accepting such a solution also for artificial intelligence, it is appropriate to ask its supporters how to measure and how to connect the relations of an artificial creator on a legal basis, to isolate his thought, intention and intention.

Different concepts of copyright have led to the emergence of two systems:

- Romanesque *droit d'auteur*.
- Anglo-Saxon *copyright*.

The *droit d'auteur* system is common in European countries. Protection in this system focuses on the property and personal interests of creators. Two models are distinguished:

- **Dualistic model** (France, Italy Spain, Poland), characterized by the separation of two independent copyrights: economic law and moral right. The differences between these rights concern: duration, the principle of determining the rightholder, admissibility and rules of trade, protection measures.
- **The monistic model** (Germany) treats personal and property rights as components of a uniform, inalienable right serving the creator. Individual rights may be traded, except that this transaction is not based on the assignment of rights, but on the establishment of them to a person other than the author.

In turn, the extracontinental system – Anglo-Saxon *copyright* (USA, Australia), treats copyright as a set of economic rights, which, serving to protect the interests of the creator, are primarily to ensure the development of science and art.

Copyright is territorial, which means that a work is protected under the laws of a given country only in its territory (Barta, 2008).

In Russia, in 1830, the law on the protection of literary works appeared, in 1911 the law on copyright; in Prussia in 1837 the Federal Act, in 1901 the Act on Copyright on Works of Literature and Music and on The Law on Overlays, in 1907 the Act on Copyright on Works of Art and Photography. The Austrians included provisions on the protection of artists in the Western Galician Civil Code and the Act of 1895 on rights on works of literature, art and photography.

As a result of historical events known to us, nineteenth-century Poland had no chance for its own national legislation, including protecting creativity. It was only after regaining independence, in 1920, that Poland ratified an international act, the Berne Convention for the Protection of Literary and Artistic Works. The breakthrough came in 1926, when the Sejm passed the Act of 29 March 1926 on Copyright, establishing civil and criminal protection of personal and property rights of authors (Dz.U. No. 48, item 286), and the International Congress of Copyright Law was organized in Warsaw under the protector of President Mościcki. In the interwar period, the Act of 1926 was amended only once, in 1935.

For the development of Polish copyright law and its application, the creation in 1918 of the first organization in Poland managing copyright – the Union of Authors and Stage Composers, which operates to this day under the name of the Association of Authors ZAiKS, was of particular importance. At the same time, with the development of national laws, from the end of the nineteenth century, the provisions of international law were created and developed. The first and most important to this day Berne Convention for the Protection of Literary and Artistic Works was established on September 9, 1886, and has been ratified by almost 180 countries from all continents. The Universal Copyright Convention, also known as the Geneva Convention or Copyright Convention of August 18, 1952, eliminated formal obstacles to copyright protection in various legal systems. We know it commonly from the so-called copyright notice – reserving the author's economic rights to the entity mentioned in it, after placing a copy of the work in the appropriate place (inyrok SA in Łódź of 8.09. 2017, I ACa 150/17, OSAŁ*).* The Rome Convention of 26 October 1961 established international standards for the protection of performers, producers of phonograms and broadcasting organisations (Siekierko, 1962).

From times closer to us – the most important acts of international law include the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) of 1994, two treaties of the International Intellectual Property Organization, the so-called WIPO Treaties on Copyright and Performances and Phonograms, from 1996. Directive 2001/29/EU of the European Parliament and of the Council of Europe of 22.05.2001 on the harmonisation of certain aspects of copyright and related rights in the information society (Dz.Urz. EU L 167, p.10), which, due to the scope and universality of these rights, seems to be an urgent matter, although it will not be easy.

Summing up the brief historical outline of copyright law, it should be emphasized that there is no such thing as the ideal pattern of copyright law, to which the evolution of law inevitably tends. Every law, including copyright, arises in the process of clashing views and interests of various social groups pushing for such and not other legal solutions. The thesis seems to be true that the current shape of legal regulations of individual countries and international regulations is a condition for the success of one of these groups, which has managed to introduce a system that best protects its interests by the method of small steps. One could say that this is a dispute of interests, i.e. the so-called business. In the process of evolution of culture and society, in legislative systems and in the science of law, the development of the idea of copyright as a specific sphere related to the creation of a work, i.e. an intangible object, it is about developing a model of legal norms regulating the relations resulting from the fact of creating a work as a result of an intellectual, spiritual process. Just as human relations are becoming more complicated, so there will be a need to develop copyright and related rights, in the use of creativity of increasingly sophisticated and sophisticated ways of creating and disseminating, not only in culture, but also in technology, economics, medicine, psychology and law. Although one thing has remained unchanged since Roman times: without the creator and his creation, there is no work. This does not mean that in a short time the author of the work may be a machine, robot, program or some algorithm, which as the creator will be entitled to legal protection.

Subject matter of copyright

Pursuant to Article 1(1) of the Act of 4 February 1994 on Copyright and Related Rights (Journal of Laws of 2021, item 1062, hereinafter: pr. aut.) 'the subject matter of copyright is any manifestation of creative activity of an individual nature, established in any form, regardless of the purpose and manner of expression (work)'. By definition, Article 1 of the Pr. Car specs. it follows that it should be: the result of the work of man (creator), in which creative activity of an individual character is manifested and which has been established. From which the simple conclusion that a work is an intangible good, i.e. a legal good, the essence of which is not determined by a material object, but by the intellectual, creative contribution of the author (man), manifested in the way of expressing the work, after determining carefully according to established patterns whether this product is a work or not, and in the event of unresolvable doubts about whether the product is a work, decides on the basis of art. 189 of the Act of 17 November 1964 – Code of Civil Procedure (Journal of Laws of 2021, item 1805, hereinafter: the Civil Procedure Code) the competent court in this respect. It should be emphasized that Article 1 of the Pr. Car specs. is a very important provision for all other articles of the Act in which works are referred to. In particular, this article should be read

together with Article 4, which defines what is not the subject of copyright (judgment of the Supreme Court of 23.01.2006, III CSK 40/50, LEX No 176385; judgment of the Supreme Court of 7.11.2003, V CK 391/02, OSNC 2004/12, item 203; judgment of the Supreme Court 30.06.2005, IV CK 763/04, OSNC 2006/5, item 92).

If, according to copyright law, a work is a manifestation of creative activity of an individual character, established in any form, regardless of the value of the purpose and manner of expression, the essence of which is determined by the intellectual contribution of the creator (man), on what basis and according to what criteria and patterns could at least the intellectual contribution of a computer program or algorithm as the author of artificial intelligence be determined?

Copyright holder

In Article 8 of the Polish Copyright Law, the legislator defined the subjective side of the copyright, emphasizing that "the copyright is vested in the creator, unless the Act provides otherwise" (Article 8(1) of the Copyright Act). According to the legislator, 'it is presumed that the author is a person whose name in this capacity is shown on a copy of the work or whose authorship has been made available to the public in any other way in connection with the distribution of the work' (Article 8(2) of the Copyright Act). "As long as the author has not disclosed his authorship, he is replaced by the producer or publisher in the exercise of copyright, and in the absence thereof – by the competent organization of collective management of copyright" (Article 8(3) of the Copyright Act), as indicated by the judgment of the Supreme Court of 5.07.2002, III CKN 1096/00, BSN 2003/2, item 10.

This is where the illusory space for multiple interpretations in the area of artificial intelligence appears. However, article 81 of the Convention on the Grant of European Patents, drawn up on 5 October 1973 in Munich (Journal of Laws of 2004, No. 79, item 737), requires that the European patent application identify the author. Article 60 provides that the right to a patent is vested in the author or successor in title. This leads to the conclusion that the inventor can only be a natural person with legal capacity. Experts and lawyers agree that there are many regulations on how an individual can transfer the rights to obtain a patent to other entities, e.g. companies, but there are no regulations on the empowerment of things and the transfer of their rights to other things. If the machine were to be considered the creator of the invention, then there would be doubts as to how other entities could acquire rights from it. The key issue is not to find a way to transfer rights, because the essence is the primary question – whether artificial intelligence is able to produce an invention without interference and direction given to it by man.

The essence of the regulation is to introduce the principle that the copyright holder is the creator of the work. Other entities may be entitled to copyright only if it results from the law or from a provision of the contract. Statutory exceptions may apply to producers and publishers of collective works (Article 11 of the Act), as well as employers employing, on the basis of an employment contract, e.g. creators of computer programs – who are employees of programmers (Article 74(3) of the Act on Copyright).

In terms of new solutions – artificial intelligence – many lawyers are of the opinion, and rightly so, that AI cannot be treated as anything other than just a tool. It is a program that needs to be written, equipped with appropriate data and set the direction of action. He has no capacity for abstract or creative thinking, even if the results of his work may give such an impression. According to Marcin Wychota , it would be possible, for example, to program a machine to comb the Internet to search for noteworthy technical solutions or to modify new patent applications and automatically file rights to them in other patent offices recognizing AI as a possible creator of inventions, which could marginalize the inventiveness of people. Andrzej Boboli speaks in a similar tone, emphasizing that he cannot imagine creating regulations that could in any way take away people's rights (Styczyński, 2022).

In addition, the statutory mechanism for the acquisition of economic copyrights by employers is provided for in Article 12 of the Act on Copyright and Related Rights. The Act allows them to obtain copyright authors on the basis of a civil law contract (an agreement on the transfer of economic copyrights), under which the creator decides to transfer the copyright to his work to another economic entity, which cannot be confused with the license agreement (despite the conclusion of the license agreement, the creator remains the sole holder of economic rights) (Bukowski, 1994).

The principle of the author's copyright should be applied accordingly to co-creation. The copyright of entities other than the creator concerns only economic copyrights (Article 17 of the Aut. Act), so that moral copyrights (Article 16 of the Author's Act) may be vested only in the creator, or after his death they may be exercised by relatives (Article 78(3) of the Aut. Act).

A special situation in which the author's economic rights are vested in entities other than the creator is his death, as a result of which these rights are inherited by law or will by the heirs of the creator (Nowińska, 1991), which we are increasingly dealing with (the case of Niemen, Jasienica, the heirs of Bolek and Lolek). Will there also be issues that will concern, for example, an architectural design, a machine design, a computer system or its software?

Author's economic rights arise when the work is established. It is about its externalization, enabling perception by people other than the creator. In accordance with Article 1(4) of the Pr. Car specs. the creation of protection does not depend on the completion of any formalities. It is also worth emphasizing that the author's protection of rights arises not only in the Polish, but in accordance with the Berne Convention and the TRIPS Agreement, to which Poland is a party, also at the moment of creating the work in any of the countries of this agreement.

Author's economic rights

From the content of Art. 17 of the Pr. Aut., the basic provision determining the scope of copyrights, it follows that the author has the exclusive right to use the work in all fields of exploitation. Article 50 also refers to the fields of exploitation – this provision contains an exemplary list of them. The author's and legal monopoly covers every form of exploitation of a work – a work, including the one that is not included in the aforementioned calculation. What's more, the content of the economic copyright also includes fields of exploitation arising with the progress of technology, which were not known at the time of the creation of the Act.

The very manner in which the content of copyright is framed determines the need to obtain multiple consent for the economic exploitation of an individual intangible property, if this good is used by equal entities (Kubala, 1995).

The provision of Art. 17 of the Pr. Car specs. the content of copyrights also includes the right to dispose of the work and the right to remuneration for its use. However, it can be assumed that the function of the provisions on fair use justifies the view that only the refusal to pay or the refusal to conclude a contract setting the amount and conditions for payment of remuneration constitutes a violation of copyright law. The plea of copyright infringement is also exempted by the prior submission to the court by the beneficiary of a request to establish an appropriate amount of remuneration.

An important limitation of the content of the exploitative copyright is the so-called exhaustion of copyright (Article 51 of the Copyright Act). Generally speaking, the essence of this institution is the freedom of material circulation, effective after its lawful marketing, and only the rental or lending of a given copy of the work is not covered by exhaustion. Currently, the Polish law provides for "Community exhaustions" of copyright. The essence of this construction lies in the fact that after the legal marketing of a work in the European Economic Area (EEA), the right to authorise the marketing of such a work in that territory is exhausted.

Transfer of copyrights

In Article 41 of the Act. Car specs. the legislator indicated that "unless the Act provides otherwise, author's economic rights may be transferred to other persons by inheritance or on the basis of a contract, and the purchaser may transfer them to other persons, unless the contract provides otherwise. From which it is a general conclusion that the Act on Copyright and Related Rights allows two possibilities of transfer of copyright: (Article 41(1)-(5) of the Copyright Act) on the basis of inheritance and on the basis of a contract" (Golat, 2001).

Article 41 pr. Car specs. contains general rules on contractual turnover. By allowing for a two-division of agreements in this area, which may be agreements on the transfer of economic copyrights and license agreements (Article 41(2) of the Author's Act). Secondly, paragraph 1 provides for the principle of transferability of economic copyrights, which may be transferred to other entities by inheritance or on the basis of a contract, unless further disposal has been expressly excluded in it (Article 41(1)(2) of the Act). When discussing the transfer of author's economic rights, attention should be paid to the content of Article 41(3), (4) and (5) of the Pr. Car specs. ineffective passage of them, as well as a ban on supplementing their scope with new fields of exploitation (judgment of the Supreme Court of 8.11.2000, V CKN 693/00, LEX No. 5247).

The transfer of economic copyrights to other persons by inheritance takes place on the general principles of civil law, regulated in Book IV of the Civil Code (Act of 23 April 1964 – Civil Code, Journal of Laws of 2022, item 1360, hereinafter: the Civil Code), i.e. on the basis of a will or by way of statutory inheritance, if no will has been drawn up or it has been drawn up defectively. In both cases of succession, if the will was drawn up by the testator in the manner prescribed by law or if it was not drawn up and the testator left heirs, the matter of the transfer of economic copyright seems simple. However, it is not a simple situation in which the author has not left a will or legal successors, and the case concerns copyrights to the work resulting from co-authorship.

Following the example of other legal orders, as well as the Polish Civil Code, the legislator provided for such a situation under Article 42 of the Copyright and Related Rights Law. Article 42 of the Pr. Car specs. contains a regulation modifying the general principles of inheritance, in the field of inheritance of economic copyrights, which applies only to co-authored works, and specifically shares in these rights in a situation where the co-author has not left a will containing dispositions in the event of death, his share, where in such situations the rules of intestate succession apply, and at the same time there are no relatives who could inherit from him by virtue of the Act (Art. 905 CC). In such a situation, instead of the State Treasury, the deceased co-author's share in the economic copyrights to the co-authored work is inherited by the surviving co-authors or their legal successors (order of inheritance), according to the shares attributable to them from inheritance.

If one of the co-authors died and the other survived it, then in accordance with Article 42 of the Pr. Car specs. assuming the occurrence of the conditions specified by it, the right to co-author of the work will fall to the surviving co-author.

Interpretation of Art. 42 of the Pr. Car specs. in the context of the general regulation, Art. 905 of the Civil Code requires that It be assumed that Art. 42 applies only when it is not possible to determine the administrative authority of the last place of residence of the deceased co-creator.

The doctrine and case-law emphasize: despite the fact that from the content of Article 42 of the Pr. Car specs. it does not follow in the context of Article 9 that this special solution also applies to the inheritance of economic copyrights to independent contributions to the co-author's work, constituting separate works created by the deceased co-author, although Article 42 does not refer only to the inheritance of shares in rights, but to the inheritance of these rights (Ślęzak, 2007).

Copyright and statutory community

Upon entering into a marriage between the spouses, a statutory community of property arises by operation of law itself, unless the future spouses have concluded a property agreement (intercourse) before the marriage. In a marriage where there is a statutory community of property, there are three estates; joint property and two personal assets. The affiliation of a given property is determined by objective considerations, not by the will of the spouses. According to the will of the legislator, the joint property includes items acquired by both spouses or one of them during the statutory community, unless the object by virtue of the act belongs to the personal property of the spouse (Article 31 § 1 of the Act of 25 February 1964 – Family and Guardianship Code, Journal of Laws of 2020, item 1359, hereinafter: k. r. o.).

The term "property" should be understood as property and other rights in rem, which is a branch of civil law regulating the creation, content, change and termination of the right of ownership and other rights to things and animals, and in exceptional situations also not to them – e.g. the use of the right (Gniewek, 2016).

The right in rem is an absolute law, that is, an effective *erga omnes* – towards everyone. In § 2 of Art. 31 of the Civil Procedure Code, the legislator indicated three examples of components that belong to the joint property of the spouses:

1. remuneration received for work or other gainful activities of each spouse, even if the enterprise is part of the personal property of one of the spouses,
2. income from joint and personal property,
3. funds accumulated in the open or occupational pension fund of each spouse.

Of particular importance are income from joint property and personal property, i.e. income that a thing or a right brings belongs to the joint property regardless of whether the item enters personal property or joint property. It is about natural benefits – civil benefits and benefits of the law.

In determining whether a given property enters the joint property, Art. 33 of the Civil Code is helpful, which enumerates the elements belonging to the personal property of each spouse. Pursuant to Article 33(1), the personal brief of each spouse includes property acquired by inheritance, bequest or gift, unless the testator or donor has decided otherwise. On the other

hand, in paragraph 9 of that article, the legislator mentioned as a personal element copyright and related rights, industrial property rights and other rights of the author, which explains that, in accordance with Article 33(1), the economic right acquired by one of the spouses by inheritance is his personal property, as well as, pursuant to Article 33(9), copyright and related rights and other rights of the author. The case is different in relation to benefits which, pursuant to Art. 31 § 2 of the Civil Procedure Code, enter into the joint property of the spouses, i.e. belong to both spouses remaining in the statutory community, unless the spouses decide otherwise by means of a civil law agreement.

Summary

Thelimited drive of man, the rivalry of all with everyone, the desire to be the first, the best at all costs, makes man more and more dependent on complex solutions, defined as the product of a new civilization, a new intellectual and technological generation. At the same time, thebasis of every development is not both a robot and a machine, it is always a man.

Thetechnologies and innovations that exist in the public space at their core contain the human factor, not the other way around. It is difficult to imagine that copyright would belong to an algorithm, mathematical compilation, some processor or disk drive, because copyright is closely related to the author-creator, the person who created the work or exploits or uses it with the consent of the author. Despite large-scale propaganda campaigns, making humanity aware of the vision of the expansion of the dominance of the use of artificial nature solutions, there are areas in which man will decide about it, not the machine.

The broadly understood evolution of humanity for many years made the community aware of the need to regulate copyright and related rights, which not so long ago were pointed out that they are a commodity and can be traded, bring significant income.

There is a lot of talk about the fact that artificial intelligence replaces something that does not seem precise, because artificial intelligence has to learn it from someone. Here we come to a very important issue – who should "feed" data to artificial intelligence so that the so-called prejudiced algorithms do not arise.

According to Kuzior A. and Czajkowski W., several fundamental questions should be asked about artificial intelligence – will artificial minds comparable to the human mind ever be built? How to build an artificial mind on the model of a human, if we do not know the latter well yet? Is it possible to build a creature that is mentally identical to man and is physically different from man, and is it possible to build a creature that is, in essence, mentally identical to man, but with a significantly higher IQ than the IQ of humans?

According to the authors of the above questions, the answer is impossible, because we do not know not only how to answer such questions, but even how to look for answers. What is possible at the moment is an attempt to search for them in the category of a thought experiment, which is not meaningless, because apart from the emotional delight resulting from the very fact of searching, assuming that man is a being not yet studied, any such invention will certainly contribute to a better knowledge of man. It seems apt to note that the list of questions related to the development of artificial intelligence may be infinite (Kuzior, Czajkowski, 2019).

Artificial intelligence systems are used much more often than we think. They are already so widespread that the legal regulation of this area in terms of copyright law seems to be a matter of time. As a pioneer in data protection, the European Union can play a similar role in regulating artificial intelligence.

The subject of legal transactions is often some license, patented pattern, sign, symbol and technology, the author and inventor of which is not a machine, but a man. It is expected that software such as, for example, system of Artificial Legal Intelligence (SalIN) will be able to replace a lawyer – the system will independently recreate the legal status, analyze the situation of the law firm's client and propose a solution to a given legal problem , but whether, for example, it will interrogate a witness and a convict. So what if there will beprogrammingand adapted to the automatic processing of documents – normative acts and jurisprudence, to evaluate official decisions or the achievements of legal doctrine , but to whom will copyright belong, to the individual or collective mind?

- Algorithms and modern tools can help any human being, but they will not replace it.
- The use of AI in substantive decision-making can to some extent replace even the court and eliminate the necessary human factor, which can lead to even greater abuses in the field of intellectual property protection or security reasons.
- Intellectual property – copyright in a company is not what the entrepreneur and his employees have in their heads, but everything that thanks to their own knowledge and abilities they have managed to create.
- Intelligent man is able to create great works, artificial intelligence can expand and improve them.
- An intelligent man should not compete with dead things that he himself invented, constructed and uses, his task is to use them in an optimal way to achieve the assumed goal.
- Modified foods have food qualities, but they will never reach or even come close to what has been obtained naturally. As well as with the help of programs, machines and devices, we are able to construct artificial teeth, dentures, eardrums, which is not the same as originality.

- Catcher is capable of almost anything – he can try to change nature or replace it, invent and establish what laws he wants and share them with whomever he wants, which will not change the fact that copyright related to emotions, feelings and feelings is only hiss. The future does not seem to be determining whether nature or artificial intelligence is more important, but how to combine it and use it for a common cause. No one is capable of inventing it like man, and no one is more capable than man of corrupting it.

What is artificial at the beginning will always be artificial, and what is true at the beginning will always be true.

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