

# *“Hey Siri...*

*Can a Courtroom Fix the Internet?”:  
Internet Law & Legislation*

*Jo-Anne Yau, LLM*  
*Technology & Innovations Lawyer*

**R** | **ROBERTSON**  
LLP

# The Roadmap

---

- Is the Internet Broken?
- Internet Law & legislation
- “Do I really need a lawyer for this?”

**Privacy**

**Cybersecurity**

**Creative works  
&  
Intellectual Property**

# Privacy: Is the Internet Broken?

---

- Consent
- Transparency
- Breach of privacy

# Privacy: Is the Internet Broken?

---

- Consent: Is it informed?
- Transparency
- Breach of privacy

# Privacy: Is the Internet Broken?

---

- Consent: Is it informed?
- Transparency: Is it accurate?
- Breach of privacy

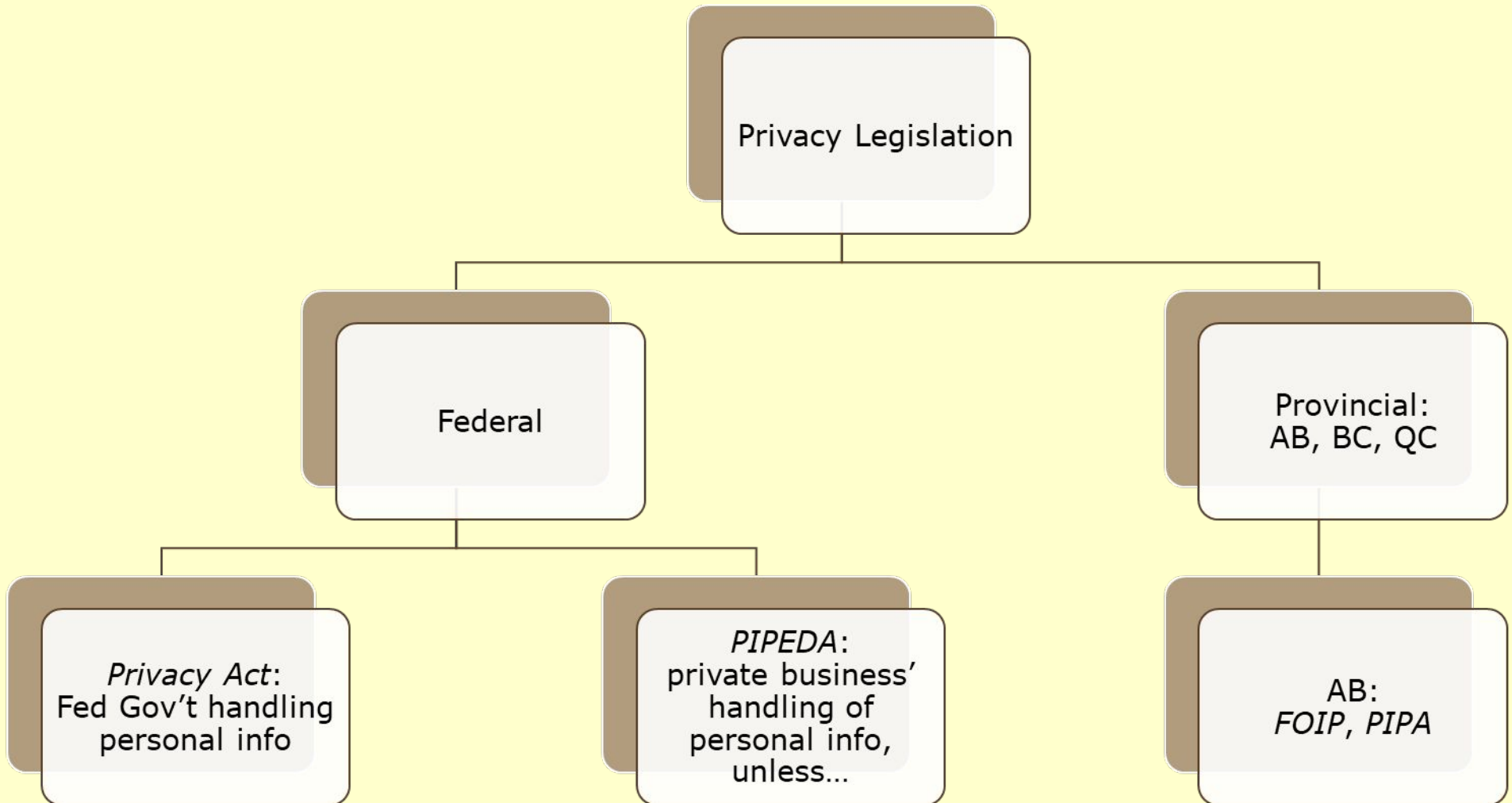
# Privacy: Is the Internet Broken?

---

- Consent: Is it informed?
- Transparency: Is it accurate?
- Breach of privacy: Cybersecurity accountability

# Privacy: The Law

---



# Privacy:

## “Do I Really Need a Lawyer for This?”

---

- Breach of privacy: Cybersecurity breach reporting
  - [Privacy Act](#)
  - [PIPEDA](#)
  - [Privacy Commissioner of Alberta](#)



# Privacy:

## “Do I Really Need a Lawyer for This?”

---

- Breach of privacy: Cybersecurity breach reporting
  - Privacy Act
  - PIPEDA
  - Privacy Commissioner of Alberta
- **Informed** consent
- **Accurate** transparency

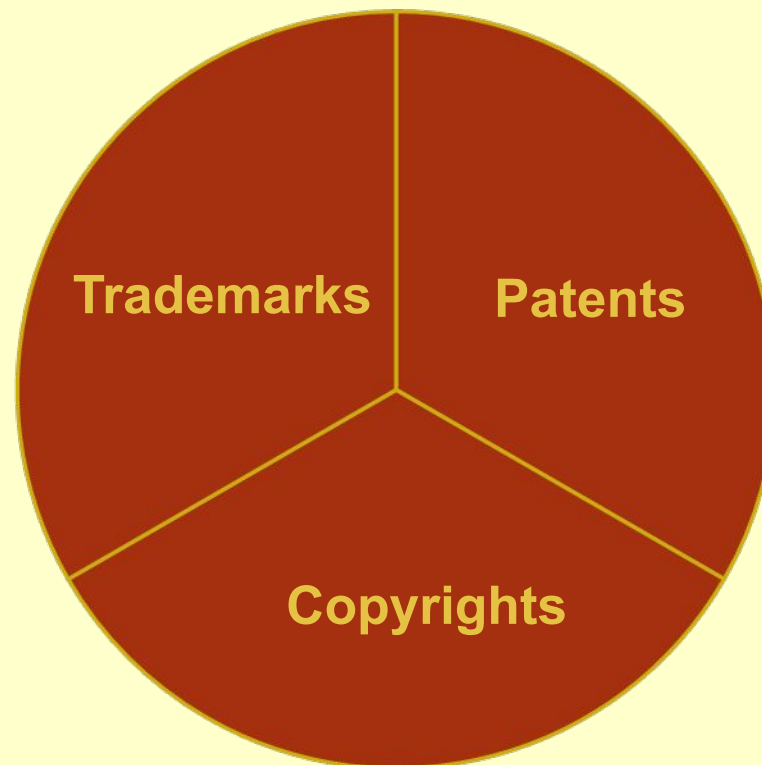
# Creative Works & Intellectual Property: Is the Internet Broken?

---

*If AI produces results like humans can...*

**WHO OWNS THE RIGHTS**

*to AI's results?*



# Creative Works & Intellectual Property: The Law

---

- Trademarks: = “brand”
  - Tied to commercial use
  - Infringement: Likelihood of confusion

# Creative Works & Intellectual Property: The Law

---

## □ Trademarks: = “brand”

- Tied to commercial use
- Infringement: Likelihood of confusion

## □ Patents

- Q: Which content in a patent application is required to obtain a patent?
  - A) Description of an idea for a new device.
  - B) Description of a useful device that is not on the market.
  - C) Detailed instructions on how to build a new and useful device.
  - D) All of the above.
- Purpose: Exclude others from making, using, or selling the invention
- Inventor vs. owner:
  - Where could AI fit in?
  - Does AI even need patent protection? Even many companies are not seeing the point.

# Creative Works & Intellectual Property: The Law

---

- Copyrights: Gives a creator the right to reproduce, publish, or display an original work of art
  - AI's creations
  - AI = "creator"?

## Creative Works & Intellectual Property: “Do I Really Need a Lawyer for This?”

---

Presuming that AI *was* granted IP rights:

- Standing: The “right” to sue
- Party
  - Identification
  - Impecunious; judgment proof
  - Duties & accountability

But AI *doesn't* get IP rights. So what does this mean?

# “Hey Siri, Check My Spelling...”

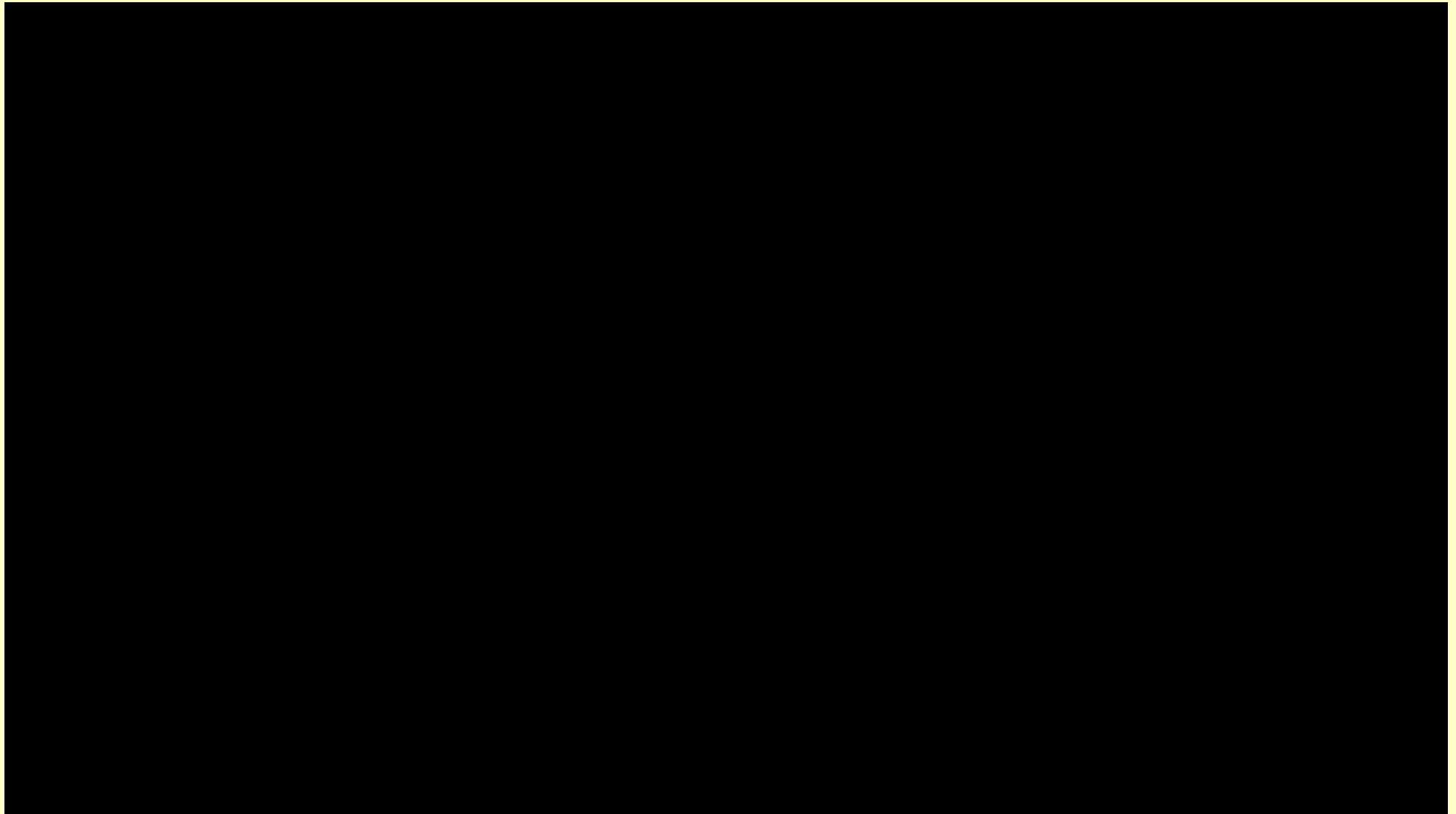
---

A checker is a bless sing,  
It freeze yew lodes of thyme.  
It helps me right awl stiles two reed,  
And aides me when eye rime.

Eye ran this poem threw it,  
Your sure reel glad two no.  
Its vary polished in it's weigh.  
My checker tolled me sew.

# AI Doing As Commanded...

---





# Of Ethics & Existential Crises

Sections ☰ Sign In 👤 Try 1 month for

The Washington Post  
*Democracy Dies in Darkness*

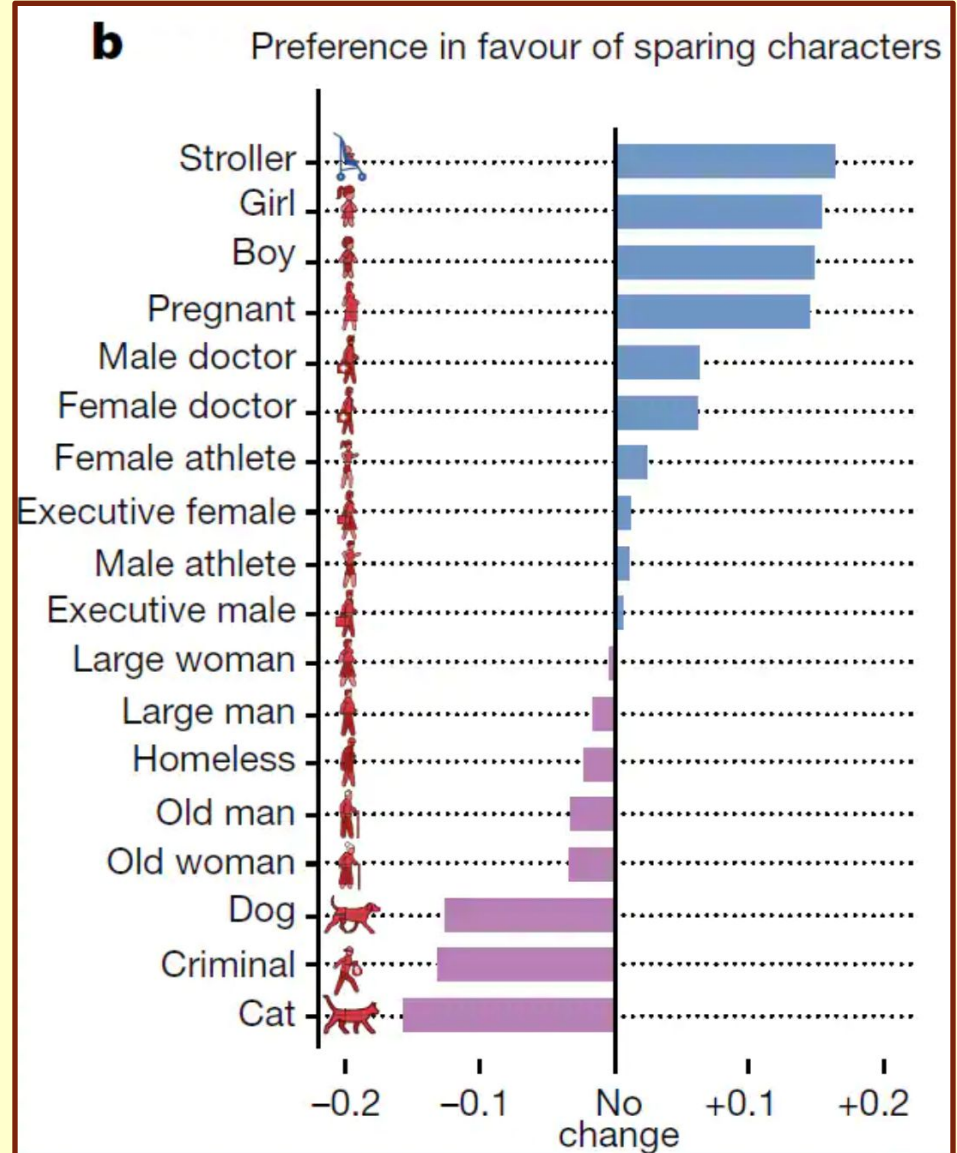
Science

## Self-driving cars will have to decide who should live and who should die. Here's who humans would kill.

What should the self-driving car do?

A massive experiment asked users who a self-driving car should save – or not – in various ethical dilemmas. (Moral Machine/MIT)

By Carolyn Y. Johnson  
October 24



# So Where Does That Leave Us?

---

- Ethics
  - Global agreement
  - Reconcile living in disagreement
- Privacy, Policy, Practicality: Anticipate AI advances
- Law:
  - Reactive: Adapt to AI advances
  - Humans must determine rights and justice
- Thoughts from a few choice individuals:

A superintelligent AI will be extremely good at accomplishing its goals, and if those goals aren't aligned with ours, we're in trouble.  
- Stephen Hawking

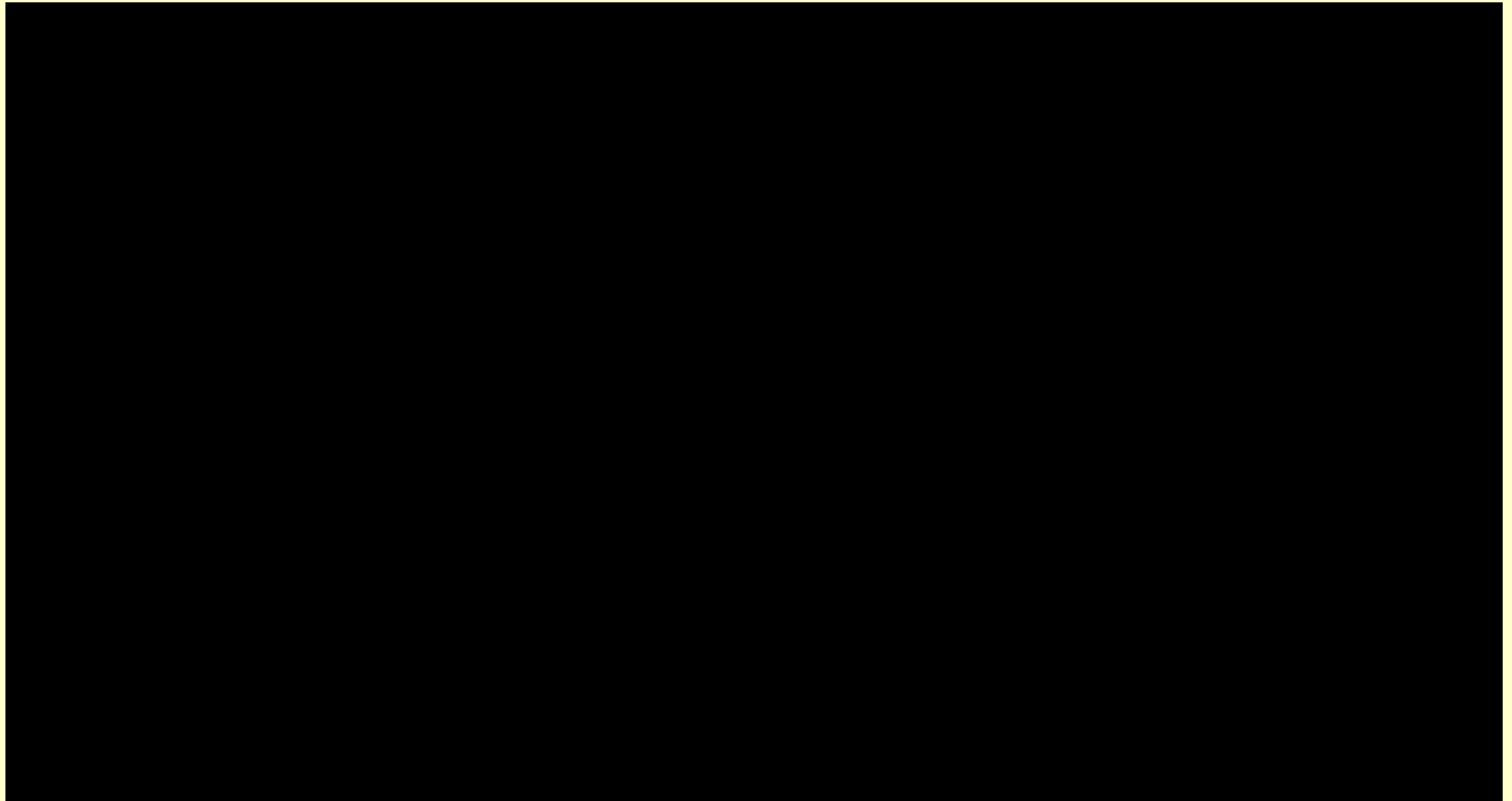
I don't want to really scare you, but it was alarming how many people I talked to who are highly placed people in AI who have retreats that are sort of 'but out' houses, to which they could flee if it all hits the fan.  
- James Barrat

I'm increasingly inclined to think that there should be some regulatory oversight, maybe at the national and international level, just to make sure that we don't do something very foolish.

I mean with artificial intelligence we're summoning the demon.  
- Elon Musk

# Don't Throw the Baby Out With the Bathwater

---



*Jo-Anne Yau, LLM*

*[jyau@robertsonllp.ca](mailto:jyau@robertsonllp.ca)    [@Innov8rsLitig8r](https://twitter.com/Innov8rsLitig8r)*