

Intellectual Property Rights in AI-Generated Medical Innovations: Legal Challenges In India

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Abstract: *The emergence of Artificial Intelligence in gigantic form and recent developments in the same (AI) have led to transformative innovations in every field including the medical arena, resulting in the development of novel diagnostic and surgical tools, treatment plans, and medical devices. However, these AI-generated medical innovations have raised complex legal questions, particularly relating to Intellectual Property Rights (IPR). In India, where the legal framework with respect to Artificial intelligence is not available and is still in progress, the question of how to protect the intellectual property rights of AI-generated medical inventions becomes the need of the hour. This paper explains the relevant Intellectual Property Rights in medical innovations and explores the challenges of applying traditional IPR laws—such as patents, copyrights, and trade secrets—to AI-generated medical innovations. It discusses the issues related to patentability, copyrights, ownership, authorship, and ethical concerns while putting forward the gaps in India's current legal framework. Furthermore, the paper proposes amicable and viable legal reforms and solutions to ensure that India fosters a balanced approach to promoting innovation without compromising ethical standards and public interest.*

Keywords: Artificial Intelligence, A.I Generated Medical-Innovations, IPRs, Patents, Copyrights, Trade secrets