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AI Invention Guidance Adds New Patent Wrinkles, Attys Say

WRITTEN BY

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Heather Morehouse Ettinger, partner and registered patent attorney with Troutman Pepper, was quoted in the April 23, 2024 *Law360* article, [“AI Invention Guidance Adds New Patent Wrinkles, Attys Say.”](#)

If a human uses AI to develop an invention, it can be patented “as long as there is one natural person inventor. This would not result in an invention being unpatentable for improper inventorship,” said Heather Morehouse Ettinger of Troutman Pepper Hamilton Sanders LLP. “So for those of us who are pro-patent, we can kind of breathe a sigh of relief.”

...

“We need to start really documenting what is being done in electronic lab notebooks, so that if an attack of invalidity is made on a patent because it is said that the AI was the inventor, you really have backup as to what the humans did,” Ettinger said.

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