

Bajaj and Blikshteyn Discuss New Guidance from the USPTO for Attorneys Using AI

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PRACTICES Intellectual Property, Patents, Patent Prosecution and Counseling, AI and Deep Learning

Haynes Boone Partner Raghav Bajaj spoke with *Law360* and *Bloomberg Law*, and Partner Dina Blikshteyn was quoted in a *World Trademark Review* article after The U.S. Patent and Trademark Office detailed risks facing attorneys using artificial intelligence, warning that they must ensure that filings are accurate and humans played a role in inventions, which attorneys say illustrates that ethical rules are unchanged in the AI era.

Bajaj told *Law360* that AI currently has potential for analyzing documents, but using generative AI to write patent applications and similar tasks is "still a little bit too new, and a little bit too unknown, and there have been too many horror stories that have come out early, to fully go down that path."

"If a particular piece of prior art was cited during prosecution, that can affect whether the patent gets reviewed or not," Bajaj said to *Bloomberg*.

"With generative AI tools that create video and images from text, AI-generated submissions can look realistic and like they were actually used in commerce," Blikshteyn stressed to *World Trademark Review*. "It is good to see that the USPTO is thinking about those use cases and is cautioning against them."

To read the full article featuring Bajaj in *Law360*, click [here](#).

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To read the full article featuring Blikshteyn in *World Trademark Review*, click [here](#).