Artificial Intelligence Regulation in Brazil: What's Going On

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In the wake of rapid advances resulting from generative artificial intelligence, global governments, and policymakers are studying and accelerating efforts on how to regulate and legislate about AI, being a multitask work, from what AI is capable to do or not to do, its impacts, and consequences.

Not only in developed economies such as the US, UK, and Europe, passing through China and India, and finally reaching Latin American countries, AI is a topic that has interfered with people's daily lives and their work. It involves some controversial and delicate issues which, of course, have impacts from the intellectual property point of view.

In Brazil, the Federal Senate held a series of public hearings, heard several experts, and received numerous sectoral contributions on the topic, resulting in the establishment of an internal temporary commission on artificial intelligence (CTIA), which will examine projects supporting the preparation of AI legislation in Brazil within 120 days.

The commission's main objective is to establish general standards for the use of artificial intelligence (AI) systems in Brazil or that impact Brazilian companies and citizens, with the aim of protecting and ensuring the implementation of safe and reliable systems, while promoting scientific and technological development.

Another goal is to analyze and carry out comparisons with the international regulatory scenario on the matter, to maintain, as much as possible, consistency among the standards. This alignment is necessary, especially given the technologies available today, involving big tech and other companies that transcend borders, to enhance the opportunities for innovation and efficiency gains made possible using artificial intelligence.

Regulation is important to identify, determine, and legislate principles, general aspects, and definitions regarding AI for scientific and legal purposes, its application in products and services, and the development of technologies using such AI.

It is also important to provide an overview of prohibited practices, accountability, civil liability, and privacy + data protection, not to mention intellectual property and copyright, including variations of intellectual property works designed with the assistance of AI, and the exceptions for copyright in AI training and other similar purposes.

This is a step further in Brazil, which, as in other countries, is expected to enact a legal framework on artificial intelligence in the near future.

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