

Kathi Vidal Quoted in a *World Intellectual Property Review* Article Discussing Trump's AI Executive Order

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Winston & Strawn partner and former U.S. Patent and Trademark Office director Kathi Vidal is quoted in *World Intellectual Property Review* where she warns that a rollback of the Biden AI policy could cause uncertainty on inventorship and patent eligibility and stresses that the U.S. must retain AI leadership amidst policy shifts. Kathi noted that Trump's AI executive order is a move that marks a "change in direction" and could "ostensibly call into question" inventorship and patent eligibility guidance published while she was USPTO director.

"He is focused on deregulation, which could shift policymaking on AI to the state level and outside of the U.S.—as we've already seen with many states passing AI legislation and with the EU AI Act," Kathi said.

Kathi is confident that Trump's AI executive order will have no impact on the U.S. Copyright Office and points out that the USPTO's AI initiatives were started before Biden's executive order.

"During the last administration, the USPTO was also working on additional initiatives at the intersection of AI, patents, and copyrights, as well as playing a lead driving global harmonization," said Kathi. She said she expects this work to continue, citing the USPTO's authority granted by Congress, but cautions that it remains unclear.

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