

EIP



Unlocking healthcare with AI

Much has been written about the development of artificial intelligence (AI) and its potential to reshape everyday life.

This potential is already being realised in healthcare, with health professionals utilising tools incorporating AI. Among the most exciting uses of AI in healthcare include:

- Diagnosis;
- Treatment control;
- Drug development and discovery; and
- Monitoring of infectious disease.

For example, AI techniques can assist professionals in diagnosing breast cancer by learning to identify indications of possible breast cancer in mammograms, or AI techniques can be used to control the administration of insulin to diabetes patients.

A topical example of the power of AI techniques is the identification by BlueDot, a Canadian software firm which uses AI-based algorithms to monitor publicly available data including news reports, of a 'pneumonia' cluster in the Chinese city of Wuhan on December 31, 2020, over a week before the World Health Organization (WHO) informed the public that the Wuhan outbreak could be a novel coronavirus.

The WHO has since concluded that, had governments and policy makers acted faster, a pandemic of this scale could have been avoided.

AI and patentability

As with many emerging technologies, the pace of development of AI tends to be faster than the development of the laws regulating it.

Over the past few years, there has been an increasing debate over whether existing patent law is fit for AI-based innovations. Some argue that existing patent law is too strict and patents should more easily be granted for AI-based innovation to encourage investment and commercialisation. Others argue that patents should not be granted for AI-based innovation as it has the potential to stifle innovation in a fast-moving field.

Patent Offices around the world are currently investigating what AI-based innovations should and should not be susceptible to patent protection.

Given the ongoing efforts to harmonise patent law throughout the world, these investigations will not be carried out in isolation and we can expect there to be broad conformity in the eventual outcome. Nevertheless, we can also expect there to be differences in the detail.

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