

## PLANO DE ENSINO

<b>DISCIPLINA</b>	REGULATION OF ARTIFICIAL INTELLIGENCE								
<b>DOCENTE</b>	NICOLO ZINGALES								
<b>CÓDIGO</b>	GRDDIRELE378/ GRDDIRELE365	<b>SEMESTRE</b>	2025.1	<b>PERÍODO</b>	6º/10º	<b>NATUREZA</b>	ELETIVA	<b>CARGA HORÁRIA</b>	25/30h

<b>EMENTA</b>	I.The 4th industrial Revolution and the notion of Artificial Intelligence. II. Mapping risks and regulatory tools for Artificial Intelligence. III. Artificial Intelligence and Data Protection 1. IV Artificial Intelligence and Data Protection 2. V. Artificial Intelligence and Intellectual Property 1. VI. Artificial Intelligence and Intellectual Property 2. VII. Artificial Intelligence and Consumer Protection. VIII. Artificial Intelligence- Specific Regulation 1. IX. Artificial Intelligence-Specific Regulation 2. X. Artificial Intelligence and Civil Liability 1. XI. Artificial Intelligence and Civil Liability 2. XII. The Importance of AI Strategy. XIII. Artificial Intelligence and Competition								
<b>OBJETIVOS</b>	As a lawyer, entrepreneur, or policy maker working at the forefront of Internet and technology industry, you must know how the advent of automation and Artificial Intelligence (AI) is requiring a fundamental overhaul of well-established legal principles. Automation, AI and robots have been the subject of science fiction for some time. That fictional future is now a present reality. This course will explore legal, policy and ethical issues facing automation and AI from a national and international perspective. In particular, special attention will be paid to matters such as legal personality of machines, machine learning and data protection, Intellectual Property (IP) and AI, liability for damages caused by intelligent machines, and algorithmic decision-making, with emphasis on automated content moderation online. In. In doing so, this module will discuss an emerging debate on intelligent machine and legal personality; legal issues related to data protection in machine learning processes, including a discussion of trade secret, "ownership" of data, rights to personal data; legal issues related to the protection of AI software via copyright, patents or trade secrets; legal issues about the protection and ownership of AI-generated works and inventions; the potential use of AI in facilitating administration of legal processes; the liability of intelligent machines for damages they might cause, both in the IP and other contexts, such as personalised medicine or autonomous driving; and the use of artificial intelligence for content moderation of miscellaneous rights online, and other consequential decisions.								
<b>METODOLOGIA</b>	Classes will combine an introduction to the topic with case-studies, giving students an opportunity to apply general concepts and discuss solutions in a dialectic fashion.								
<b>HABILIDADES</b>  Exigência MEC  CNE/CES nº 5, 18 de dezembro de 2018	X	Interpretar/aplicar as normas (princípios e regras) do sistema jurídico nacional, observando a experiência estrangeira comparada, quando couber, articulando o conhecimento teórico com a resolução de problemas.							
	X	Demonstrar competência na leitura, compreensão e elaboração de textos, atos e documentos jurídicos, de caráter negocial, processual ou normativo, bem como a devida utilização das normas técnico-jurídicas.							
		Demonstrar capacidade para comunicar-se com precisão.							
	X	Dominar instrumentos da metodologia jurídica, sendo capaz de compreender e aplicar conceitos, estruturas e racionalidades fundamentais ao exercício do Direito.							
	X	Adquirir capacidade para desenvolver técnicas de raciocínio e de argumentação jurídicos com objetivo de propor soluções e decidir questões no âmbito do Direito.							
		Desenvolver a cultura do diálogo e o uso de meios consensuais de solução de conflitos.							
		Compreender a hermenêutica e os métodos interpretativos, com a necessária capacidade de pesquisa e de utilização da legislação, da jurisprudência, da doutrina e de outras fontes do Direito.							
		Ter competências para atuar em diferentes instâncias extrajudiciais, administrativas ou judiciais, com a devida utilização de processos, atos e procedimentos.							
		Utilizar corretamente a terminologia e as categorias jurídicas.							
	X	Aceitar a diversidade e o pluralismo cultural.							
	X	Compreender o impacto da inteligência artificial e das novas tecnologias na área jurídica.							
		Possuir o domínio de tecnologias e métodos para permanente compreensão e aplicação do Direito.							
		Desenvolver a capacidade de trabalhar em grupos formados por profissionais do Direito ou de caráter interdisciplinar.							
	Apreender conceitos deontológico-profissionais e desenvolver perspectivas transversais sobre direitos humanos.								
	Outras:								
<b>CONTEÚDO PROGRAMÁTICO</b>									
<b>AULA</b>	<b>TEMA</b>								
1	The 4th Industrial Revolution and the notion of Artificial Intelligence								
2	Mapping risks and regulatory tools for Artificial Intelligence								
3	Artificial intelligence and data protection I- emergence and legal basis								
4	Artificial intelligence and data protection II- Data subject rights and impact assessments								
5	Artificial Intelligence and Intellectual Property I- Overview								

6	Artificial Intelligence and Intellectual Property II- The Curious Case of Generative AI
7	Artificial Intelligence and Consumer Protection
8	Artificial Intelligence-Specific Regulation I: The EU's AI Act
9	Artificial Intelligence-Specific Regulation II: US's Executive Order and Brazil's Proposal
10	Artificial Intelligence and Civil Liability I: Introduction
11	Artificial Intelligence and Civil Liability II: Comparing Approaches
12	The Importance of AI Strategy
13	Artificial Intelligence and Competition
<b>TRILHA</b>	Advocacia Empresarial
	Carreiras Públicas
	<input checked="" type="checkbox"/> Regulação
	Justiça e Sociedade
	<input checked="" type="checkbox"/> Tecnologias
<b>CRITÉRIOS DE AVALIAÇÃO</b>	First Assessment (P1) 40%; Final Assessment (P2) 40%; Participation 20%
<b>BIBLIOGRAFIA BÁSICA</b>	<p>CHESTERMANN, Simon. We, the Robots?: Regulating Artificial Intelligence and the Limits of the Law (Cambridge University Press, 2022)</p> <p>KAMINSKI, Margot E., The Developing Law of AI: A Turn to Risk Regulation (April 12, 2023). The Digital Social Contract: A Lawfare Paper Series (April 2023), U of Colorado Law Legal Studies Research Paper No. 24-5, Available at SSRN: <a href="https://ssrn.com/abstract=4692562">https://ssrn.com/abstract=4692562</a> or <a href="http://dx.doi.org/10.2139/ssrn.4692562">http://dx.doi.org/10.2139/ssrn.4692562</a></p> <p>CERRE Report "EU liability rules for the age of Artificial Intelligence" (2021), at <a href="https://cerre.eu/publications/eu-liability-rules-age-of-artificial-intelligence-ai/">https://cerre.eu/publications/eu-liability-rules-age-of-artificial-intelligence-ai/</a></p>
<b>BIBLIOGRAFIA COMPLEMENTAR</b>	<p>PASQUALE, Frank. Black Box Society: The Secret Algorithms That Control Money and Information. Cambridge: MA, Harvard University Press, 2015.</p> <p>MALGIERI, Gianclaudio. Towards AI Adequacy: Operationalising the Principles Underpinning Global Governance of AI Systems. CERRE Report, 2024.</p> <p>KING, Jenifer. MEINHARDT, Caroline. Rethinking Privacy in the AI Era Policy Provocations for a Data-Centric World. Centre for Humane Technology, 2024.</p> <p>FUTURE OF PRIVACY FORUM, "Automated Decision-Making Under the GDPR: Practical Cases from Courts and Data Protection Authorities", <a href="https://complexdiscovery.com/wp-content/uploads/2022/05/FPF-ADM-Report-May-2022.pdf">https://complexdiscovery.com/wp-content/uploads/2022/05/FPF-ADM-Report-May-2022.pdf</a></p> <p>ALLISON, Kevin; GILLBERT, Stephen. Regulating Artificial Intelligence: Lessons from Medical Devices. GTG Policy White Paper (2023). At <a href="https://fsi9-prod.s3.us-west-1.amazonaws.com/s3fs-public/2023-11/2023-11-01_-_allison_gilbert-_regulating_ai_lessons_from_medical_devices.pdf">https://fsi9-prod.s3.us-west-1.amazonaws.com/s3fs-public/2023-11/2023-11-01_-_allison_gilbert-_regulating_ai_lessons_from_medical_devices.pdf</a></p>