

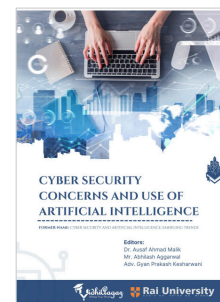
CHAPTER 44

Machine Learning and Predictive Analytics as Means of Safeguards with specific reference to Artificial Intelligence and Intellectual Property Rights

Lisha Azeez

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MACHINE LEARNING AND PREDICTIVE ANALYTICS AS MEANS OF SAFEGUARDS WITH SPECIFIC REFERENCE TO ARTIFICIAL INTELLIGENCE AND INTELLECTUAL PROPERTY RIGHTS

Dr Lisha Azeez⁸²

ABSTRACT

Salesforce software is the main widespread Artificial Intelligence for Customer Relationship Management (CRM). It is a combined set of Artificial Intelligence technology that creates Salesforce Customer more effective and acquires Artificial Intelligence all over the place. Software is readily incorporated into numerous Salesforce products and no need to do formulate several facts and data or handle several replicas. Fundamentally placing material/statistics in Salesforce and structures mechanised by software will apply to enable data in to more efficient and analytical method regarding the customers. Software is available all over Sales Cloud, Service Cloud, Marketing Cloud, App Cloud, Analytics Cloud, and Community Cloud. The listed owner of the Software has the exclusive right to use the intellectual property rights involved in the software. If anybody misapplications the procedure of trademark or copyrighted works in the software, the concerned will be liable for equally civil and criminal actions as per the prevalent regional and international laws. Third parties are not permissible to use the trademark and copyrighted works of the software without previous authorization of the registered owner. Everyone will be responsible for vigilant assessment as an entire matter, while utilising Salesforce's trademarks or copyrighted works. The listed owner can modify or take out at any time, any approval to use trademarks and copyrighted works except specifically striped in an agreement. All rights permissible to use trademarks and copyrighted works entail that the trademarks and copyrighted works be appropriate to the registered owner, for circumventing problems related with ownership of Software and its trademarks and/or copyrighted works.

Keywords: Sales force; Software; Artificial Intelligence; Copyright; Trademark.

INTRODUCTION

Salesforce software is the main comprehensive Artificial Intelligence for Customer Relationship Management (CRM). It is a combined set of Artificial Intelligence technology that creates Salesforce Customer more effectual and becomes Artificial Intelligence all over the place. It is readily combined into numerous Salesforce products and no need to do make several facts and data or grip several reproductions. Basically placing material/statistics in Salesforce and structured mechanisms will utilize to enable data in to more well-organized and logical manner regarding the customers. It is easy to get to throughout Sales Cloud, Marketing Cloud, Analytics Cloud, and Community Cloud.

- Data — Easily fortified with data after inclusion in the Salesforce. It will work out the data precisely. So it is time saving and no need to provision of data and statistics in physical mode. Hence it is easy to cope.
- Machine Learning Tools — Computerized mechanism affords the detailed and accurate reproduction regularly without any human involvement and also identify the indispensable data to the organization.

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- Result — Absolute and precise results will be there. It is a component of the indistinguishable and consistent Salesforce policy, with appropriate supervision and examining of meticulous tools for better results.
- Sales can forecast further probabilities and also requirements and inevitabilities of consumers.
- Service can be applied by decisive cases prior to happen
- Marketing can generate logical expedition with an remark like never earlier
- IT can drive in capability all over the place and form apps for human resources and users

Role of Intellectual Property :-

It comprises:-

- a. website content
- b. brand names
- c. videos
- d. logos
- e. other material protected under trademark or copyright law.

LEGAL ANALYSIS

The Incorporation of any portion of trademarks or symbol or any other distinguishable fragment in Software's name, app name, website name, domain name, social media or any other categorizing materials as others realm /website address is not permissible exclusive of preceding inscribed authorization, or through an agreement. It is not practicable to use any part of trademark associated with the software that is to be perplexed with any part of software's well-designed areas. The transformation such as foreign language summary of any of part of software and purchase of any component of the trademark with respect to software for promotional actions are not allowed without approval. Demonstration or make use of any part of logo, designs, website content, videos, testing materials, and alteration or change or any other trademark or copyrighted work of Software as their actual for marketing policy in any process are not permissible. The outline and extents used for the software, disingenuous others and using of the source code and machine languages, programs used in the software are against the fundamental Laws. The right to progress the software without prior authorization of the registered owner will fascinate the infringement as per legal provisions.

The registered owner of the Software has the special right to use the intellectual property rights comprised in the software. If anybody misapplications the practice of trademark or copyrighted works in the software, the concerned will be liable for both civil and criminal actions as per the prevalent regional and international laws. Third parties are not permissible to use the trademark and copyrighted works of the software without prior authorization of the registered owner. Everybody will be accountable for vigilant valuation as a whole while utilising Salesforce's trademarks or copyrighted works. The registered owner can modify or take out at any time, any approval to usage of trademarks

and copyrighted works excluding specifically striped in an agreement. All rights permissible to use trademarks and copyrighted works necessitate that the trademarks and copyrighted works fit to the registered owner, for circumventing problems linked with ownership of Software and its trademarks and/or copyrighted works. No assurance of any arrangement with any approvals will be assumed to anybody connected with trademarks and copyrighted works. No relocation is applicable associated with the rights previously approved to anybody else. The practice of any portion of trademarks of software is aggressive except written authorization in an agreement or supplementary action, or by making perfect a permissible use . After granting of the approval also, the owner have the right to modify or rescind permission , save as otherwise striped in an agreement.

Software retain copyright in its website, logos, designs and content, videos and further persuasive materials, and its proprietary computer code, as well as any further machine languages and codes etc. So not realistic to abuse, replicate, dispense, or create derived works from any copyrighted work, or any serving of a copyrighted work, owned by the owner of the software exclusive of accomplishment to an authorization or a comprehensive consensus with an agreement to Use Trademark and/or Copyrighted Work form linked with the software. The exercise to shorten any part of trademarks related with the software in modified arrangement is repugnant. The owner of a copyright has the right to forbid others from copying, distributing, generating unoriginal works or or else by means of the limited precise.

Trademark guarantees consumers of consistent worth with regard to those merchandise or services and assistances in the advertising too. Hence if anyone infringes too, it will affect the reputation and goodwill of the organization. Trademarks in manifestation form only to demonstrate properly how the services correlated with the software will work out. This software appliance will work on mobile device. More than 150,000 companies are expending this software all over the world. It is very adaptable and consistent in nature and will get entry on data with more nonviolent and protected. It is a great setting up to the organization and shows a dynamic character too. The organizations can diminish the human resources and use this software for immediate communications without any obstructions. They can evaluate about the requirements, needs and taste of consumers and mandate in the market policies. It also enables to forecast the oppositions too. It also affords material and the current status of the innovative techniques and improvement in the business related activities. It also provides appropriate resolutions on time by taking conclusions on time. It is an advanced method to get easy factual of entry about the substantial by scanning company's logo in no time. It simplifies to measure the choices of customers in all networks. It offers information in depth about the consumer satisfaction and suitable decision constructing process too. It will upsurge the effectiveness of managerial techniques and approaches. It will develop the fitness of the group and its future too. Anyone can use this software in a simple way and implement it fastly for smooth consecutively of the organization. It seems like a new Business Intelligence or analytics tool looming out each time.

PROTECTION OF IPRS VIS A VIS ARTIFICIAL INTELLIGENCE

A suggestion for registration of a trademark should be trooped with the suitable countrywide or provincial Trademark Office. The claim should include a understandable replica of the indication filed for registration as well as any insignia, forma or three-dimensional nature. The request must also enfold

a catalog of commodities or amenities to which the suggestion should be pertinent. For a mark to get arranged it should be comprehensive to two conditions.

Primary, the mark must be eccentric, so that customers be talented of distinguish it from extra trademarks and products.

Next, the mark should not be viewed with distrust. It means the mark be imaginary to not mislead, be disloyal to the consumers or infringe community command or ideologies. For this purpose, it is good to select a mark, which is unassuming to utter, keep in mind, include and be familiar with. The most exceptional trademarks are the brand something own words or made-up lexicon. Avoid terminology languages for the mark. Favoring physical name representing the source of the commodities and flattering vocabulary which elucidate the renown of the commodities such as unmatched, faultless, quality etc. as create name is also inappropriate. The vessel of the mark is capable to file acquiescence for trademark registration.

Trade Marks Act 1999 make available protection to the owner of the mark to make sure controlled right to make usage of it, to distinguish the merchandise or services or to give authorization others to use it in return for fee. Trademark security is mandatory by which in most assembly have the ability to obstruct trademark violation. It promotes resourcefulness and undertaking wide-reaching by sustaining the owners of Trademarks with identification and economic continues. It also hinders the efforts of unnecessary applicants such as imitators to make use of related distinctive symbols to open market subnormal or assorted products or services. It is a mixture of terminology, inscription and form. It possibly will entail of illustration, cryptogram, three- dimensional symbols such as the nature and wrapping of produce, adept of being heard cipher such as arrangement or choral resonance, fragrance or ensign used as distinguishing features.

Trademark can be listed even in the person's name, corporation or organization, which be able to signify by its owner or traitor or executive as the case may be. No individual shall be permissible to present any incidence to stop or to get improved compensation for the infringement of an unregistered trademark. Only the owner of a registered trademark be capable to use the representation ® in India. By means of the sign ® excluding the mark has been registered is unlawful in India. Using mark TM with trademark simply way that one preserve to be the owner of the trademark. There is no ban to create use of of the pictogram TM in India. The expression of protection of trademark shall be in the beginning for a period of 10 years. It can be transformed for an unlimited period each ten years by giving the renewal fee.

CONCLUSION

In view of the above, it is obvious that Salesforce plays a dynamic role for prompt entree of data and also enables to take timely conclusions and alternate resolutions as per the enlightened marketing strategies. Moreover, the Artificial Intelligence and Intellectual Property Rights such a trademark and copyright also show an imperative part and no one is permissible to use the IP rights without the authorization of the registered owner. If anybody invades the same, the concerned will be disciplined as per the foremost Regional and International Laws.

REFERENCES

1. WIPO Handbook
2. Trademarks Act 1999
3. Copyright Act 1957
4. George Luger, Artificial Intelligence : Structures and Strategies for complex problem solving, fourth edition – Addison Wesley, 2002 – introduction to artificial intelligence
<http://www.aaai.org/AITopics>
