Rethinking Intellectual Property Protection in the Age of Artificial Intelligence: Challenges, Opportunities and Prospects for AI-Driven Products and Services in Cameroon

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ABSTRACT

The rapid development of artificial intelligence (AI) is transforming the creation, production and commercialisation of goods and services, creating both opportunities and challenges for intellectual property (IP) protection in Cameroon. This article examines the adequacy of Cameroon's existing IP framework in addressing AI-driven products and services, with particular emphasis on copyright, patents, trademarks, industrial designs, trade secrets and related rights. Cameroon operates within the regional intellectual property framework established by the Bangui Agreement administered through OAPI, which provides protection for these different categories of IP. However, the framework was not specifically designed to address contemporary issues such as AI-generated works, AI-assisted inventions, ownership of AI outputs, use of copyright works for AI training, synthetic performances and AI-enabled infringement. At the same time, the growing presence of AI-related software and services in OAPI trademark filings demonstrates the increasing commercial significance of AI within the regional IP systems. Using a doctrinal and comparative legal methodology, the study examines the Cameroon/ OAPI framework alongside emerging approaches in other jurisdictions, particularly the European Union and the United States. It argues that existing IP mechanisms provide an important foundation but require clarification and adaptation to address AI-specific legal uncertainties. The article proposes reforms focusing on human authorship and inventorship, AI training data, ownership and attribution, transparency, enforcement, digital replicas and institutional coordination. It concludes that a balanced and technology-responsive IP framework is necessary to protect right holders while promoting AI innovation, investment and digital economic development in Cameroon.

Keywords: Artificial Intelligence (AI), Intellectual Property (IP), Bangui Agreement/OAPI, AI-Driven Products.

INTRODUCTION

Artificial Intelligence (AI) is rapidly transforming commercial activities worldwide, including in Cameroon. Businesses increasingly rely on AI-driven tools for branding, marketing, product development, and service delivery. However, the laws on intellectual property protection administered under the Cameroonian legal framework of the Organisation Africaine de la Propriété Intellectuelle (OAPI) through the Bangui Agreement (Revised 2015)[1] was designed before the rise of AI-powered commerce.[2] Artificial Intelligence has become a defining feature of the Fourth Industrial Revolution. From AI-powered chatbots and fintech platforms to automated marketing systems, AI-driven services are reshaping business models in emerging economies, including Cameroon.[3] Local startups increasingly deploy machine-learning tools to generate brand names, logos, and digital marketing strategies. The development and deployment of Artificial Intelligence (AI) is transforming the creation, production, distribution and commercialisation of products and services. AI systems are

[1] Bangui Agreement Instituting an African Intellectual Property Organization (OAPI) Act on December 14, 2015.
[2] Artificial intelligence became truly popular with the general public in November 2022, following the release of ChatGPT by OpenAI.
[3] Cameroon's government has already identified digital transformation as apriority under the SND30, while national consultation on AI have specifically recommended stronger AI regulations, skills development, data security, research and adoption in sectors such as agriculture, health and education.

increasingly capable of generating literary and artistic works,[4] developing software, assisting in technological inventions, creating designs, analysing data and producing commercially valuable outputs. These developments create significant opportunities for innovation, entrepreneurship and economic development in Cameroon. At the same time, they raise complex questions concerning the ownership, authorship, inventorship, protection and enforcement of intellectual property (IP) rights.

Artificial Intelligence has moved from a speculative technology to a practical tool used in content creation, software development, healthcare diagnostics, agriculture, and public administration. Generative AI can now produce text, images, music, and even patentable-looking technical designs with minimal human intervention. This raises a question that intellectual property systems worldwide are struggling to answer: who, if anyone, owns what an AI creates?[5] In the United States, the Copyright Office and Federal Courts have consistently held that works created "without any creative input or intervention from a human author" are ineligible for copyright, a stance affirmed in ***Stephen Theler v. Shira Permutter***.[6] Similarly, the Beijing Internet Court[7] and the European Union[8] in the AI Act have ruled that AI lacks the legal personhood for authorship.[9]

For Cameroon, the question is not merely academic. The government's launch of its National Artificial Intelligence Strategy (SNIA) in July 2025 signals a clear ambition to position the country as a regional AI hub in Central Africa by 2040,[10] with targets that include training 60,000 AI professionals and generating thousands of new jobs in the sector. As Cameroonian entrepreneurs, universities and public institutions begin to build and deploy AI-driven products and services in agriculture, health, education and financial technology, the legal protections available for these innovations will shape whether local investments are rewarded, whether foreign investors trust the local IP environment, and whether Cameroon's digital economy can compete regionally and globally.

Yet Cameroon does not legislate on IP alone. As a member of the Organisation Africaine de la Propriéte Intellectuelle (OAPI),[11] it is bound by the Bangui Agreement, a treaty that operates directly as national law across seventeen member states of West and Central Africa. This means that any meaningful reform of IP protection for AI-related products in Cameroon must be considered at two levels simultaneously: the regional OAPI framework, which governs patents, trademarks, industrial designs and related rights, and Cameroon's domestic legal instruments, including its recent personal data protection law and its emerging AI governance architecture.

1.2 Problem of the Study

Cameroon's intellectual property regime operates principally within the African Intellectual Property Organisation (OAPI) framework,[12] together with relevant national legislation and international intellectual property instruments to which Cameroon is a signatory.[13] However, these legal frameworks were largely developed before the emergence of sophisticated generative AI and other AI-driven technologies. Consequently,

[4] Article 3(1) of Law No. 2000/011 of December 19 on Copyright and Neighbouring Right Law in Cameroon and Article 2(1) of the Bangui Agreement of 2015 made mentions the categories of rights protected.
[5] Under current U.S. and international law, works created entirely by artificial intelligence without human input belongs to the public domain and cannot be copyrighted by anyone
[6] Thaler v. permutter, 130 F.4th 1039 (D.C. Cir. 2025).
[7] Li v. Liu (2023)Jing 0491 Min Chu No. 11279.
[8] Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on Artificial Intelligence (Artificial Intelligence Act).
[9] Therefore, exclusively AI-generated content resides in the public domain and can be freely used without copyright restriction. As of 2026, no major jurisdiction recognizes an autonomous AL system as a legal author or copyright owner.
[10] Cameroon's National Artificial Intelligence Strategy (SNIA), unveiled in July 2025 by Minister of Posts and Telecommunications, aims to position the country as Africa's leading AI hub by 2040. Built around seven pillars; governance, data infrastructure, multilingual AI, edge computing, human capital, innovation, and regional cooperation, it targets 60,000 people trained, 12,000 jobs created, and an AI contribution to GDP of 0.8-12%.
[11] Opt cit. OAPI 2015.
[12] Ibid.
[13] Cameroon became a member of OAPI on March 2 1977, as a founding member. On this date, Cameroon and other member nations signed the Bangui Agreement in the Central African Republic. This agreement transformed the previous regions intellectual property body; the African and Malagasy Industrial Property Office, which Cameroon had initially co-founded on September 13, 1962 into the modern day OAPI.

questions arise as to whether existing concepts such as “author”, “inventor”, “Originality”, “invention steps”, ownership and infringement are sufficiently adaptable to AI-generated and AI-assisted products and services.

The problem is further complicated by the increasing involvement of AI in commercial activities. AI-driven businesses may depend upon algorithms, datasets, computer programs, automated content generation and machine-learning models, each of which may attract different forms of legal protection at the same time. AI can facilitate the reproduction, modification and distribution of protected works, thereby creating new forms of infringement that may be difficult to detect and enforce.

The absence of sufficiently clear rules addressing AI and IP may create uncertainty for innovators, businesses, creators, investors and consumers. Conversely, excessive regulation could potentially discourage technological innovation, and Cameroon can adapt its intellectual property framework to protect legitimate IP interests in AI-driven products and services while simultaneously promoting technological innovation, entrepreneurship and economic development.

1.3 Main Research Question

To what extent does the existing intellectual property framework in Cameroon adequately protect AI-driven products and services, and what legal reforms are necessary to balance IP protection with technological innovation?

1.3.1 Specific Research Questions

- To what extent can existing copyright, patent, trademark and related IP regimes in Cameroon and OAPI adequately protect AI-driven products and services?
- What challenges does AI create concerning authorship, inventorship, ownership and infringement of intellectual property rights in Cameroon?
- What opportunities do AI-generated and AI-assisted products and services pose for the enforcement of intellectual property rights in Cameroon/

1.4 Main Objective

To critically examine the adequacy of Cameroon’s intellectual property framework in protecting AI-driven products and services and propose appropriate legal and institutional reforms capable of balancing IP protection, technological innovation and economic development.

1.4.1 Specific Objectives

The study seeks to:

- Examine the existing legal framework governing intellectual property protection applicable to AI-driven products and services in Cameroon
- Assess the applicability of copyright, patent, trademark, trade secret and related IP protection to AI-generated and AI-assisted products and services.
- Identify the legal challenges relating to authorship, inventorship, ownership, originality, infringement and enforcement arising from AI technologies.

1.5 Research Hypotheses

Cameroon’s existing intellectual property framework does not adequately address the distinctive legal challenges created by AI-driven products and services, thereby necessitating targeted legal and institutional reforms that balance effective IP protection with technological innovation and economic development.

1.6 Research Methodology

The study will adopt a qualitative, doctrinal and comparative legal research design. The doctrinal approach will

be used to examine existing legal rules governing intellectual property and assess their applicability to AI-driven products and services.

The research will employ a critical and analytical approach to identify gaps, ambiguities and inconsistencies in the existing legal framework and evaluate whether existing rules remain appropriate in the context of rapidly developing AI technologies.

A comparative dimension will complement the doctrinal analysis by examining selected approaches from other jurisdictions and international and regional institutions.

The doctrinal component will examine primary legal sources, including: Cameroon's intellectual property legislation; OAPI legal instruments and regulations; International IP conventions applicable to Cameroon; Copyright, patent, and Trademark Legislation; Laws concerning computer programs and digital technologies; Relevant judicial decisions; Administrative and regulatory instruments; and other legal instruments relevant to AI, technology and innovation.

The research will undertake a comparative examination of selected jurisdictions that have developed or are developing responses to AI-related IP questions. The comparison focuses on: the African approach, particularly jurisdictions with emerging AI and digital-innovation frameworks; European Union approaches; United States approaches; and relevant international development under WIPO and other international institutions.

Primary Sources will rely principally on: statutes and regulations; OAPI legal instruments; international conventions and treaties; judicial decisions; government policy documents; regulatory guidelines; official reports; and relevant international and regional legal instruments.

Secondary Sources will include: scholarly books; peer-reviewed journal articles; theses and dissertations; conference papers; reports from WIPO and other international organisations; reports concerning AI and Intellectual property; policy papers; and reputable academic and institutional publications.

1.7 Literature Review

The relation between AI and IP has generated growing scholarly and policy debate because AI increasingly participates in processes traditionally associated with human creativity and innovation.

Nyadjroh Gabsa L., in **Copyright and AI-generated works,**[14] scholars generally distinguish between AI-generated works and works generated predominantly or entirely by AI. This distinction, according to him, raises questions concerning originality, authorship and ownership. This paper argues that the existing OAPI and Cameroonian copyright law was developed around human intellectual creation and therefore leaves uncertainty concerning AI-generated outputs and AI-generated software code.

Another strand focuses on AI and IP enforcement;[15] the authors noted that AI can facilitate large-scale copying, counterfeiting, unauthorised modification and distribution of protected works, while simultaneously making identification of infringers more difficult. This paper noted that, within the OAPI system, IP titles are centrally administered and valid throughout member states, whereas sanctions for infringement fall within the jurisdiction of national courts. This creates an important institutional dimension for examining how Cameroon can enforce IP rights against AI-driven infringement.

During a WIPO conference in Geneva, WIPO considers AI-generated inventions and patent protection.[16] WIPO's work on AI and patents identifies patentability, inventorship, and the role of AI in the inventive process as major issues for contemporary patent systems. This is particularly relevant to Cameroon because patent protection operates principally through the OAPI system under Annex I of the Bangui Agreement.

[14] Nyadjroh Gabsa L. (2025), Regulation the Legal Quagmire of Artificial Intelligence and Copyright Infringement in Cameroon and Across Africa, Revenue Internationale de Droit et Science Politique , 5(12), 443-455.
[15] Denis Colopy & others, (2023), AI and IP Rights Enforcement; opportunities and Challenges, Researchgate.
[16] WIPO (2022), Convention on Intellectual Property and Frontier Technologies, 6th Session Geneva, Switzerland.

Yurii Burylo, in AI Generated Works and Copyright Protection,[17] finds the most promising and practical way to apply copyright to AI-generated works, taking into account the objectives of copyright law and technological progress. To him, the human-centred approach to authorship and the existing copyright legislation of most countries cannot provide protection for AI-generated works. Even the concept of computer-generated works, implemented in the legislation of some countries, cannot fully resolve all complex issues concerning AI-generated works, because it confers copyright on those who design and operate AI systems. He concludes that the present copyright does not protect AI-generated works in most countries. This is true in Cameroon; the current framework in place is inadequate in protecting intellectual property against AI-driven products, hence the need for a legal reform of the law protecting Intellectual property in Cameroon. This paper will consider reforms that will go a long way to resolve this present issue.

1.8 Theoretical Framework

In this paper, we have anchored on four complementary theories: the incentive theory of intellectual property, the natural rights theory, the utilitarian theory, and the technology-neutral theory**.**

1.8.1 Incentive Theory

The Incentive Theory[18] considers intellectual property protection as a mechanism for encouraging creativity, invention and investment by granting creators and innovators exclusive rights over their creations. In the context of AI, strong but balanced IP protection can encourage investment in AI software, technological inventions, and digital content and AI-driven services. This theory is particularly relevant to Cameroon because the OAPI/Bangui Agreement provides for protection for patents, trademarks, and industrial designs, copyright and related rights.[19]

1.8.2 The Natural Right Theory

The Natural Right Theory is based on the principle that creators should enjoy rights over products of their intellectual labour.[20] It is relevant to AI because AI systems can generate works using human-created data, software and creative materials. The theory therefore raises questions concerning who should own AI-generated outputs and how the interests of human creators whose works are used by AI should be protected.

1.8.3 The Utilitarian Theory

The Utilitarian theory[21] seeks to balance private Intellectual Property rights with the broader public interest. In the AI context, excessive protection may restrict technological innovation and access to knowledge, while insufficient protection may discourage investment and creativity. The theory therefore supports a Balance IP framework that protects creators while promoting technological development and public access to innovation.

1.8.4 Technological Neutrality Theory

The Technological Neutrality Theory[22] proposes that legal rules should be sufficiently flexible to apply to technological developments without becoming obsolete whenever new technologies emerge. This is highly

[17] Yurii Burylo (2022), "AI Generated Works and Copyright Protection", Entrepreneurship, Economy and Law, Civil Law and Process, p3,7-3.

[18] The incentive theory of IP is rooted in Utilitarian philosophy, particularly the work of the English philosopher Jeremy Betham (1748-1832).

[19] Patent Annex I, Utility Models II, Trademark service Marks Annex III, Industrial designs Annex IV, Literary and Artistic Property Annex VII.

[20] The Natural law theory can be trace to Ancient Greek Philosophy, particularly the idea that there is a form of natural justice or law that exist independent of human made-laws. Sophist such as Antiphon discussed the distinction between nature(physic) and human conventions (nomos)

[21] Utilitarian theory is an ethical and political theory based on the principle that an action, law, or policy should be judged by its consequences, particularly by whether it produces the greatest overall happiness or benefits for the greatest number of people. The Greek philosopher Epicurus (341-270) emphasized pleasure, the avoidance of pain, and the pursuit of happiness.

[22]The Technological Neutrality Theory is the idea that laws, policies, and legal principles should not favour or discriminate against a particular technology merely because of the technological used. Instead, regulations should generally focus on the function, activity, risk or outcome involved. The roots of the theory can be traced to the development of technology-neutral regulation in

relevant to Cameroon because the Bangui Agreement establishes a broad IP framework but was not specifically designed for contemporary generative AI.

The theory therefore provides a basis for asking whether existing IP principles can adequately accommodate AI-generated works, AI-assisted inventions, automated creativity, AI training data and AI-enabled infringement, or whether specific reforms are necessary.

1.9 Scope of Study

The study will focus primarily on intellectual property protection of AI-driven products and services in Cameroon. The principal areas of IP considered will be: copyright, patents, trademarks, trade secrets/confidential information, computer programs and digital creations, and related IP rights where relevant.

1.10 Significance of the Study

The study is expected to make a contribution at three levels; academically, it will contribute to the growing body of scholarship on the intersection between Artificial Intelligence and Intellectual Property Law, particularly from the perspective of a developing African economy.

The research will identify gaps and uncertainties within the existing IP framework and propose possible reforms concerning authorship, inventorship, ownership, infringement and enforcement.

The study may assist lawmakers, OAPI policymakers, courts, IP practitioners, technology businesses and innovators in developing an environment that protects intellectual property while encouraging AI-based innovation and investment.

1.11 Conceptual Framework

To understand some terms, some keywords will be defined.

1.11.1 Artificial Intelligence

Artificial Intelligence refers to computer systems capable of performing tasks that normally require human intelligence, such as learning, reasoning, pattern recognition, and decision-making. In commercial contexts, AI is used for: Automated brand name generation, Logo design platforms, Market analytics and Customer service automation. It is a replica of how human intelligence works, but it does not deliver the biologically observable methods.[23]

1.11.2 Intellectual Property

A property can be defined as a resource with some form of assigned ownership, and intellectual property is then a property of intellectual or intangible nature.[24] Intellectual Property, broadly, means the legal rights which result from intellectual activity in industrial, scientific, literary and artistic fields.[25] In general, Intellectual Property Law aims at safeguarding creators and other producers of intellectual goods and services by granting them certain time-limited rights to control the use made of those products.[26]

telecommunications and communication in the 20th century. The theory is important in information technology, telecommunications, intellectual property, electronic commerce, and digital regulations.

[23] Rituraj Mahato, (2022), Artificial Intelligence, what it is?, Outcomes of Best Practices in Classroom Research, L'Ordine Nuovo Publication, India. P197.

[24]Ove Granstrand, (2015), Intellectual Property, Marcus Holgersson Institute for Innovation and Entrepreneurship, University of Gothenburg.

[25]WIPO (2004) Intellectual Property Hand Book, WIPO publication, Second edition, Switzerland, p. 3.

[26]Ibid.

1.11.2 AI-Driven Products

AI-driven products are products whose development, functionality, or value substantially depends on artificial intelligence technologies. Examples include AI-powered medical diagnostic systems, autonomous vehicles, generative design software, AI-generated tools, etc. Their emergence raises significant intellectual-property questions, inventorship, ownership, and the allocation of rights where AI contributes materially to the creation of an innovative product.

THE EXISTING INTELLECTUAL PROPERTY FRAMEWORK IN CAMEROON

Cameroon mainly operates within the OAPI system, rather than having a completely separate national industrial property system.

2.1.1 OAPI and the Bangui Agreement

Cameroon's intellectual Property regime is governed principally by the Bangui Agreement, the founding treaty of OAPI, whose headquarters are located in Yaounde, originally adopted in 1977 and substantially revised in 1999 and again in 2015;[27] the Agreement functions as directly applicable national legislation in each of OAPI's seventeen member states, including Benin, Burkina Faso, Cameroon, Chad, Côte d'Ivoire, Gabon, Senegal and others. This is a distinctive feature of the OAPI system: rather than each state maintaining a separate national IP code, a single filing with OAPI grants protection simultaneously across the entire membership, and IP disputes are, in principle, meant to be resolved with reference to this shared text.[28]

The Bangui Agreement is organised into annexes covering the different categories of protection: patents, utility models, trademarks and service marks, industrial designs, trade names, geographical indications, literary and artistic property (copyright), protection against unfair competition, layout-designs of integrated circuits, and plant variety protection. This structure reflects a conventional, twentieth-century conception of IP subject matter built around discrete, human-authored or human-invented outputs, with authorship or inventorship serving as the anchor for ownership. The Bangui Agreement does not expressly regulate AI; the 2015[29] revision was adopted before the current explosion of generative AI. Consequently, the agreement does not answer several fundamental questions such as who owns AI-generated works. The Bangui Agreement provides the principal regional framework for areas including: copyrights and related rights, Patents, utility models, trademarks and service marks, industrial design, trade names, geographical indications, and other forms of intellectual property protection.

2.1.2 Complementary National and Sub-Regional Instruments

Beyond the Bangui Agreement, Cameroon has adopted domestic instruments relevant to the digital and data economy. Law No. 2024/017 of 23 December 2024 on the protection of Personal data is Cameroon's [30]first comprehensive data protection statute, establishing a personal data protection authority and imposing obligations on entities that collect and process personal data; a category highly relevant to AI systems trained on or deployed against personal datasets.[31] The law institutes fines ranging from FCFA 1 million to FCFA100 million for individuals/smaller violations, and climbing from FCFA 50 million up to 1 billion for legal entities. Severe infractions, such as illegal international transfers or unauthorised profiling, can carry a prison sentence of up to 10 years.[32] At the sub-regional level, CEMAC instruments addressing electronic communications and electronic activities also bear on how AI-driven digital services operate across Central Africa.[33] However, as of the time of

[27]The 2015 revision of OAPI entering into force in 2020.
[28] Article 41 of the Bangui Agreement 0f 2025 provides that embers should ensure that enforcement procedures as specified in this Part are available under their law so as to permit effective action against any act of infringement of intellectual property rights covered by this Agreement, including expeditious remedies to prevent infringements and remedies which constitute a deterrent to further infringements.
[29] OAPI 2015, Opt. cit.
[30] Law No. 2024/017 of 23 December 2024 on the protection of Personal data is Cameroon.
[31] Ministry of Posts and Telecommunications (MINPOSTEL), Republic of Cameroon. National Artificial Intelligence Strategy (SNIA), Unveiled at the Second National Consultations on Artificial Intelligence (CONIA 2025), Yaounde, 7-8 July 2025.
[32] Ibid, Article 63.
[33] Directives No. 09/08-UEAC-133-CM-18, Harmonizing the legal regimes governing electronic communications activities.

writing, Cameroon has no AI-specific legislation in force; AI is governed only indirectly, through data protection, cyber security and general commercial law, while a dedicated AI Framework law remains a stated ambition under the SNIA rather than an enacted rule.

2.1.3 The Cameroonian Penal Code

The Cameroonian Penal Code of 12 July 2016[34] provides an important criminal-law dimension to the protection of Intellectual Property against AI-related infringement. Although the Penal Code does not specifically regulate artificial Intelligence, it criminalises several forms of conduct that may arise in connection with AI-driven products and services.[35]

2.1.4 Cybersecurity Law

The Cameroonian cybersecurity and cybercriminality law of 2012[36] does not expressly regulate Artificial intelligence. The law predates the current generation of AI systems, including generative AI. However, several systems operate through algorithms,[37] data, electronic communication and information systems. It provides an indirect legal framework for AI rather than a dedicated AI regulatory regime. The law therefore legally recognises algorithms as part of the technological environment it regulates.[38] The definition is, however, narrower than the modern concept of AI. It does not expressly address generative AI, autonomous AI systems, AI-generated content, etc. This creates an important gap. The law can apply to conduct involving AI systems, but it does not establish specific rights and obligations for AI developers, deployers or users.

2.1.5 Consumer Protection Law

Cameroon's principal Consumer Protection Law does not directly protect intellectual property owners; its primary purpose is to protect consumers. However, several provisions can indirectly protect IP owners because they restrict deceptive, unfair and unsafe commercial practices involving technologies, goods and services. This becomes particularly relevant when AI is used to create counterfeit products, imitate trademarks, reproduce protected works, or mislead consumers.

Cameroon's principal consumer statute is Law No. 2011/012 of 6 May 2011 on consumer protection.[39] Its scope expressly covers the supply, distribution, sale and exchange of technologies, goods and services, including communications and financial services. Article 8 prohibits restrictive and unfair commercial practices, including erroneous, misleading or abusive advertising.[40] It prohibits practices by a company that limit, or are likely to limit, a competitor's access to the market. This could become relevant where AI is used strategically to undermine another business.[41] The law also requires suppliers of technologies, goods and services to provide consumers with information that is fair, sufficient, clear and readable, in French and English.[42] Although these provisions are directed primarily toward consumer welfare rather than intellectual protection, they may complement copyright, trademark, patent, and unfair competition rules where AI is employed to produce counterfeit goods, imitate brands or generate deceptive commercial representations. Nevertheless, because the legislation predates contemporary generative AI, it does not expressly address AI-generated advertising, synthetic endorsements, deepfake algorithms and AI-enabled counterfeiting. This regulatory gap supports the case for adapting Cameroon's consumer protection framework to the emerging realities of AI-driven commerce. In all, the existing Consumer protection framework can be applied to some AI-related commercial conduct, but it was not specifically designed to address the distinctive risks created by AI.

[34] Law No. 2016/007 of 12 July 2016 relating to the Cameroonian Penal Code.
[35] Ibid, Articles, 327, 328 and 329.
[36] Law No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercriminality in Cameroon.
[37] Ibid, Section 4(3) defines algorithms as series of basic mathematical operations to be applied to data to achieve a desired results.
[38] Ibid.
[39] Law No. 2011/012 of 6 may 2011 on Consumer Protection in Cameroon.
[40] Ibid, Article 8(1).
[41] Ibid, Article 8(2).
[42] Ibid, Article 13.

2.1.6 The role of the E-commerce law

Law No. 2010 on e-commerce law in Cameroon[43] is important because it creates the legal environment inwhich many AI-driven products and services are bought, sold, advertised and delivered online. The Cameroonian government's e-commerce framework addresses matters including electronic advertising, electronic contracts, electronic signature, responsibilities of service providers and intermediaries, and the security and authenticity of electronic information.[44] The law provides that electronic commerce must comply with, among other things, the rights protected by laws and regulations relating to intellectual property.[45] This is significant because it establishes a direct legal connection between e-commerce and IP protection. An online business cannot rely on the fact that a transaction occurs electronically to escape copyright, trademark, patent or other IP obligations.[46]

By expressly subjecting electronic commerce to existing intellectual property rules regulating electronic advertising and contracts, requiring the identification of online commercial actors, imposing transaction data preservation obligations and establishing a framework for intermediary responsibility, the law provides mechanisms that can facilitate the protection and enforcement of IP rights in digital markets. Nevertheless, because the law predates contemporary artificial intelligence, it does not expressly address AI-generated content, automated infringement, AI platform liability, deepfakes, and commercial exploitation of AI-generated products. Its future reform should therefore consider how technology–neutral e-commerce rules can be supplemented with AI-specific safeguards while maintaining compatibility with Cameroon's OAPI-based intellectual property framework.[47]

TYPES OF INTELLECTUAL PROPERTY PRONE TO THE EFFECTS OF AI

The current Bangui Agreement, which operates as a regional IP law, is applicable in Cameroon. The agreement has 10 annexes, covering patents, utility models, trademarks, industrial designs, literary and artistic property, unfair competition, integrated–circuit topographies, and plant varieties.

3.1.1 Copyright and Related Rights

Literary and artistic property under the Bangui Agreement, like most copyright systems internationally, protects "works" that are original creations attributable to a natural person, the author.[48] Cameroonian copyright law protects a list of copyrighted works.[49] AI systems can generate literary, artistic, musical, audiovisual and other creative material. This creates several legal questions: who is the author of AI-generated content; Can an AI itself be considered an author; Who owns the copyright in AI-assisted works? When does AI training involve reproduction of protected works; Can an AI-generated work satisfy the requirement of originality; Who is liable when AI-generated content infringes copyright? This is particularly significant because the revised Bangui Agreement's Annex VII was updated to address copyright and related rights in the digital environment. Local musicians,[50] writers, and filmmakers face the risk of AI-driven style mimicry, voice cloning, and unlicensed training data scraping of their catalogues.

Cameroon copyright and Neighbouring or Related rights provide a fundamental legal basis for protecting AI-driven products through the protection of software, databases, literary and artistic works, audiovisual creations and related rights. However, the 2000 law on copyright and related rights in Cameroon and the OAPI framework were not specifically designed to address

[43] Law No. 2010/021 of 21 December 2010 on E-commerce Law in Cameroon.
[44] The Ministry of Commerce in Cameroon, evaluation of the situation of electronic commerce in Cameroon, www.mincommerce.gov.com accessed on 20-09-2026.
[45] Article 3(2) of the 2010 law on e-commerce law in Cameroon.
[46] The Ministry of commerce website, Opt cit.
[47] Ibid.
[48] Article 3(3) of the 2000 copyright and related rights, Opt, cit.
[49] Ibid, Article 3.
[50] Cameroon has a strong Bikutsi/Makossa music industry and a growing Nollywood-style film scene

3.1.2 Patents: AI-generated Inventions

Cameroon/OAPI patent law, like most jurisdictions, requires a human inventor[51] raise unresolved questions of inventorship and ownership when AI substantially contributes to the inventions. AI-assisted inventions: AI can participate substantially in the invention process. This creates the question of whether the existing patent framework can accommodate an invention where the inventive contribution comes substantially from an AI system. This is directly relevant to the DABUS case.[52] The legal issue is whether existing patent law permits an AI system to be identified as an inventor, or whether inventorship must be attributed to a human being. The Bangui Agreement's patent framework is therefore an important part of your analysis.

3.1.3 Trade Secrets/confidential Business Information

AI tools that ingest company data create leakage risk, a growing concern for Cameroonian businesses adopting AI without clear data governance policies.

Industrial Designs AI-Generated Products

Generative AI can produce thousands of product designs within seconds. This affects Annex IV because AI can generate fashion designs, furniture, packaging, vehicle designs, household products, etc. The legal difficulty is determining who owns the design and whether an AI-generated design satisfies the legal requirements for protection.[53]

3.1.4 Trademarks: AI-generated Brands and Consumer Deception

AI-generated logos, brand names, and marketing content could increase filings but also increase inadvertent similarity/infringement disputes, since generative tools often "remix" existing branding. At the same time, AI can make it easier to imitate existing brands or create realistic content falsely suggesting that a product originates from a particular company. This makes trademark protection under Annex III,[54] together with unfair-competition protection under Annex VIII, particularly relevant.[55] Counterfeiting, already a challenge in Cameroon's informal markets, could be amplified by AI tools that make convincing fake packaging, labels, and product designs cheaper to produce.

AI does not create a completely separate category of intellectual property under Cameroonian/OAPI law. Rather, it challenges the assumptions underlying existing categories, particularly human authorship, human creativity, originality, ownership, liability and infringement. The Bangui Agreement currently organises protection through the ten established IP categories rather than through specific AI intellectual property rights.

BROADER EFFECTS ON CAMEROON'S IP SYSTEM

OAPI's Bangui Agreement predates generative AI and does not explicitly address authorship by AI, text and data mining exceptions, or AI training data licensing enforcement, and legislative gaps are likely. Weak local enforcement capacity means AI-enabled infringement may outpace regulatory response. However, AI could help Cameroonian creators with cheaper drafting, prior art search, and translation, potentially lowering the cost of filing and defending IP rights.

4.1.1 Challenges: Where AI Strains the Existing Framework

The rapid development of artificial intelligence is placing pressure on Cameroon's existing intellectual property framework by creating new questions concerning authorship, ownership, copyright protection, AI training, patent inventorship, infringement and cross-border enforcement.

[51] Common in pharma, agritech-relevant given Cameroon's agriculture economy.
[52] Stephen Theler v. Shira Permutter, Opt, cit.
[53] Annex IV of the Bangui Agreement, Opt, cit.
[54]Ibid, Annex III.
[55] Ibid, Annex VIII.

4.1.1.1Authorship and the Human-Creator Requirements

The clearest doctrinal challenge concerns works generated wholly or substantially by AI systems with little or no human creative input, for instance, an AI-generated marketing image, a machine-composed jingle, or AI-drafted educational content. Because the Bangui Agreement's copyright annex,[56] like most copyright laws, ties authorship to a natural person, a purely AI-generated output arguably falls outside the scope of protection altogether, leaving it in the public domain by default. For a Cameroonian creative or media business investing in AI tools to scale content production, this creates commercial uncertainty: competitors could freely copy AI-generated output that the business cannot claim any exclusive right over, even though real investment of time, duration and business judgment went into producing it.

The harder cases lie in between: works that are AI-assisted rather than AI-generated, where a human provides prompts, selects among AI outputs, or substantially edits machine-generated drafts. Existing Cameroonian and OAPI law offers no clear threshold for how much human contribution is required for a work to qualify as an original human creation eligible for copyright, leaving businesses and creators to guess at the boundary.

4.1.1.2 Inventorship and Patentability of AI-Related Inventions

A parallel problem arises in patent law. Where an AI system contributes substantially to the conception of an invention, for example, by generating a novel chemical compound, an optimised agricultural input formula, or a new engineering design, the question of who, or what, counts as the "inventor" becomes contested. International patent offices that have confronted this question (in cases involving AI systems named as sole inventors) have generally concluded that only a natural person can be an inventor under current law.[57] The European's position is that the inventor must be a person with legal capacity.[58] WIPO's later comparative document records that under the European Patent Convention (EPC), the designated inventor has to be a person with legal capacity.[59] The US defines an inventor as an individual who invented or discovered the subject matter.[60] In **Thaler v. Vidal**,[61] the Federal Circuit held that, under the U.S. Patent Act, only a natural person can be named as the inventor. The Bangui Agreement does not expressly say only a natural person may be an inventor; however, Annex I provides that the right to the patent will belong to the inventor or his successor in title; the applicant will be deemed to be the owner of the right.[62] Being similarly premised on human inventorship, it would likely be interpreted the same way, meaning that inventions substantially conceived by AI could face difficulty being patented at all, or could only be patented by attributing inventorship to the human who deployed or supervised the AI system, a legal fiction that may not survive scrutiny if challenged.

This matters concretely for Cameroon's ambitions in AI-assisted agriculture and health, two of the priority sectors named in the SNIA. If Cameroonian researchers and agritech startups use AI tools to discover new crop treatments, soil optimisation techniques, or diagnostic algorithms, unresolved inventorship questions could complicate their ability to secure exclusive rights, weakening the incentive to commercialise such innovations locally rather than license the underlying AI tools from foreign providers who retain the resulting IP.

4.1.1.3 Protection of Algorithms, Software and Trade Secrets

The AI systems and models themselves the algorithms, model weights, and training pipeline sit awkwardly across existing categories. Software is generally protected by copyright as a literary work,[63] which protects the specific expression of code but not the underlying functional idea or method embodied in an algorithm. Patent

[56] The Bangui Agreement as revised on 14 December 2015 is made up of 10 Annexes.
[57] WIPO Standing Committee on the Law of Patents (SCP) document SCP/36/5, which discusses AI inventorship and the DABUS cases. In paragraph 142, WIPO reports that patent offices processing DABUS applications predominantly rejected them because a natural person was not indicated as the inventor.
[58] In the BABUS case, the EPO Baord of Appeal confirmed this in J8/20 Designation of inventor/DABUS, 21 December 2021.
[59] European Patent Office (2024) Inventorship of AI-generated Inventions, WIPO, Switzerland, p.3.
[60] 35 U.S.C S 100(f)
[61] Thaler v. Vidal 43 F.4th 1207 (Fed.Cir.2022)
[62] Annex I Article 9(1) of the Bangui Agreement of 2015.
[63] Section 2(1) of the 2000 Copyright and Neighbouring in Cameroon made provisions for the protection of software programs.

protection for algorithms as such is often restricted, since abstract mathematical methods are frequently excluded from patentable subject matter. This leaves many AI developers to rely on trade secret protection, keeping model architectures, training data and parameters confidential as the primary practical safeguard. However, the Bangui Agreement's protection against unfair competition, which functions as OAPI's closest analogue to a trade secrets regime, is comparatively underdeveloped and rarely tested in Cameroonian courts, creating uncertainty about how robustly confidentiality is defended in practice.

4.1.1.4 Data as a Contested Asset

AI systems depend on data training datasets, user-generated data, and data collected through AI-powered services. Data as such is not "owned" under traditional IP categories in the way a patent or copyrighted work is; instead, rights over data are scattered across contract law, database protections[64], competition law and, since December 2024, Cameroon's personal data protection law.[65] This fragmentation makes it difficult for Cameroonian AI businesses to assert clear, tradable rights over the datasets that often constitute their most valuable competitive asset, and correspondingly difficult for regulators to police unauthorised scraping or reuse of locally generated data by foreign AI developers.

4.1.1.5 Enforcement Capacity and Institutional Readiness

Even where rights exist in principle, enforcement in Cameroon faces long-standing practical constraints: limited judicial and administrative expertise in specialised IP and technology matters, resource constraints at enforcement agencies, and the cross-border nature of most AI products and services, which are frequently developed, hosted, and deployed outside Cameroon jurisdiction entirely. AI compounds these difficulties: detecting whether a given output was produced by an infringing AI system trained on unauthorised data, for instance, requires technical forensic capacity that few OAPI member state institutions currently possess.

4.1.1.6 Regional Coordination Risk

Because the Bangui Agreement binds all OAPI members simultaneously, Cameroon cannot unilaterally rewrite patent or copyright rules to accommodate AI without risking inconsistency with its treaty obligations. Any AI-specific reform to core IP categories would, in principle, need to proceed as a multilateral undertaking that is inherently slower than domestic legislation. This creates a structural gap between the speed of AI development and the pace at which the region's foundational IP treaty can realistically be updated a gap that Cameroon's national AI framework law, still in preparation, will need to navigate carefully rather than attempt to resolve alone.

4.1.2 Opportunities: what AI Offers Cameroon's IP Innovation Economy

Artificial Intelligence can create several opportunities for Cameroon's intellectual property economy**.**

4.1.2.1 AI as a Tool for IP Office Efficiency

AI technologies can materially improve how IP itself is administered. Prior-art search, trademark similarity screening, and patent classification are all tasks well suited to AI-assisted tools, and their adoption by OAPI or by a future Cameroonian national IP liaison body could shorten examination timelines, reduce backlogs, and improve consistency in decision-making, directly benefiting Cameroonian applicants who currently face lengthy processing periods.

4.1.2.2 New, Protectable Categories of Innovation

Far from only threatening existing categories, AI creates new subject matter that Cameroonian innovators can seek to protect: proprietary datasets curated for local languages and contexts, AI models fine-tuned for Cameroonian agricultural conditions or public health needs, and novel AI-enabled service designs (for instance, AI-driven mobile money fraud detection or multilingual voice-based public services assistants, both of which

[64] The Bangui Agreement does not clearly provide for as a sui generis category.
[65] The 2024 Cameroon Data Protection Law opt. cit.

align with the SNIA's stated pillars on multilingual AI and human capital). Where human creativity and judgment remain central to the design, duration and deployment of these systems, conventional copyright, trademark and trade secret protections remain available and can be actively used by Cameroonian firms to build defensible market positions.

4.1.2.3 Economic Diversification and Sectorial Application

The SNIA explicitly targets agriculture, health, education and cybersecurity as priority sectors for AI deployment, alongside an ambition to train 60,000 AI professionals and contribute meaningfully to GDP by 2040. A clearer, more AI-literate IP framework would support this by giving local startups and research institutions greater confidence that AI-assisted innovations arising from these sectorial investments can be commercially protected and licensed, rather than freely appropriated by better-resourced foreign competitors.

4.1.2.4 Attracting Investment Through Legal Certainty

Foreign and diaspora investment in Cameroon's AI and technology sector is more likely where investors can predict how their AI-related IP models, datasets, and AI-branded products will be treated under Cameroonian and OAPI law. Proactive clarification of these rules, even in advance of full legislative reform (for example through OAPI guidance, administrative practice notes, or judicial precedent), can itself function as a competitive advantage relative to jurisdictions where the legal position

4.1.2.5 Regional Leadership within OAPI

Because Cameroon hosts OAPI's headquarters in Yaounde,[66] it is positioned to take a leading role in shaping how the Bangui Agreement eventually addresses AI, rather than passively waiting for reform driven by other member states or external pressure. Cameroon's status as host state, combined with its recently articulated national AI ambitions, gives it both the institutional proximity and the policy motivation to champion AI-related IP reform at the regional level.

COMPARATIVE PERSPECTIVE OF OAPI, AFRICA AND INTERNATIONAL APPROACHES

The development of Artificial intelligence is creating new intellectual property questions at the OAPI, African and International Levels. Below is a comparison based primarily on official OAPI/EU, U.S., and WIPO materials. The position is stated as of August 2026.

ISSUE	Cameroon/OAPI	European Union	United States	Selected African Approaches
Authorship/AI-generated works	The 2015 Bangui Agreement, Annex VIII art. 1 defines an author as "the natural person. Cameroon's 2000 copyright law in art. 7 similarly defines the author as the physical person who created the work and additionally recognises the physical person who conceived the work	EU copyright law does not create a general AI-specific author category. CJEU case law, particularly **Painer, C-145/10, judgment of 1 December 2011**, treats copyright protection in terms of the author's own creative intellectual choices. The EU framework therefore remains	The US Copyright Office states that AI-generated material is protected only where a human author determines sufficient expressive elements. Mere prompting, by itself, does not establish the necessary human authorship. The Office's March 2023 registration	Kenya Copyright Act defines the author of a computer-generated work as a person who undertakes the arrangements necessary for its creation. South Africa Copyright Act 98 of 1978, s. 1, similarly provides that for a computer-generated work the author is the person who undertakes the arrangements necessary for creation.

[66] It is located in Rue Djoungolo, Yaounde, Cameroon P.O. BOX 887. The OAPI is the headquarter of the African Intellectual Property Organisation, the regional organization responsible for industrial property protection across its member states.

	and triggered its realisation through an automatic process.	centred on human intellectual creation rather than AI legal personhood.	guidance requires applications to identify/disclaim AI-generated material where appropriate.	
Inventorship	Annex I of the Bangui Agreement gives patent rights to the inventor or successor in title. The 2015 framework does not contain a verified express rule saying that an AI system can be an inventor.	Under the EPC, the inventor must be a natural person. EPO DABUS[67] decision rejects AI as inventor.	Only a natural person can be an inventor. USPTO's November 2015 guidance confirms that AI is a tool assisting human inventors, not an inventor.[68]	Approaches differ. South Africa's DABUS patent-registration experience is often contrasted with examination-based systems, but it should not be treated as a general judicial recognition of AI inventorship.
Training data/usage of copyrighted works	No dedicated AI-training/text-and-datamining regime has been identified in the Bangui framework. Training therefore falls primarily under existing copyright rules. OAPI contains separate annexes for patent, trademark, copyright and unfair competition	AI Act art. 53(1)(d) requires providers of general-purpose AI models to make publicly available a sufficiently detailed summary of the content used for training[69]	No general requirement to publicly disclose an AI model's training dataset. For patents, the USPTO states that its AI inventorship guidance creates no additional duty to disclose AI use beyond existing requirements.[70]	Kenya, South Africa and other selected African systems generally rely on existing copyright exceptions rather than a comprehensive AI-training regime.
Disclosure/transparency concerning training data	No verified Bangui provision requiring an AI developer to disclose the datasets used to train an AI model. Patent applications, however, remain subject to ordinary patent disclosure requirements.	AI Act 53(1)(d) requires providers of general-purpose AI models to make publicly available a sufficiently detailed summary of the content used for training.[71]	No general requirements to publicly disclose an AI model's training dataset. For patents, the USPTO states that its AI inventorship guidance creates no additional duty to disclose AI use beyond existing requirements.	No equivalent general AI training-data disclosure obligation is established in the principal Kenyan/South African provisions considered here.

[67] Thaler v. Vidal, 43 F.4th 1207 (Fed. Cir. 2022).
[68] US Copyright Office, Opt cit.
[69] EU AI Act Compliance 2024, Article 58, obligation of general purpose AI models, www.ai-act-service-desl.ec.europa.eu. Accessed 22/09/2026.
[70] United State Patent and Trade Mark Office (USPTO) ,FAQs on inventorship Guidance for AI-assisted Inventions. Uspto.gov accessed 27/09/2026.
[71] Under the EU framework, the Copyright Directives contains text-and-data-mining provisions, while article 53 of the AI Act requires providers of general-purpose AI models. This creates a regulatory mechanisms specifically directed at the relationship between AI training and copyright.

Ownership of copyright/AI output	Copyright initially belongs to the human author under the Bangui and Cameroonian framework; [72] contractual and statutory rules can subsequently affect economic rights. For a completely autonomous AI output, ownership is more difficult because the AI itself is not clearly recognised as an author	``Copyright ownership follows the human author and applicable national rules on employment, assignment, etc.; there is no general EU rule automatically giving the AI owner copyright in autonomous output.	AI itself cannot own copyright. Human-authored elements may be protected; purely AI-generated material is not protected merely because a person owns the AI system.	Kenya and South Africa similarly use human/legally recognised persons as the basis for copyright ownership, with specific statutory rules for employment and commissioned works.
Enforcement	OAPI combines trademark, copyright, patent and unfair-competition protection through the Bangui Agreement Annexes, while enforcement ultimately operates through applicable national institutions/courts. OAPI officially identifies Annex VIII as protection against unfair competition.	Enforcement combines national copyright/trademark courts with EU-wide regulatory mechanisms. The AI Act adds regulatory obligations for GPAI providers but does not replace ordinary IP enforcement.	Copyright and patent rights are enforced under existing federal statutes and courts. The Copyright Office describes AI issues as being addressed through principles while unresolved questions remain under consideration.[73]	Enforcement generally relies on existing national copyright, patent, trademark and unfair-competition mechanisms rather than AI-specific IP tribunals.

From the table above, it is noticed that the most important research gap is the absence of a comprehensive AI-specific framework covering training data, AI-generated authorship, AI inventorship, ownership, disclosure and enforcement. The existing Bangui Agreement provides several legal entry points, but these were not originally drafted specifically for generative AI

PROSPECTS FOR LEGAL AND INSTITUTIONAL REFORMS IN CAMEROON

Legal and institutional reform for intellectual property protection in the age of artificial intelligence should not be limited to creating a new AI law. It should also modernise the existing copyright framework, strengthen Cameroon's implementation of the OAPI and improve the institutions responsible for enforcement. Cameroon is particularly interesting because industrial property is largely governed through the OAPI Regional Framework, while copyright and related rights are regulated nationally.

There is no express OAPI rule defining whether an AI system can be an inventor; to this effect, there is uncertainty over patent applications where AI contributes substantially to an invention, and possible disputes

[72] Article 12(1) of the 2000 Cameroonian Copyright Law,
[73] US Copyright Office, (2025) "Copyright and Artificial Intelligence, Part 3 Generative Training, a report of the register of copyright. www.copyright.gov. accessed 22/07/2026.

over inventorship and entitlement. To this effect, there is a need to amend or clarify the Bangui Agreement, Annex I (patents), to define the role of AI in the inventive process and confirm how human inventorship should be attributed by the OAPI member states.

Equally, there is no comprehensive rule specifically addressing AI-generated works under the copyright framework; this has caused uncertainty over authorship, ownership and protection of works generated with substantial AI assistance. To combat this, it is recommended that the OAPI member states introduce provisions distinguishing AI-assisted works from works generated autonomously by AI, while defining the human contribution required for copyright protection.

We also noticed that there is no clear legal treatment of AI-generated inventions and ownership of resulting IP rights; this has made it difficult to determine who owns patents or other rights when AI is used in the creation process. The OAPI authorities need to establish clear rules allocating rights according to the relevant human contribution, contractual arrangements and existing ownership principles.

There are limited statutory requirements concerning disclosure of AI use in patent applications. The patent office lacks information necessary to assess inventorship, contribution and compliance with disclosure requirements. It is recommended that OAPI member states consider requiring applicants to disclose material AI assistance where it is relevant to inventorship or the assessment of the invention.

There is equally no sufficiently specific framework addressing AI training on copyrighted works. Potential disputes concerning reproduction, authorisation, exceptions, remuneration and infringement arise when protected works are used for training AI systems. The national copyright authorities and OAPI member states need to clarify under what conditions copyrighted materials may be used for AI training, including possible exceptions, licensing mechanisms and safeguards.

It was discovered that existing trademark rules do not specifically address AI-generated imitation, synthetic branding and deepfakes. AI can facilitate the creation of confusingly similar brands, logos and commercial content, making enforcement more difficult. OAPI, national courts and enforcement authorities should clarify the application of trademark infringement, passing off/unfair competition and related remedies to AI-generated imitation and synthetic branding.

Technological change may outpace existing IP legislation. Technology-specific provisions may become obsolete as generative AI and other technologies develop. The OAPI member states need to adopt a technology–neutral and periodically reviewable regulatory framework that regulates functions and risks rather than particular AI technologies.

There exist limited institutional capacities to handle AI-related IP disputes. Existing IP institutions and courts face difficulties dealing with technically complex AI disputes. OAPI, national IP Offices, and judicial training institutions should provide specialised training, technical expertise and judicial guidance on AI and Intellectual Property.

We noticed fragmentation between regional OAPI rules and national AI policies. The different approaches to AI regulation create uncertainty for businesses operating across OAPI member states. The OAPI member states need to promote regional coordination and harmonisation between OAPI intellectual property rules and national AI legislation.

FINDINGS, RECOMMENDATIONS AND CONCLUSION

The rapid development and deployment of AI is transforming the creation, production and commercialisation of IP. While the OAPI framework, applicable in Cameroon through the instrumentality of the Bangui Agreement, provides a foundation for protecting patents, trademarks, industrial designs, copyright and related rights, the emergence of generative and autonomous AI exposes several areas where the existing framework requires clarification and adaptation. The analysis, informed by Natural Right Theory, Utilitarian Theory, Technological Neutrality and Incentive Theory, leads to five principal findings.

First, the existing OAPI patent framework does not expressly and comprehensively address AI-assisted and AI-generated inventions, particularly questions of inventorship and ownership. The traditional concept of an inventor is based on human contribution, creating uncertainty where AI makes a substantial contribution to the invention process. From a Natural Right perspective, recognition should remain connected to identifiable human intellectual contribution; from an incentive perspective, however, the law should also ensure that individuals and enterprises investing in AI-assisted research retain adequate incentives to innovate. The corresponding recommendation is that OAPI should clarify the rules on AI-assisted invention by defining the role of human contribution, inventorship and ownership status of AI systems themselves.

Second, the copyright framework faces uncertainty concerning AI-generated and AI-assisted works and the use of protected works for AI training. Existing copyright principles can address many conventional forms of creation, but they do not expressly resolve all questions arising from generative AI, particularly the threshold of human creativity and the lawful use of copyright materials in training datasets. Utilitarian Theory requires a balance between technological development and the interests of authors, while providing incentives for both creators and AI developers. The corresponding recommendation is that OAPI and its member states should clarify the copyright status of AI-assisted and generated works and establish clearer rules governing the use of copyrighted works for AI training, including appropriate licensing or exceptions where justified.

Third, AI-generated imitation creates new enforcement challenges for IP rights. Generative AI can facilitate the production of confusingly similar signs, synthetic branding, counterfeit representations and deepfakes. The problem is therefore not necessarily the absence of all applicable legal principles, but the absence of sufficiently specific guidance concerning their application to AI-generated conduct. Technological Neutrality Theory supports applying established legal principles according to the function and effects of the conduct rather than merely the technology used. The corresponding recommendation is that OAPI and national enforcement authorities should clarify the application of IP generated imitation, while strengthening mechanisms for identifying and proving digital infringement.

Fourth, the existing framework requires greater technological neutrality and adaptability. AI technology is developing more rapidly than traditional legislative processes, creating a risk that highly technology-specific rules may become obsolete. Technological Neutrality Theory demonstrate the importance of developing rules capable of applying to present and future technologies, while Utilitarian Theory supports regulatory approaches that preserve innovation while minimizing socialand economic harm. The corresponding recommendation is that OAPI and its Member States should adopt technology-neutral principles and periodically review the intellectual-property framework to ensure that it remains capable of addressing emerging AI technologies without requiring constant legislative reconstruction.

Fifth, institutional and enforcement capacity must develop alongside substantive legal reform. Clear substantive rules alone will not adequately address AI-related intellectual property disputes if courts, intellectual property offices and enforcement authorities lack the technical expertise and evidentiary mechanisms required to deal with AI-generated content and AI-assisted innovation. The corresponding recommendation is that the OAPI and national intellectual property authorities should strengthen technical training, develop guidance on AI-related training, develop guidance on AI-related evidence and improve cooperation in investigating and adjudicating AI–related intellectual property disputes.

Taken together, the findings demonstrate that the appropriate response to AI does not necessarily require the creation of an entirely separate intellectual property regime. Rather, the principal challenge is to clarify, adapt and strengthen the existing OAPI framework so that it remains capable of protecting legitimate intellectual contributions while promoting innovation and technological development.

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