

Genesis Mission and New Guidance for AI-Assisted Inventions

The Patent Playbook on **December 1, 2025**

The Federal government is accelerating AI-enabled innovation by launching the [Genesis Mission](#), a sweeping national initiative to accelerate scientific discovery using artificial intelligence. The goal of the Mission is to “build an integrated AI platform to harness Federal scientific datasets...to train scientific foundation models and create AI agents to test new hypotheses, automate research workflows, and accelerate scientific breakthroughs.” Under the leadership of the Assistant to the President for Science and Technology, the Department of Energy will implement the Mission.

The new “American Science and Security Platform” will provide “secure access to appropriate datasets, including proprietary, federally curated, and open scientific data sets” along with “applicable classification, privacy, and intellectual property protections.” The Mission also directs the relevant Federal agencies to “establish clear policies for ownership, licensing, trade-secret protections, and commercialization of intellectual property developed under the Mission, including innovations arising from AI-directed experiments.”

Against this backdrop of AI-accelerated R&D, the U.S. Patent and Trademark Office has issued revised examination [guidance](#) on inventorship for AI-assisted inventions. This new guidance rescinds the USPTO’s February 2024 guidance and clarifies that the “same legal standard for determining inventorship applies to all inventions, regardless of whether AI systems were used in the inventive process. There is no separate or modified standard for AI-assisted inventions.” The guidance describes AI systems as “instruments used by human inventors” – “analogous to laboratory equipment, computer software, research databases, or any other tool that assists in the inventive process.”

While AI “systems, regardless of their sophistication, cannot be named as inventors or joint inventors on a patent application as they are not natural persons”, the guidance emphasizes that whether a natural person is an inventor “turns on the ability of an inventor to describe an invention with particularity. Absent such a description, an inventor cannot objectively prove possession of a complete mental picture of the invention at a later time.” With respect to joint inventorship among natural persons, the guidance stresses that “the fact that AI tools were used in the development process does not change the joint inventorship analysis among the human contributors.”

The Proskauer Intellectual Property Team is continuing to monitor the evolving guidance on artificial intelligence and other emerging technologies. With the launch of the Genesis Mission and the USPTO clarifying the inventorship of AI-assisted inventions, these parallel developments signal a more supportive environment for AI innovators. As part of your innovation process, we recommend consulting with seasoned patent litigation attorneys to discuss how inventorship issues for AI-assisted inventions may impact the validity and enforceability of issued patents. We welcome questions about how these shifts may affect your patent strategy in the AI and broader emerging technology space.

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