

Insights: Publications

Informed Drafting and Prosecution of Software and AI Patents

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Making an informed decision requires a circumstance in which actions have predictable results. For example, suppose that Action A is 90 percent likely to result in Result A and 10 percent likely to result in Result B, while Action B is 100 percent likely to result in Result B. A decision maker can then weigh the cost of Action A, the potential value of Result A, the cost of Action B, and the potential value of Action B to determine which action to take. In some instances, result predictions depend on a set of variables. Knowing these variables increases the degree to which an informed decision can be made. When these variables depend on luck or future events, risk-adverse decision makers will be more likely to avoid costly actions.

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