



AI vs the IP Professional: The New Currency of Credibility

Artificial intelligence (AI) is moving fast—faster than most IP teams' workflows, and often faster than client expectations. Patent landscaping that used to take weeks can now be generated in hours. Freedom-to-operate searches are increasingly augmented by machine learning. Competitive monitoring is always-on. As AI reshapes intellectual property practice, the real competitive advantage is shifting from access to information to credibility, context, and strategic decision-making. This IP Brief explores how IP professionals must evolve to remain trusted advisors in an AI-enabled world.

From the February IP Briefs®, we continue the theme “The future will not belong only to the best inventors; it will belong to the fastest adopters—and to the ecosystems that make that adoption possible.”

From Information Scarcity to Judgement Scarcity

Historically, IP professionals derived value from mastering specialised information systems and navigating legal complexity. Expertise meant knowing where to find information and how to analyse it. AI fundamentally changes this dynamic, but the core question for an IP professional has not changed:

What should we do next—and what will it cost us if we're wrong?

AI can help you find the information. It cannot carry the accountability for what you recommend.

Below are five shifts I'm seeing in real practice—across corporate IP strategy, university technology transfer, licensing negotiations, and AI-driven data collaboration—and what they mean for how we, as IP practitioners, stay credible, valuable, and future-fit.

1. AI is a tool

AI is brilliant at pattern detection and scale. It can cluster patents by technology domain, identify prior art similarities, flag portfolio gaps, and map competitor activity.

Modern tools can summarise patents, analyse landscapes, draft clauses, and identify risk patterns within minutes. Information is no longer scarce — judgement is.

In an AI-driven environment, credibility is defined not by producing answers, but by ensuring those answers can be trusted.

Strategy is not a data output. Strategy is a decision under uncertainty. Early in my career, working at Sasol Limited managing the Sasol Fischer–Tropsch and related patent portfolios, we had enormous volumes of technical and patent information. Even before today's AI tools, we had sophisticated systems to map competitor patents and technology movements. At one point, we were assessing whether to license a technology position in a specific market—or protect it aggressively.

The data suggested several options. The decision turned on questions the data could not answer:

- Which long-term markets matter most?
- What will competitors likely do next?
- Would licensing create future competitors we can't control?

Technology can analyse information. Strategy still requires judgement.

Practical takeaway: Treat AI outputs as *inputs*, not conclusions. The IP professional's role shifts from “finding” to “interpreting,” and from “reporting” to “recommending.”

2. The skill set is expanding

The next generation of IP professionals won't be defined only by doctrinal legal knowledge. That remains essential—but it is no longer sufficient.

What is increasingly required are:

- **Technology fluency:** understanding the underlying tech enough to challenge and contextualise outputs.
- **Data literacy:** knowing what AI tools can and cannot infer; understanding bias, false positives, and confidence levels.
- **Commercial awareness:** business models, value drivers, market timing, deal structures.
- **Executive translation:** converting complex analysis into decisions leaders can act on.

During my tenure as Director of Technology Transfer at Innovus, the Technology Transfer Office of Stellenbosch University, commercialisation decisions in technology transfer the question is rarely centred on “Is it patentable?” The core challenge was determining how innovation should reach the market.

At Innovus, decisions often involve whether university research should be patented, licensed, spun out, or published.

AI can increasingly help analyse:

- patent landscapes,
- potential markets,
- competitor activity.

Each invention required strategic evaluation: licensing to industry, forming research collaborations, or creating a new spin-out company. Finding potential investors and growing the skillset of a researcher into a business person. AI tools can support market analysis and patent intelligence, but they cannot assess organisational readiness, investor confidence, or human motivation. Commercialisation requires answers to questions AI cannot settle:

- Does this solve a real industry problem?
- Is there a company willing and able to adopt it?
- Does the research team have the capacity to build a venture?

AI can analyse markets. It can't tell you whether an innovation will succeed.

Practical takeaway: Build capability in “deal thinking”—how the IP will create value, how it will be adopted, and what structure makes that adoption more likely.

3. Credibility in the age of AI

Professional credibility is evolving along three dimensions: technical fluency, interdisciplinary thinking, and human judgement. Negotiation, ethical reasoning, and strategic foresight remain irreplaceable competencies. Credibility now includes being able to explain AI's limitations—clearly and without defensiveness.

Clients and executives will expect speed because AI can produce analysis quickly; the differentiator becomes the human layer:

- risk framing,
- commercial consequence,
- timing,
- negotiation strategy,
- accountability.

AI outputs often look precise, confident, and complete — but credibility lies in recognising that they are not infallible. IP professionals should make clear the assumptions behind any AI-driven analysis or valuation, distinguish carefully between strong findings and emerging hypotheses, and be transparent about what sits outside the model's view. Non-patent knowledge, trade secrets, regulatory constraints, market behaviour, and litigation realities rarely appear neatly in datasets, yet they often determine real-world outcomes. In an AI-enabled practice, professional trust is built not by presenting certainty, but by demonstrating informed judgement about uncertainty.

Technology may generate insights, but professionals create meaning, alignment, and trust.

Practical takeaway: AI can generate answers. Your credibility comes from knowing which ones to trust — and why.

4. Continuous learning and global professional identity

As tools evolve faster than regulation, professional communities and global networks play an increasingly important role in maintaining standards and shared learning. The future IP professional is defined by adaptability and lifelong learning.

Professional communities and credentials provide:

- shared standards and ethics,
- continuing education,
- cross-border peer networks,
- practical insight into how deals *actually* get done.

This matters especially for South African practitioners working globally: licensing, tax, competition law, exchange control considerations (where applicable), and cross-border enforcement realities can derail otherwise “good” IP strategy.

Ultimately, the differentiator will not be access to better tools, but membership in better networks—professionals who keep learning, benchmark against global standards, and translate complex cross-border realities into practical, enforceable outcomes. In that environment, continuous learning is not optional; it is the foundation of credibility, competitiveness, and durable IP value.

In a world where information is abundant, trust signals become more valuable.

Practical takeaway: Invest in community and learning as a *professional asset*—not a “nice to have.”

5. The enduring role of the IP Professional

Even in an AI-enhanced practice, the enduring value of the IP professional remains profoundly human. Negotiation, persuasion, relationship-building, ethical judgement, and creative deal structuring cannot be automated—particularly when innovation no longer fits traditional legal categories. My experience working within an AI-driven, privacy-preserving data collaboration environment at Omnisient illustrates this shift clearly.

Questions around ownership of AI-generated insights, the structuring of data partnerships, and the licensing of value derived from data rather than conventional IP rights rarely align with existing templates:

- Who owns insights generated by AI models?
- How should data partnerships be structured?
- How do you license data-derived value rather than traditional IP?

AI is not simply accelerating analysis; it is reshaping the very nature of what constitutes an asset and how value is exchanged. In this evolving landscape, the IP professional's role is increasingly to interpret ambiguity, design trust frameworks, and translate technological possibility into commercially workable agreements.

AI may change the tools of IP practice, but it is human judgement that continues to create value. It changes the assets—and raises the stakes.

Practical takeaway: Strengthen your ability to design governance and licensing frameworks for data, models, and insights—where ownership, control, audit, and accountability matter as much as formal IP title. Ask early: who contributes the data, who controls the model, and who captures the commercial value?

In conclusion - AI is a co-pilot, not a decision-maker

AI enhances professional capability but introduces new responsibilities. Verification, contextualisation, and ethical oversight remain human obligations. Professionals must understand both the power and limitations of automated outputs.

The future of IP practice won't be determined by whether AI replaces professionals. It will be determined by whether professionals integrate AI into their work—without surrendering the very things that make our advice valuable: judgement, trust, ethical accountability, and human creativity in structuring deals.

AI will not replace IP professionals—but IP professionals who use AI effectively may replace those who do not.

About the Editor/Author

Dr Madelein M. Kleyn is a South African-based intellectual property strategist, Registered Patent Attorney, and admitted attorney of the High Court of South Africa with international experience in IP strategy, licensing, and technology transfer. She serves as Chief Legal & IP Officer at Omnisient and is CEO of Mad K IP Consulting (Pty) Ltd.

Previously, she was Director of Technology Transfer at Innovus, the Technology Transfer Office of Stellenbosch University, where she led commercialisation strategies including licensing and start-up formation. She is also a Research Associate at Stellenbosch University and a regular speaker and contributor on IP commercialisation, data-driven business models, and competition law in innovation ecosystems.

Dr Kleyn will be a workshop speaker at the **LES International Annual Conference 2026** in Dublin (26–29 April 2026) on “*AI vs. the IP Professional: Adapting Expertise and Credibility in the Age of Change*,” moderated by Anji Miller of LifeArc.