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AI and Patent Eligibility

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- [McRO, Inc. v. Bandai Namco Games America, Inc., et al.](#) (Fed. Cir. Sept. 13, 2016)

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USPTO Patent Eligibility Example 39

A computer-implemented method of training a neural network for facial detection comprising:

- collecting a set of digital facial images from a database;
- applying one or more transformations to each digital facial image including mirroring, rotating, smoothing, or contrast reduction to create a modified set of digital facial images;
- creating a first training set comprising the collected set of digital facial images, the modified set of digital facial images, and a set of digital non-facial images;
- training the neural network in a first stage using the first training set;
- creating a second training set for a second stage of training comprising the first training set and digital non-facial images that are incorrectly detected as facial images after the first stage of training; and
- training the neural network in a second stage using the second training set.



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Stable Diffusion

Stable Diffusion is [the most flexible AI image generator](#). It's entirely [open source](#), and you can even train your own models based on your own dataset to get it to generate exactly the kind of images you want.

<https://zapier.com/blog/how-to-use-stable-diffusion/>

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Stable Diffusion

Use an image as part of the prompt

The *Image* box lets you upload an image to use as part of the prompt. It's incredibly powerful and allows you to control the composition, color, and other details of the image. Once you upload an image, you can set how strongly you want it to impact the generated art. Thirty-five percent is the default and works pretty well, though you can play around with it.

