

# AI and Music

IPKey South-east Asia

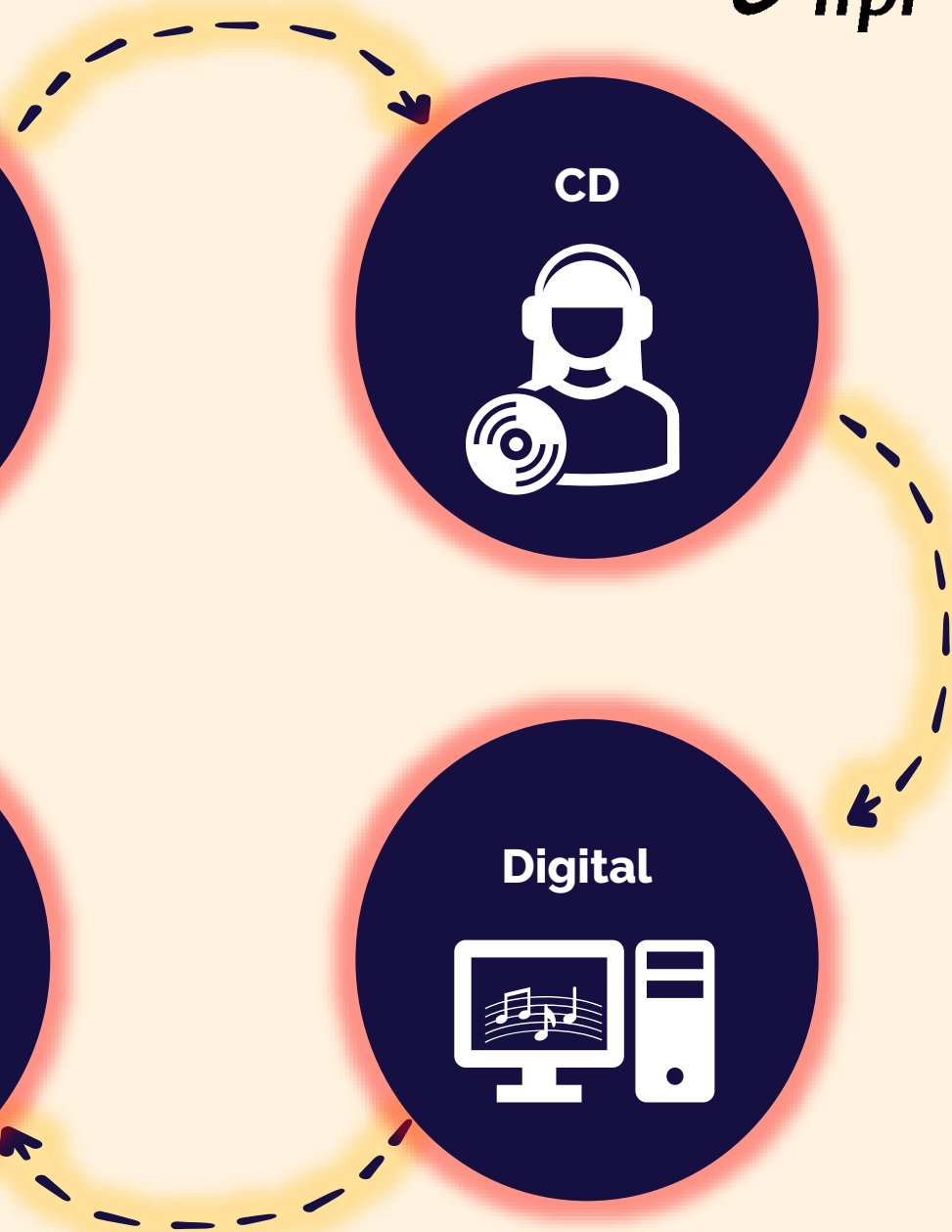
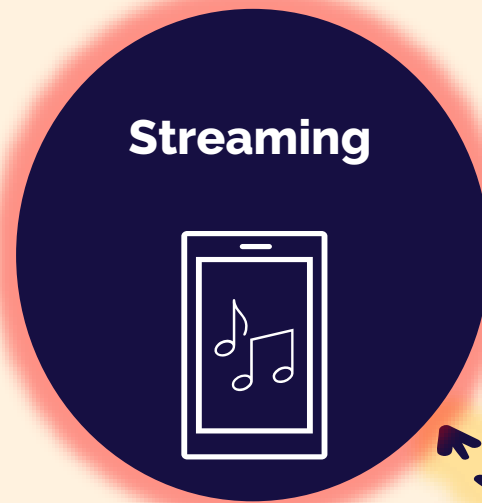
Abbas Lightwala  
Director of Global Legal Policy

July 2024



# Evolution of technology

The **music sector** has gone through many transformations throughout the years.



# Responsible use of AI in the music industry





# AI tools are used across the creative workflow *ifpi*

Composition



Performance



Engineering



Listening



AI can be used beneficially across the whole creative workflow from composition through to consumption.

Artists and rights holders embrace the creative potential when AI is used right.

# The music industry embraces technology – AI is no different



DAACI Home About DAACI News Contact

## It's time to break the sound barrier.

DAACI empowers composers to produce authentic, high-quality original music through its pioneering meta composition interface.

COMPOSERS PRODUCERS

Sleep Focus Relax Technology About Offers

## Endel

Personalized soundscapes to help you focus, relax, and sleep. Backed by neuroscience.

Try Today

Download on the Mac App Store GET IT ON Google Play LISTEN WITH amazon alexa Listen now on Music platforms

WARNER MUSIC GROUP

PRESS RELEASE

## WARNER MUSIC PARTNERS WITH EDITH PIAF'S ESTATE ON GROUNDBREAKING AI TECHNOLOGY

November 14, 2023

THE ORB AND DAVID GILMOUR

## JOIN A GLOBAL REMIX EXPERIENCE

Collaborate with AI & other fans to create unique album art and remix tracks based on *Metallic Spheres in Colour* from The Orb & David Gilmour, with original artwork by Simon Ghahary.

Album art generated may be included in our upcoming music video.

Create Album Cover Art

or

Remix a Track

POWERED BY VERMILLIO AUTHENTICATED AI

UNIVERSAL UNIVERSAL MUSIC GROUP

## YOUTUBE ANNOUNCES AI MUSIC PRINCIPLES AND LAUNCHES YOUTUBE MUSIC AI INCUBATOR WITH ARTISTS, SONGWRITERS AND PRODUCERS FROM UNIVERSAL MUSIC GROUP







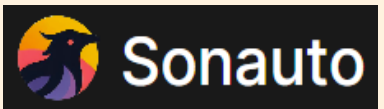









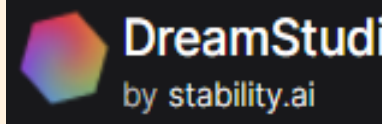



2

# Generative AI



# Types of services - Generative AI

Large Language models	Text-to-audio	Text-to-video	Text-to-image
   	    	   	    

# Unauthorised Generative AI Models

**Getty Images sues AI art generator Stable Diffusion in the US for copyright infringement**

**'Biggest act of copyright theft in history': thousands of Australian books allegedly used to train AI model**

**Booker prize winner Richard Flanagan among authors whose work has potentially been pirated by US-based Books3 dataset to train generative AI**

June 24, 2024 | Press Statements

**Record Companies Bring Landmark Cases for Responsible AI Against Suno and Udio in Boston and New York Federal Courts, Respectively**

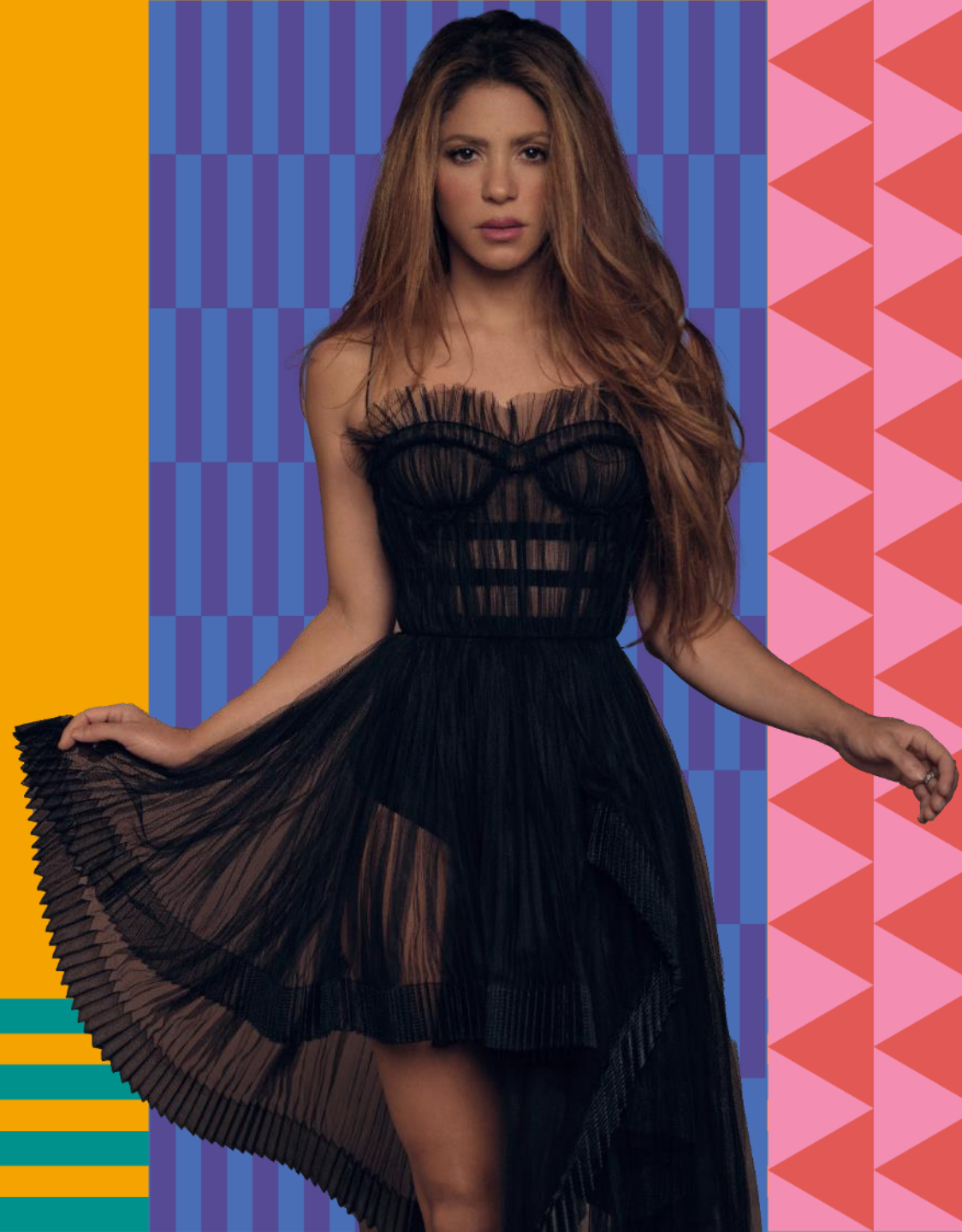
*Copyright Infringement Cases Against AI Music Services Seek to Stop Unlicensed Use of Copyrighted Sound Recordings to "Train" Generative AI Models*





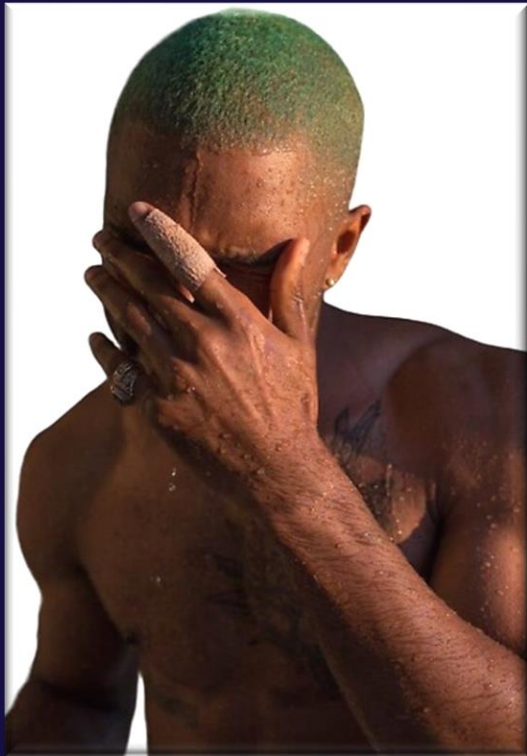
3

# Unauthorised Vocal clones



# Vocal Clones and Deep fakes

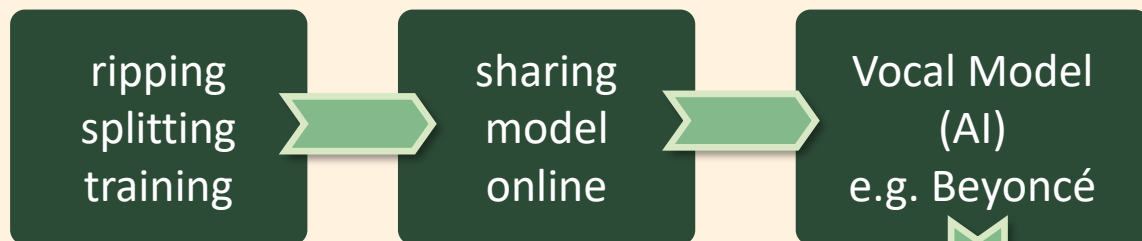
Illicit market for deepfake pre-release content



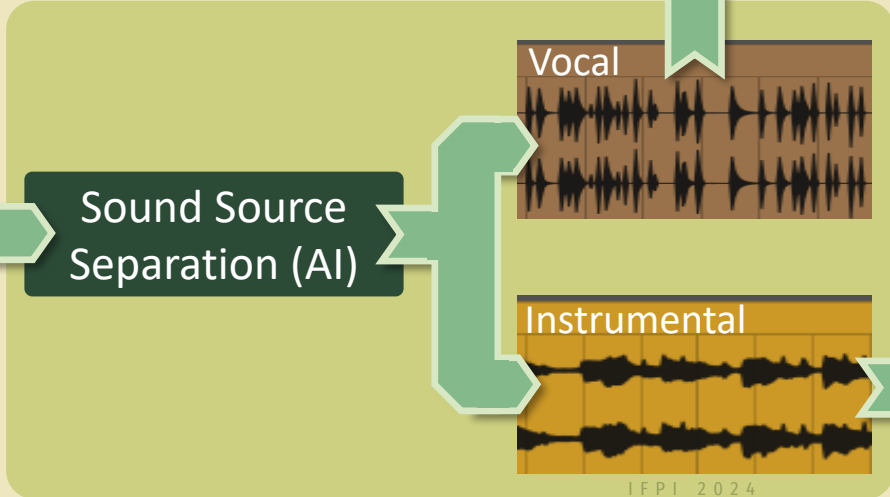
**Scammer Made Thousands Selling 'Leaked' Frank Ocean Tracks That Were Fake, AI-Generated**

**Frank Ocean fans, starved for new music, allegedly paid money for so-called leaked tracks. Turns out they were AI-generated**

# How are vocal models and outputs created?

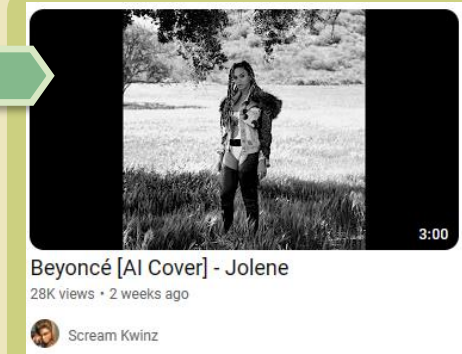


Commercial Recording



Singing Voice Conversion (AI)

Mix



AI Vocal 'Cover' Recording



# Deep fakes- Wider areas of concern

Voicify AI is now Jammable! 🗨️

Home Features ▾ Pricing Contact Login [Sign Up](#)

**AI Donald Trump Model**  
43.8K Uses · 985 Likes · BurntKnight

**AI Alastor Model**  
14.7K Uses · 711 Likes · FrameTime

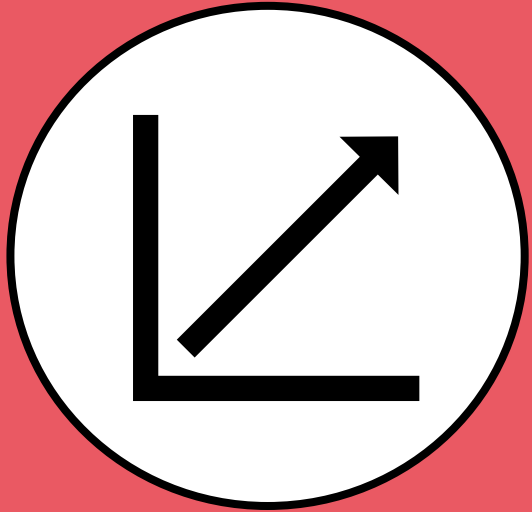
**AI ASMR Woman Model**  
6.6K Uses · 318 Likes · DastardMater

**AI Messi Model**  
1.3K Uses · 278 Likes

**AI Sfera Ebbasta Model**  
6.2K Uses · 230 Likes · CarlotaFallaci

**AI Joe Biden Model**  
13.6K Uses · 200 Likes · BurntKnight

# Enforcement challenges and potential solutions.



**Scale of  
infringing  
activity**



**Acquiring  
evidence**



**Detection of the  
infringements**



**Compliance  
with notices of  
infringement**

04

# IFPI Global Guidelines for Responsible AI





# IFPI Global Guidelines on AI to ensure respect for intellectual property rights



1. **Use of copyright content to develop AI models must not happen without right holder authorisation.** To ensure this, existing copyright norms (including the 3-step test) must be observed. Exceptions to this (e.g. TDM exceptions) must be rejected or truly narrow in scope.
2. **Transparency** - key entities in the AI development and deployment chain must keep and disclose full records on content they have used for training.
3. Protections must be in place to prevent an **artist's voice, image, name and likeness** being used without authorisation.
4. **Content purely generated by AI**, with no human creativity, should not be rewarded with copyright protection. It should also be labelled appropriately.
5. **“Forum shopping” and “AI laundering”** via third countries with inadequate or unclear protections must be prevented.

*In line with the Human Artistry Campaign Principles on AI*

# IFPI's Music Consumer Study 2023



The industry positions are aligned with consumer sentiment:

Two-thirds agreed that music should not be used by AI providers without right holder permission.

Two-thirds agreed that AI should not clone music artists or generate impersonations without permission.

Close to two-thirds believed AI providers should list any music they have used for training.



5

# Global Developments

s





# Need for regulation



EU: Artificial  
Intelligence Act

GPAI model providers who place their model in the EU must:

- Obtain **authorisation** to carry out text and data mining over copyright protected content, where rights have been **reserved**.
- **Keep records** and make available a sufficiently detailed summary of the works used for training.
- Put in place **policies to comply with EU copyright law**, regardless of where they acquired data or trained and developed the models.
- **Label** deepfakes and synthetic AI-generated content.

# Positive Global Developments



**EU:**

**Artificial Intelligence  
Act**



**UK:**

**Proposed TDM  
exception: withdrawn**



**China:**

**Implementing  
Regulations on AI**



**India:**

**Ministry of Commerce  
& Industry View on AI  
& Copyright**

+ Respect for copyright and IP in Multilateral Fora:  
G7, G20, OECD etc

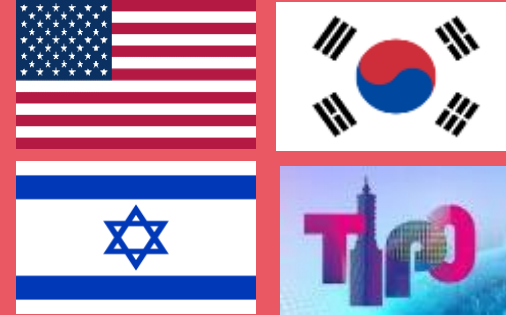
# Countries with broad copyright exceptions?



Broad TDM exception  
in Japan



Broad TDM exception  
in Singapore



Fair use in the US,  
South Korea, Israel &  
Taiwan

See Professor Eleonora Rosati's [2022](#) and [2023](#) Papers on copyright exceptions including in relation to exceptions to AI processes



# AI Case Law Developm ents

A decorative graphic consisting of numerous thin, light blue lines that curve and flow from the bottom left towards the center of the slide, creating a sense of motion and digital connectivity.

- **US** – 20+ copyright cases brought against AI developers, inc *NYT v OpenAI + Universal Music Publishing v Anthropic*
- **UK** – *Getty Images v Stability AI + Thaler* inventorship case
- **China** – four cases including judgments handed down on copyright eligibility of AI generated content and intermediary liability
- **Germany** – photographer sued LAION for copyright infringement.
- **Czech Republic** – protection of AI generated content

# IFPI Global Guidelines on AI to ensure respect for intellectual property rights



1. **Use of copyright content to develop AI models must not happen without right holder authorisation.** To ensure this, existing copyright norms (including the 3-step test) must be observed. Exceptions to this (e.g. TDM exceptions) must be rejected or truly narrow in scope.
2. **Transparency** - key entities in the AI development and deployment chain must keep and disclose full records on content they have used for training.
3. Protections must be in place to prevent an **artist's voice, image, name and likeness** being used without authorisation.
4. **Content purely generated by AI**, with no human creativity, should not be rewarded with copyright protection. It should also be labelled appropriately.
5. **“Forum shopping” and “AI laundering”** via third countries with inadequate or unclear protections must be prevented.

*In line with the Human Artistry Campaign Principles on AI*



**THANK  
YOU!**

**Abbas.Lightwalla@ifpi.org**