

Committee: United Nations Educational, Scientific and Cultural Organization

Issue: Ensuring Fair Compensation and Rights Protection for Creators in the Age of AI

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Introduction

A big change happened when machine learning and later generative AI were developed. Before generative AI, automation was already replacing repetitive work in manufacturing, customer service, and administrative jobs. But most people still believed creativity was something only humans could do. Generative AI changed that. AI can now write stories, create artwork, compose music, and make videos, which raised concerns regarding job loss, compensation, and the integrity of human creators.

AI does bring benefits to the creative industry by making things faster and giving more people access to creative tools. But it also created major issues about copyright, credit, and fair payment. Many creators say their works were used to train AI without their permission, and they worry AI-made content will reduce chances for human artists.

As the UN agency for education, science, culture, and communication, UNESCO has an important role in making sure technology grows in a way that respects human rights, cultural diversity, and ethics. Thus, Delegates should examine possible solutions for how the world can balance new innovation with protecting creators' rights in the age of AI.

Definition of Key Terms

Artificial Intelligence (AI)

Artificial Intelligence refers to computer systems capable of performing tasks that normally require human intelligence, including learning, reasoning, problem-solving, and content generation.

Generative AI

Generative AI refers to AI systems that can create original content such as text, images, music, videos, and computer code based on patterns learned from large datasets. It is distinct from previous artificial intelligence, as it does not simply predict or classify data but can directly generate new content according to the user's request.

Creators

Creators are individuals who produce original cultural, artistic, literary, musical, audiovisual, or digital works. This includes writers, artists, musicians, filmmakers, performers, and software developers. Delegates must be aware that in this context, "creators" are not limited to video makers on social media platforms.

Copyright

Copyright is a legal framework that grants creators exclusive rights over the use, reproduction, distribution, and publication of their original works.

Moral Rights

Moral rights protect the personal relationship between a creator and their work, ensuring that creators are granted personal connection, honor, and integrity regarding their work. They are distinct from the economic rights in copyright in that it doesn't require creators to have ownership(copyright) of their work but are applicable to anyone who participated in creating the work. For example, an employed artist who does not own copyright in the artwork created as part of their employment nevertheless has moral rights in that artwork, and a musician who has sold his copyright to a record label still has moral rights in his musical compositions.

Moral rights include the Right of Attribution and the Right of Integrity. The Right of Attribution requires that the creator's name is always shown with the work, ensuring that they are recognized and properly named as the creator. The Right of Integrity requires the work to not be treated in ways that could damage the creator's honor and reputation, which means that no one can change the original work without their permission, no one can destroy the work without first asking if they want to take it back, and that no one can show the work in ways that could distort and damage its original meaning.

Training Data

Training data refers to the collections of information, images, text, audio, and other materials used to train AI models.

Levy

A levy is a fee imposed on a product, service, or company, collected specifically to compensate rightsholders for uses of their work that are otherwise difficult to track or license individually.

When blank cassette tapes, CDs, or photocopiers first became widespread, it was nearly impossible to track exactly who copied which song or book, and how many times. Instead of trying to trace each individual case, many countries introduced a small levy on these devices and distributed the collected money to rights holders through collective management organizations using estimated usage rather than exact tracking.

Collective Management Organizations (CMOs)

Collective Management Organizations (CMOs) are mostly non-profit organizations that are professionalized in managing copyright and related rights on behalf of the creator. There are numerous CMOs relevant to the agenda, such as GEMA, the collective management organization for music in Germany, which is actively shaping generative AI regulation and licensing standards, such as filing lawsuits against tech companies like OpenAI and Suno to enforce fair remuneration for AI-generated works.

History

Deep Learning Revolution and The Emergence of Generative AI

AI and creator rights became a bigger problem as AI systems used more and more data. In the early days, AI could only do simple things like sorting or predicting, so it didn't really affect creative jobs. But as machine learning got better, it began to perform increasingly complex tasks, including recognizing images, understanding language, and eventually generating new content.

One significant turning point is when AlexNet won the ImageNet competition in 2012. After the development of machine learning, neural network research experienced stagnation for some time during the 1980s and 1990s but regained momentum with the emergence of AlexNet in 2012, which opened the era of deep learning, machine learning that uses multi-layered networks to learn from vast amounts of data and extract important features, requiring numerous repetitive calculations. This was made possible through the combination of large-scale datasets that counted up to 14 million images and parallel computation using GPUs that allowed running thousands of calculations at the exact same time. It was different from the previous programs in a way that it could automatically learn useful features from raw images instead of relying mainly on features designed by humans, with speed and precision. The reason we can now easily use technologies that recognize photos and videos, like the recommendation system in social media, facial recognition, and such, is precisely because of this event.

Today, the biggest topic in AI is undoubtedly generative AI. OpenAI's ChatGPT, released in November 2022, surprised the world with its ability to engage in natural conversations and generate text like humans using LLMs (Large Language Models). In addition to ChatGPT, various forms of AI have emerged, including image-generating AI such as DALL·E and Midjourney that create pictures, AI that composes music, and AI that makes videos. These technologies directly create new content across various areas, including text, images, speech, and video, greatly changing the way we create. In other words, generative AI is breaking down the boundaries of "creation", one we thought of as a domain unique to humans.

Legal Actions Around Generative AI

Things changed a lot when generative AI tools became popular in the 2020s. Anyone could now make text, images, or music in seconds. This led many creators to take legal action.

In January 2023, the first lawsuit against generative AI for art content was filed by a group of illustrators, Sarah Andersen, Kelly McKernan, and Karla Ortiz. They sued Stability AI, Midjourney, and DeviantArt, arguing that these companies copied billions of their own copyrighted images into AI training sets without their consent. McKernan later told the court that the top search result for their own name had become an AI-generated image made to mimic their style, raising awareness that Generative AI are now able to create artworks that can be genuinely mistaken for an original artist's work. The next month, Getty Images sued Stability AI, claiming the company used over 12 million of its photos to train an AI model called Stable Diffusion. In December 2023, the New York Times sued OpenAI and Microsoft, showing that ChatGPT could reproduce its articles almost word for word. As of September 2026, still ongoing, with the U.S. Department of Justice recently filing a document supporting OpenAI and Microsoft saying that the AI's industry's success is a matter of national security.

The music industry saw similar cases. In June 2024, Universal Music Group, Sony Music, and Warner Music Group sued the AI music platforms Suno and Udio, saying the platforms trained on their music without any license. Some of these cases later turned into licensing deals instead of continuing in court: Universal settled with Udio in October 2025, agreeing to build a licensed AI platform together, and Warner settled with both Udio and Suno the following month. Sony is still suing both companies, with a major court decision expected later in 2026. The fights are not limited to the US but have gone global, as GEMA and Koda, both collective management organizations for music in Germany and Denmark, sued Suno for illegal stream-ripping and unapproved training on music creators.

Governments also began responding during this period. Japan's Cultural Council published guidance on AI and copyright in March 2024, followed by the EU's AI Act taking effect on copyright transparency in

August 2025, the U.S. Copyright Office's report on generative AI training in May 2025, and the UK government's own report in March 2026.

At the same time, international organizations were building broader frameworks. In November 2021, UNESCO adopted the Recommendation on the Ethics of Artificial Intelligence, applying to all 193 member states. It is the first global standard on AI ethics and works as a key guideline for policies and laws, encouraging countries such as Mexico and Nigeria to establish their own framework and policies. WIPO also held several international discussions on this topic, including a major meeting in Geneva in November 2024 focused on copyright and AI training which brought together many countries, companies and rights holders to share the same issue but ultimately not resulting in any treaty or new obligations.

By 2026, UNESCO's own research confirmed how serious the issue had become. Its Re|Shaping Policies for Creativity report projected that music creators could lose up to 24% of their income by 2028, and audiovisual creators up to 21%, if nothing changes.

Key Issues

Unlicensed use of works in AI training

One of the biggest concerns is that many AI developers collect huge amounts of online material to train their models. Critics argue that this often includes copyrighted works used without consent. A representative example is the lawsuit mentioned earlier, against Suno for allegedly stream-ripping during AI training which is an illegal way of converting streaming music to a transferable and downloadable file. Since training datasets are usually very large and not fully transparent, creators often do not know whether their work has been used at all.

This creates a serious imbalance. AI companies benefit from creative works, but the original creators may receive nothing in return. For many artists and writers, this feels like a direct violation of fairness, even when the legal rules are still unclear in some countries.

Attribution and style imitation

A growing concern is that generative AI can now produce content that closely mimics a specific creator's recognizable style, even without directly copying any single work. While style itself is often not protected under existing copyright law, many artists argue that style imitation can still damage their professional identity and reputation. If an AI-generated image or song closely resembles a well-known artist's work,

audiences may mistakenly believe the creator was involved or gave approval, even when they had no role in it and received no compensation.

This issue is closely tied to moral rights. When a creator is not properly credited, or when AI-generated content built in their style circulates without any indication of its origin, it disrupts the personal connection between a creator and their work. Some countries are beginning to address this gap. Japan's copyright guidance, for instance, notes that AI training exceptions no longer apply once a model is deliberately trained to reproduce a specific creator's style, judging that its outputs can be enjoyed the way the original work would be. However, most legal systems still lack a clear standard for when style imitation crosses the line from inspiration into exploitation, leaving many creators without a concrete way to seek recognition or compensation.

Fair compensation

Even when AI companies do start paying creators, the terms are often very unequal. In the music industry, for example, Universal Music Group's 2025 settlement with the AI platform Udio reportedly set royalty rates as low as \$0.002 to \$0.005 per generation, far lower than standard streaming royalties. Most settlements have not made their financial details public, so independent creators have no clear benchmark to negotiate from. These deals have also mostly benefited large rights holders like major record labels, since they were the ones with enough money to sue in the first place. Independent artists whose work was used the same way have had to file separate lawsuits just to be included in the conversation at all.

Cultural diversity and vulnerable creators

Current copyright systems were not built for a world where AI can train on millions of works at once and then produce commercial content on a massive scale. Because of this, the money often goes to large tech companies instead of the creators whose work made these systems possible. This problem hits creators in developing countries and marginalized communities the hardest, since they usually have the least access to legal help needed to negotiate deals or take legal action, unlike major labels and publishers who have already reached settlements with AI companies. UNESCO's 2026 report backs this up, showing that only 67% of people in developed countries have basic digital skills, compared to just 28% in developing countries. This gap directly affects whether creators can even find out if their work was used, let alone ask for payment.

Transparency and accountability

A major problem in this issue is the lack of transparency about what data AI companies actually use and how their models are built. This isn't just a hypothetical worry. In July 2026, the New York Times and other news agencies accused OpenAI of hiding evidence during their lawsuit, claiming the company said for over two years that it couldn't search its training data and chat logs, even though internal testimony suggested otherwise. Without clear rules on transparency, creators, governments, and regulators have to go through lawsuits just to learn basic facts about how a model was built. This process is slow, expensive, and uncertain, and only large organizations like major newspapers or record labels can afford to go through it.

Major Parties Involved and Their Views

State Actors

United States

As home to the world's leading AI companies, the United States has avoided passing a single copyright law on this issue, instead allowing the courts to solve the matter case by case. In June 2025, two federal courts in *Bartz v. Anthropic* and *Kadrey v. Meta* offered a concrete answer regarding AI and creators' rights by stating that training AI on copyrighted books is a transformative fair use, while illegally acquiring those books is not. This came one month after the U.S. Copyright Office released its third and biggest report on AI training, which stated that training AI on copyrighted works may break the law in some cases. However, the report did not ask Congress to make new legislation but rather said AI companies and creators should make voluntary licensing deals.

European Union (EU)

The EU has taken the most binding regulatory approach so far. Under the AI Act, providers of general-purpose AI models are required to publish a "sufficiently detailed summary" of the content used to train their models, with the requirement taking effect in August 2025. Non-compliance can result in fines of up to €15 million or 3% of global annual revenue, whichever is greater. However, the European Parliament has criticized these existing transparency rules as "completely inadequate" because they do not give creators enough information to determine whether their specific works were used in training, and has pushed for stronger disclosure and remuneration requirements.

United Kingdom

The UK initially proposed a "text and data mining exception with opt-out," which would have let AI companies train on copyrighted works by default unless creators actively opted out. This proposal provoked significant backlash from creatives, with only 3% of the more than 10,000 consultation respondents supporting the opt-out proposal. In March 2026, the government confirmed that a broad exception with opt-out is no longer its preferred approach, though it has not yet committed to an alternative, choosing instead to monitor how the U.S. and EU approaches play out.

China

As one of the only countries with an AI industry as large as the United States', China was the first country in the world to pass a law specifically regulating generative AI. China facilitates AI innovation, often treating AI-generated works as fair use and granting copyright to AI outputs that reflect human effort. Instead of making alterations to the copyright law, China focuses on strict administrative control, such as mandating AI watermarks and allowing only legally obtained data sources to be used.

Japan

Japan has taken the most permissive stance among major economies. Article 30-4 of Japan's Copyright Law allows AI developers to use publicly available data for training without the copyright holder's permission, since AI training is classified as a "non-enjoyment purpose." However, Japan-based content creators, particularly in the manga, anime, film, and music industries, have pushed back strongly, arguing that the law does not adequately protect them, and the exception no longer applies if a model is deliberately fine-tuned to imitate a specific creator's style. In response to this pressure, the Japanese government committed in June 2026 to pursue legislative frameworks for AI copyright compensation.

India

India has both a huge AI industry and one of the world's biggest entertainment industries, which highlights the need for bold legal frameworks. In December 2025, its government proposed a system called "One Nation, One License, One Payment." Under this plan, AI companies must pay a certain proportion of a product's income to CRCAT, which stands for Copyright Royalties for Creators from AI Training, which then distributes the funds to creators.

Non-state Actors

UNESCO

UNESCO promotes the ethical development of AI while emphasizing cultural diversity, human rights, and fair access to technological benefits. The organization seeks to establish international norms that support both innovation and creator protection.

World Intellectual Property Organization (WIPO)

WIPO plays a central role in discussions concerning intellectual property rights and AI. It facilitates international dialogue on copyright, licensing systems, and legal frameworks for emerging technologies.

The International Confederation of Societies of Authors and Composers (CISAC)

CISAC represents over 5 million creators through more than 225 member organizations worldwide. It strengthened the role of CMOs in the discussion of AI and creators' rights by directly lobbying EU lawmakers to ensure strict transparency rules and has taken part in conferences at WIPO and UNESCO, as well as national-level consultations on establishing legal frameworks in countries such as the UK, Australia, India, Chile, and South Korea.

Creative Industry Associations and Creator Unions

These groups generally advocate for stronger copyright protections, transparency regarding training data, and compensation mechanisms for creators whose works contribute to AI systems.

AI Companies and Technology Platforms

AI developers often support flexible regulations that encourage innovation and technological progress. Many argue that access to large datasets is necessary for the advancement of AI systems and that overly restrictive regulations may hinder innovation.

Electronic Frontier Foundation (EFF)

EFF is a non-profit group that protects people's digital rights such as free speech and open access to technology online. Unlike creator groups, EFF supports the idea that training AI on copyrighted work should be considered fair use. It argues that expanding copyright will do more harm than good, claiming that once creators are given too much control over AI training, only the wealthiest tech companies will be

able to afford licenses, which ultimately undermines competition and new startup companies. EFF represents a third viewpoint in the ongoing discussion, neither fully on the side of creators nor big AI companies, but focused on keeping technology and learning open to everyone.

Timeline of Relevant Resolutions, Treaties and Events

Date	Description of event
27 September 2019	WIPO held the First Session of the WIPO Conversation on IP and AI in September 2019 to discuss the impact of AI on IP policy, with a view to collectively formulating the questions that policymakers need to ask.
23 November 2021	UNESCO adopted the Recommendation on the Ethics of Artificial Intelligence, which helped to set shared values and principles among countries and establish policy guidelines in various fields including culture and labor.
28 August 2023	UNESCO published the Readiness Assessment Methodology (RAM) to help countries evaluate how ready they are to govern AI ethically, and to direct its support toward each country's specific needs.
13 March 2024	The European Parliament approved the AI Act, which included transparency and copyright-related obligations for some AI systems.
15 March 2024	Japan's Legal Subcommittee under the Copyright Subdivision of the Cultural Council published "Perspectives Regarding AI and Copyright," clarifying that AI training generally falls under Japan's Article 30-4 non-enjoyment exception, but that this exception no longer applies when a model is deliberately fine-tuned to reproduce a specific creator's style.
13 June 2024	The Global Index on Responsible AI (GIRAI) was launched as an independent benchmarking tool to measure and compare countries' progress on responsible AI governance, assessing efforts across governance frameworks, human rights

protections, and national capacities, with a particular focus on including countries often left out of global AI discussions.

9 May 2025

The U.S. Copyright Office released the third and final report in its "Copyright and Artificial Intelligence" series, concluding that certain uses of copyrighted works to train generative AI cannot be defended as fair use, while stopping short of recommending government intervention.

2 August 2025

Transparency and copyright obligations under the EU AI Act for general-purpose AI model providers entered into force, requiring companies to publish a "sufficiently detailed summary" of their training content or face fines of up to €15 million or 3% of global revenue.

18 February 2026

UNESCO published Re|Shaping Policies for Creativity, warning that generative AI could cut creators' global revenue by up to 24% by 2028, and calling for stronger policies to financially protect artists amid the AI-driven digital transformation of creative industries.

18 March 2026

The UK government published its Report on Copyright and Artificial Intelligence, confirming that its previously preferred proposal — a text and data mining exception with rightsholder opt-out — was no longer its preferred approach, following significant backlash from creators.

Evaluation of Previous Attempts to Resolve the Issue

Several attempts have already been made to address this issue, but each one has clear limits.

UNESCO's 2021 Recommendation on the Ethics of Artificial Intelligence was an important first step because it created a shared set of ethical principles across all 193 member states. However, it is not legally binding, so it cannot force any country to actually follow it. Its impact depends entirely on whether individual governments choose to turn these principles into real laws.

WIPO's international discussions have also been useful for bringing governments, companies, and creators into the same conversation. But these talks have not produced any binding global agreement so far. They mostly help clarify the problem rather than solve it.

At the national level, responses have been inconsistent and sometimes contradictory. Japan's approach is the most permissive, allowing AI training on copyrighted works by default, which favors AI companies but has drawn strong criticism from creators. The EU has gone the furthest with binding transparency rules, but even its own Parliament has called these rules "completely inadequate" for helping individual creators find out if their specific work was used. The U.S. Copyright Office has offered detailed legal analysis but has avoided recommending any new legislation, leaving the issue to be fought out case by case in court. The UK spent over a year considering a licensing exception before backing away from it entirely in 2026, meaning it currently has no clear policy at all.

The private settlements between major AI companies and record labels show a similar pattern. While deals like the Udio-Universal settlement created a working payment model for the first time, they have so far only benefited the largest rightsholders with the resources to sue. Independent creators, who make up the majority of the industry, have been left to pursue their own separate lawsuits, often with far less bargaining power.

Taken together, these attempts show real progress in raising awareness and starting a few working examples of compensation. But none of them has created a system that is both binding and fair to smaller, independent creators. The core problem, that most protections still depend on money and legal resources that most creators don't have, remains largely unsolved.

Possible Solutions

Mandatory, work-level training data disclosure

Most current transparency rules, such as those under the EU AI Act, only require companies to disclose broad categories of training data rather than specific works. As a result, a creator has no way to confirm

whether their own work was actually used. A stronger standard would allow creators to search for their specific work directly, rather than relying on general summaries that appear sufficient in principle but offer little practical value to individual creators.

A global, standardized "do-not-train" registry

Currently existing opt-out tools such as robots.txt are limited because it is not mandatory and therefore easily disregarded. A more effective solution would be an internationally recognized registry where creators can formally mark their work as excluded from AI training, similar to how the Do Not Call Registry protects consumers from unwanted telemarketing calls. AI companies would be required to check this registry before training, with cross-border enforcement supported through mutual agreements between countries.

An AI training levy

Since it is currently very difficult to determine exactly which specific works were used to train a given AI model, a levy could instead be applied to AI companies based on broader, measurable factors, such as the volume of data used in training or the revenue their models generate. This money would be pooled into a shared fund, which collective management organizations could then distribute to creators using estimation methods, such as identifying which genres, styles, or categories of work were most likely included in training.

Most of what currently exists, whether from UNESCO, WIPO, or individual governments, remains vague and difficult to put into practice. Thus, it is important for delegates to focus on not just repeating these ideas but turning them into specific, practical solutions that countries can actually implement, and to do so should consider the broader implications for the international order, while taking into account the perspectives and concerns of different countries. Please note that the examples provided in this guide are intended only as examples of possible approaches and should not be regarded as recommendations. Delegates are encouraged to conduct their own research and discussion and draft their own resolutions based on their country's interests and the needs of the international community.

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