

AI & Copyright Licensing

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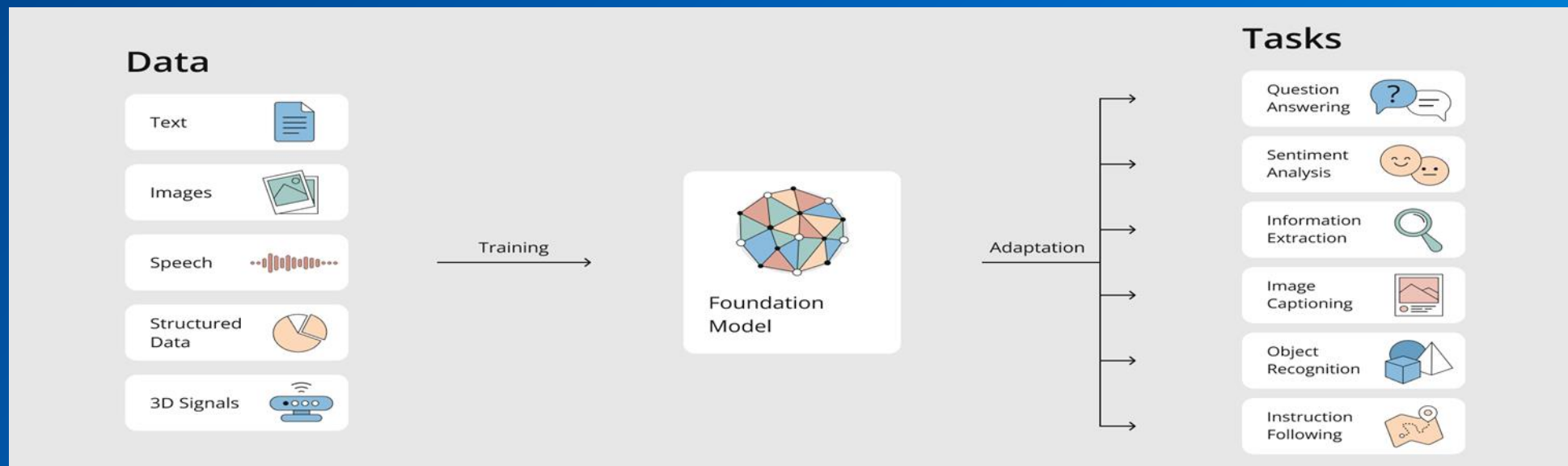
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The Learned Machine: Learning to License to Learn

- **What's at stake:**
- **Exceptions** lacking clear contours are harmful and:
 - undermine a market for offering quality inputs
 - increase uncertainty for investment in copyright content
 - waste valuable resources in time-consuming litigation
- **Licensing:**
 - assures integrity of quality inputs
 - avoids opaque, tampered or compromised content
 - provides a licensing approach to ensure provenance

Categories of AI Machines – No Settled Nomenclature Yet

- Generative vs Discriminative vs General Adversarial Network
- General Purpose AI (“GPAI”) vs Artificial Narrow Intelligence
- Supervised vs Unsupervised vs Semi-supervised
- Well-labelled vs Weak-labelled vs Un-labelled
- Unsupervised vs Reinforced Learning
- Foundation Models



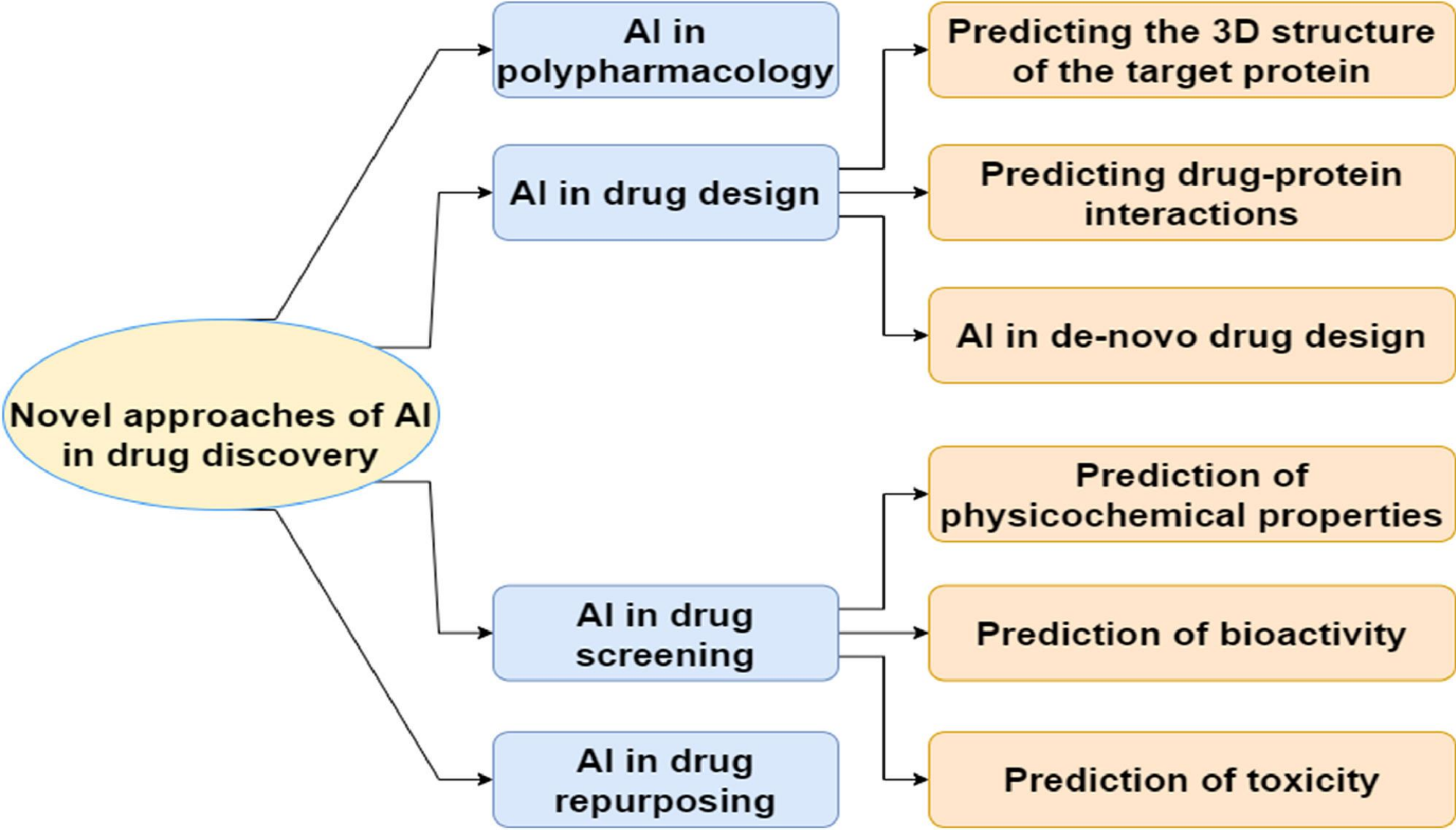
Examples of copyright licensing and AI

Educational publishing and Visual Art/Photo Libraries

- Ownership/licensing-in of AI; use proprietary content
- evaluate taking legal recourse against unauthorised use
- License to train e.g. Large Language Models (LLMs)
- Visual: Ongoing Stability AI lawsuits, AI image and video for marketing libraries abound, yet licensing remains difficult in spite of AI able to identify/geolocate

Legal, Medical and Scientific Publishing:

- Pharma and research-intensive sectors have exponential demand for AI-related innovation and, thus labelled inputs
- Wide application to provide assistive «narrow intelligence» tools
Editing tools, summarisation tools, discovery tools
- Blanket licensing for TDM for research organisations (non-commercial uses)
- Policies on AI-assisted manuscripts and images



Examples of copyright licensing and AI

Newspapers and Media licensing in AI space

- Media monitoring licensing
- Summarisation licensing
- Search engine newspaper publishers' related-right / competition law approach (Australia/South Africa)
- OpenAI, Google, and Microsoft hold talks with notable publishers such as News Corp, The New York Times, Axel Springer, the Financial Times, and The Guardian
- Reported: 5/20 million annual flat licenses or quantitative “streaming-like” more complex models

Source: <https://www.artisana.ai/articles/ai-and-media-titans-quietly-hash-out-future-of-content-licensing>

Examples of copyright licensing and AI

AV & Game Sector:



- Example AI “de-aged” De Niro in “The Irishman”

Source: <https://www.cgw.com/Publications/CGW/2021/April-May-June-2021/Machine-Learning-Transforming-the-Film-and-TV-In.aspx>

Examples of copyright licensing and AI

AV & Game Sector (contd.):

Animation



ACE for Games

NVIDIA ACE for Games is a foundry for intelligent in-game characters powered by generative AI.

[Learn more about ACE >](#)



Blast

Blast is a destruction library developed to replace the APEX Destruction module.

[Learn more about NVIDIA Blast>](#)

[Access NVIDIA Blast Github Repo>](#)



DLSS

NVIDIA DLSS is a neural graphics technology that multiplies performance using AI.

[Learn more about DLSS >](#)

[Download SDK >](#)



Direct Illumination

NVIDIA RTX™ Direct Illumination (RTXDI) automatically renders millions of realistic dynamic lights and shadows.

[Learn more about RTXDI >](#)

Examples of copyright licensing and AI

Music Sector:

- Use of 20,000 hours of licensed tracks to train **MusicGen** (10,000 “high-quality” tracks & 390,000 instrument-only tracks)
- AIVA: service of AI-musical score composition and video game score composition mainly using classical music
«*the Artificial Intelligence composing emotional soundtrack music*»
- Universal Music and Endel, a “wellness/ sleep enhancing group” announced AI-music deal

Source: <https://www.universalmusic.com/edel-and-universal-music-group-to-create-ai-powered-artist-driven-functional-music-designed-to-support-listener-wellness/>

Teething problems of licensing GP/Generative AI

- Limited information publicly available on Foundations/GP licensing → transparency of AI Act may help.
- Potential reluctance of AI providers to seek licenses for fear of costs/loss of freedom to operate.
- Anecdotal hesitation to license General Purpose AI due to wide scope of application which entails a difficulty in defining correct value/price for inputs and also a difficulty in controlling downstream re-use
→ see also EULA conditions of Shutterstock, Nvidia, AIVA, etc.

Final remark on licensing of GP/Generative AI

AI Benefits

Performance

Productivity

AI Risks

Computing Cost

Trust, i.e.: hallucination/consent/explainability
Cybersecurity & need for education “how to” use

- Copyright licensing may mitigate risks: fewer “hallucinations”, more “consent”, improved “explainability” of outputs
- Licensing costs of “tuning” and “prompting” for semi-supervised down-stream applications of foundation models could be democratised

“Politics is the art of the possible, creativity is the art of the impossible.”

Ben Okri

in: A way of being free,
published by Phoenix, UK

“Advocacy is the art of expanding both”

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THANK YOU!

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