

AI and the Creative Industries

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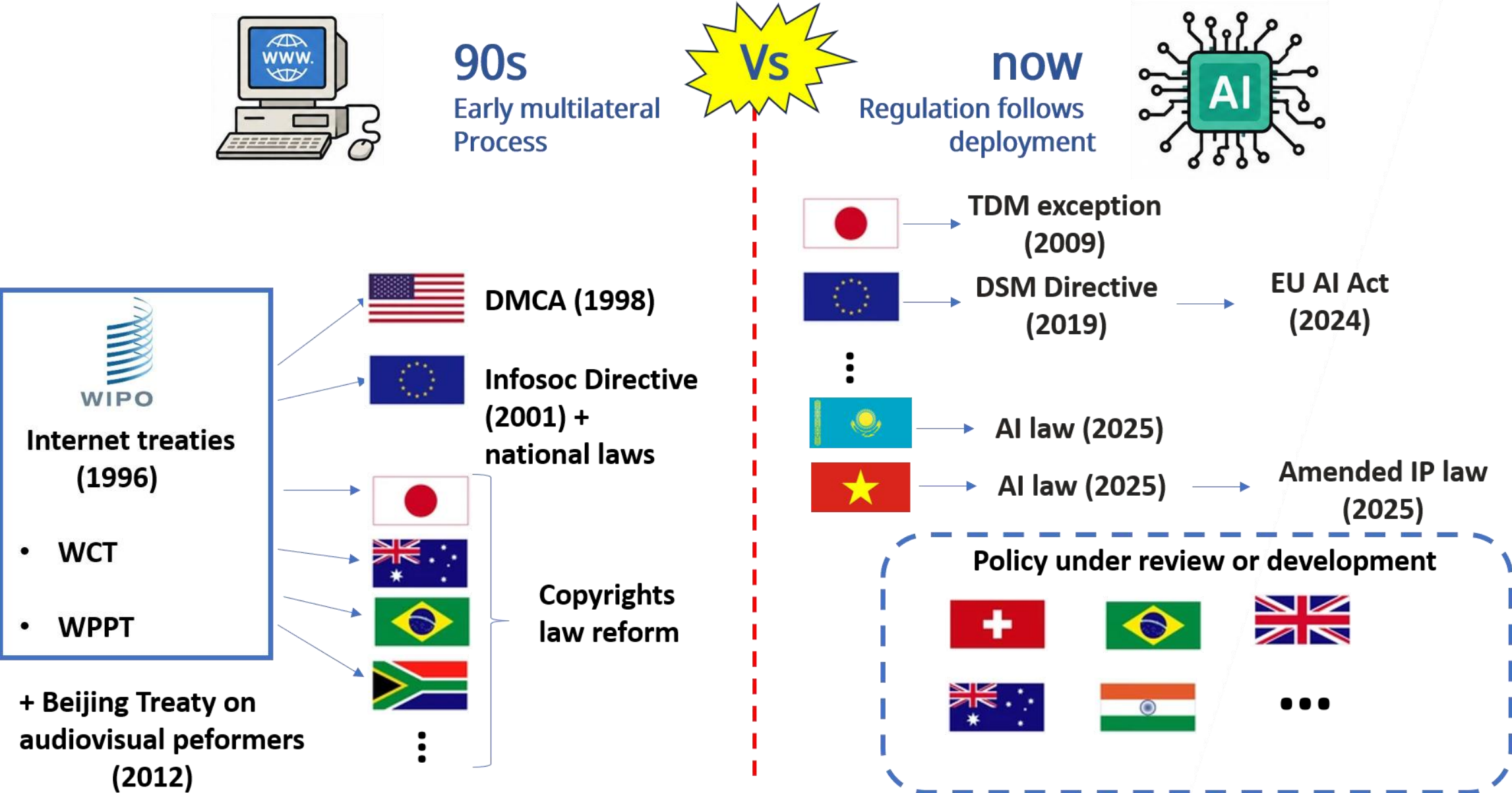


Challenges for Performers' Rights

- AI and performers' rights:
 - The question of the protection of Human Likeness and Voice
 - Recent case laws and market developments
- Impact of streaming platforms
 - Rights management
 - Remuneration



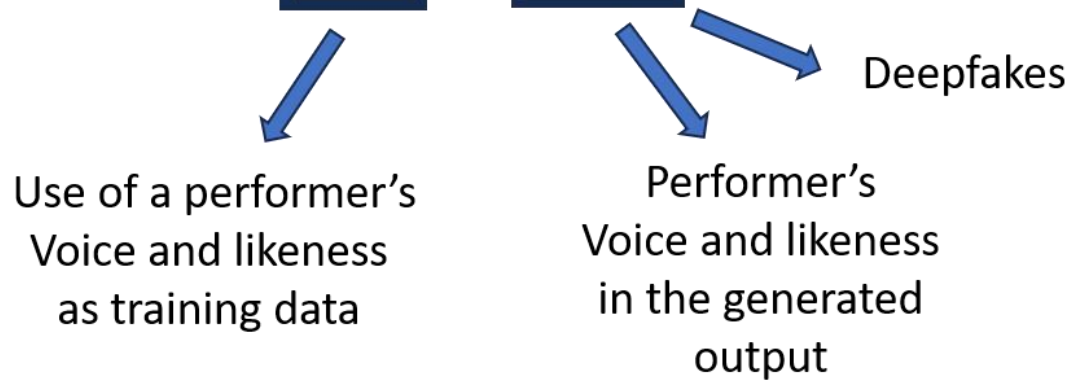
Internet Vs AI: contrasted regulatory developments



AI and performers' rights (1/2):

Questions regarding the protection of Likeness and voice

- Questions regarding both **input** and **output** of generative AI systems



“Fake Drake”

In 2023, AI generated title “**Heart on my sleeve**” imitating voices of Drake and the Weeknd racked up 600,000 streams on Spotify, 275,000 views on YouTube, and 15 million views on TikTok before removal

- Examples of different regulatory developments and protection strategies by performers

Legal development within copyright Law



On 26 June 2025, Denmark unveiled a legislative amendment to its Copyright Act granting every individual rights over their body, facial features and voice.

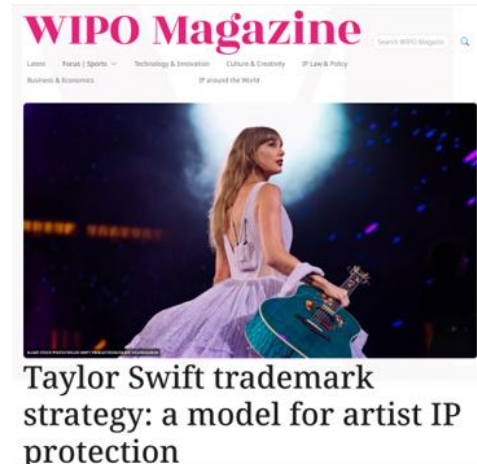
Legal development outside copyright Law



The Nurture Originals, Foster Art, and Keep Entertainment Safe Act (NO FAKES Act) has been introduced in successive Congresses. If adopted, it would create a federal intellectual property right in an individual's voice and visual likeness as embodied in a digital replica.

Use of the trademark system to protect one's voice and likeness

In 2026, Taylor Swift filed trademarks applications with the US Patent and Trademark Office for her sound marks and image



AI and performers' rights (2/2): Case laws and market developments

- **Litigations are happening. Examples from Asia:**



Asha Bhosle (singer and actress)

In 2025, the Bombay High Court granted **interim protection**, recognizing **personality rights** as distinct from copyright



Shruti Haasan (actress)

In 2026, secured interim protection from the Bombay High Court against AI-generated deepfakes, manipulated videos and unauthorised use of her identity.



Kenjiro Tsuda vs TikTok operator (Tokyo district, filed nov 2025)

Voice actor sued TikTok to remove anonymous TikTok account that posted at least 188 videos (July 2024–Sept 2025) using AI-generated narration that closely mimicked Tsuda's distinctive voice

- **Licensing agreements are happening too. Some examples:**



Elevenlabs, Merlin & Kobalt (May 2025)

Enabled Eleven Music to train a music AI generative "Pro" model on music from Merlin and Kobalt artists and writers who opt in



Universal Music Group and Udio (October 2025)



Warner Music Group & Stability AI (November 2025)



Warner Music Group & Udio (November 2025)



STIM, Songfox & Sureel (September 2025)

First deal concluded by a music CMO. Enabled training of Songfox AI voice technology on STIM's artists opting in.

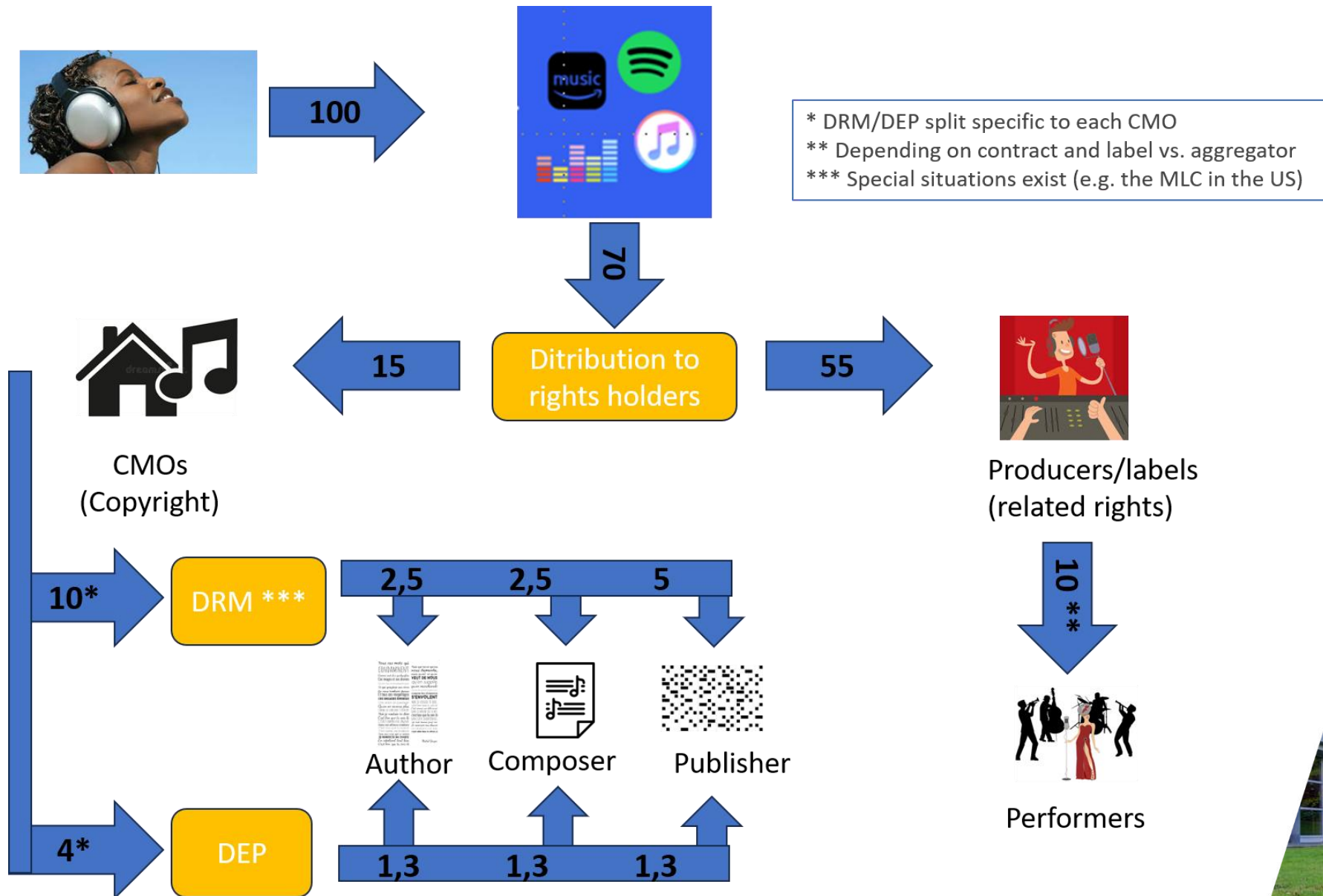


TikTok influencer **Khaby Lame** sold his company to Rich Sparkle, a publicly traded holding company based in Hong Kong, and allowed to develop a digital replica of himself for an alleged **975 M USD, in February 2026.**

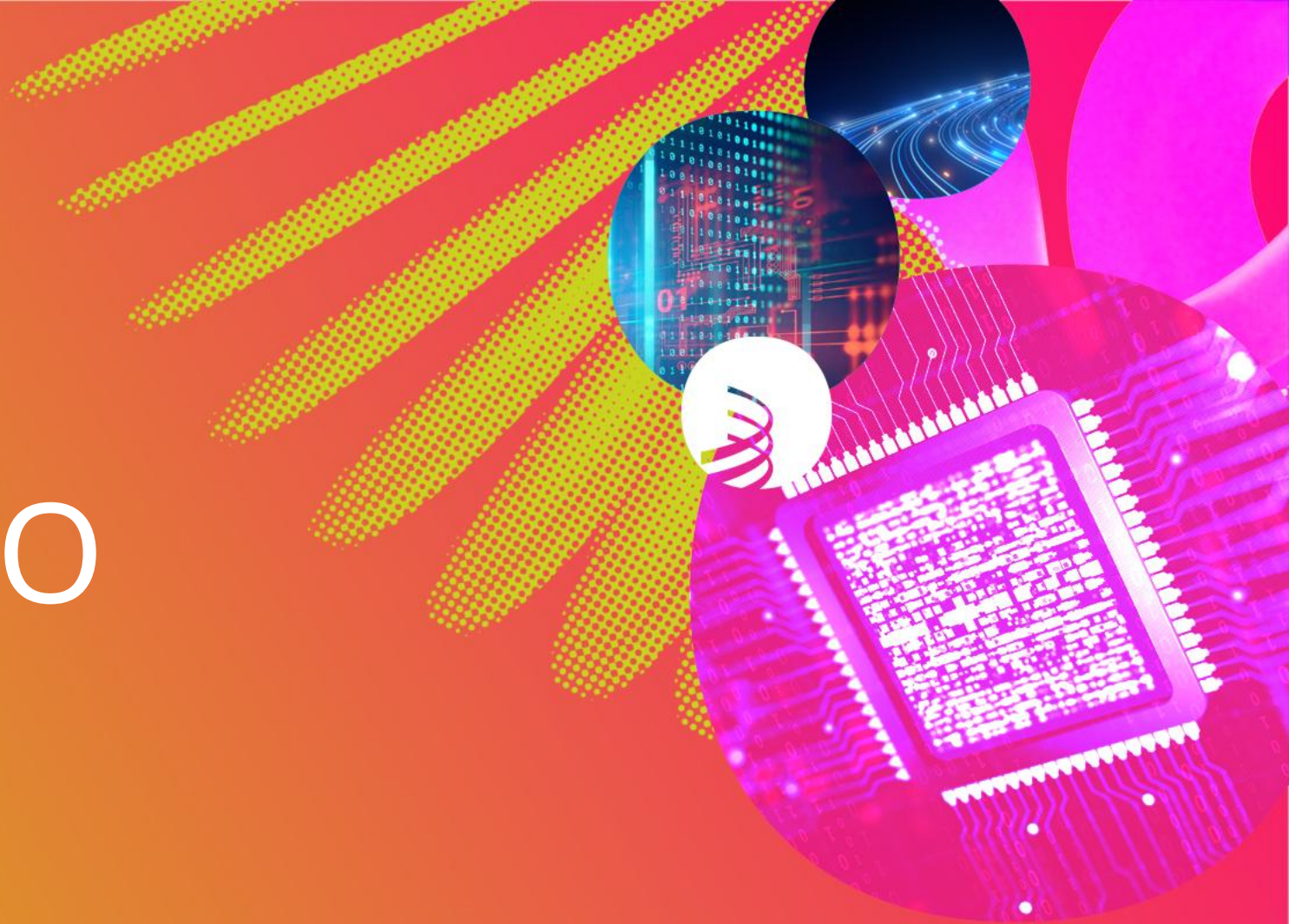
Impact of streaming platforms on rights management (1/2)

- Streaming requires clearing multiple rights simultaneously (mechanical, performance, synchronization) across jurisdictions,
- Territorial licensing model or global accessibility?
- Increased need for comprehensive metadata to track ownership and splits accurately

Impact of streaming platforms on rights management (2/2)



AI at WIPO



WIPO

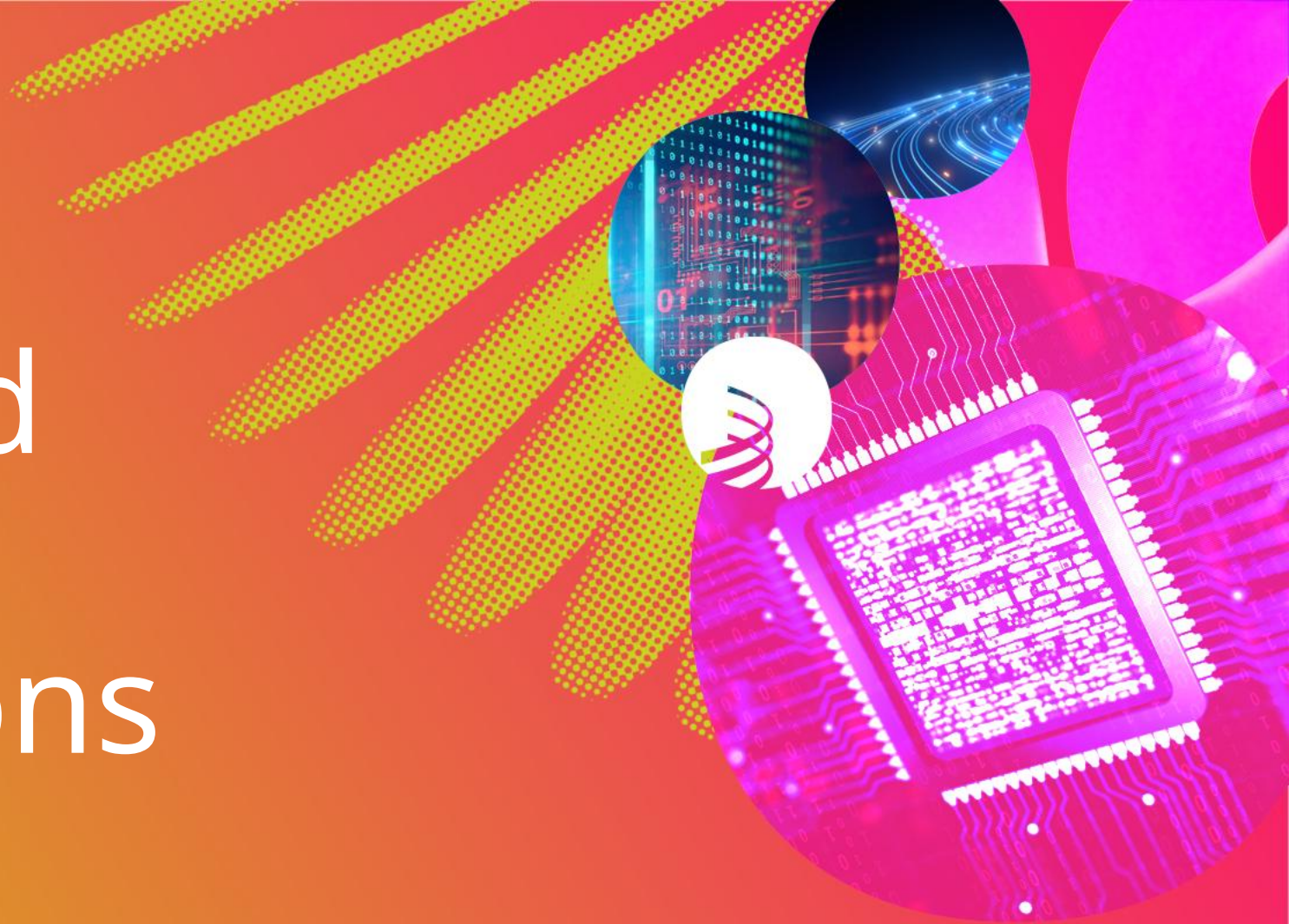
AI at WIPO: The 4 Wheels of a Car

- AI initiatives at WIPO can be categorized into **4 distinct areas** (often described by our DG as the 4 wheels of a car)
 - Convening **Policy** Discussions around AI
 - **Technical Knowledge** Discovery and Sharing
 - Building AI **Tools** (internally and for Member States)
 - Capacity Building & **Education**

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- I will highlight two of the more relevant areas

AI-related Policy Discussions



WIPO

The Policy Side of AI

- Member states continue to evaluate and make policy choices based on their national or regional processes
- No existing or emerging consensus on these policy approaches
- WIPO continues to foster important information sharing on these topics through...

Global Forum on IP & AI

- *New forum, adapted from WIPO Conversations on IP*
- *Will address:*
 - AI-related legal and policy issues, and
 - their broader impact on IP, innovation and creativity
- *Beyond legislative developments, it will provide insights on core questions around*
 - **inventorship and authorship**
 - **AI inputs and outputs**
- *November 9 & 10, 2026*
- *Online attendance is fully open*

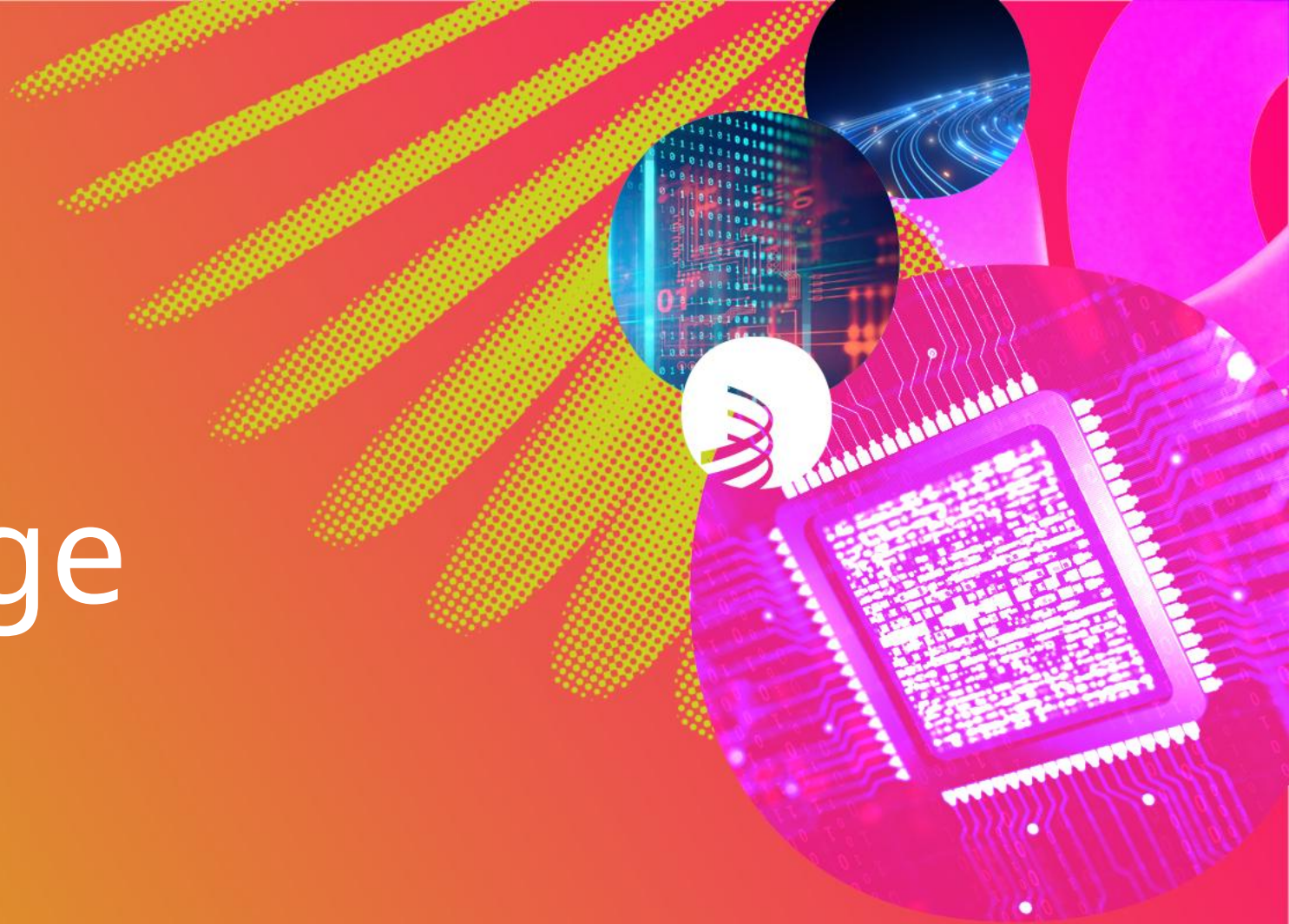




SCCR: AI Info Sessions

- *The Standing Committee of Copyright and Related Rights (SCCR) has hosted dedicated informational sessions on AI*
- *Topics have included:*
 - Attribution technologies
 - Licensing for AI development
 - Cultural representation in AI models
 - Sovereign data
 - Legal definitions of a recording or a song in the context of AI-generated or AI-assisted works

Technical Knowledge Building



WIPO

The Artificial Intelligence Infrastructure Interchange (AII)



- A WIPO initiative that facilitates global dialogue on the **technical** and **operational** aspects of the intellectual property system in the context of artificial intelligence.
- Focused on the challenges and opportunities at the intersection of AI and IP
- Convenes an expert working group to undertake the work

Technical Exchange Network (TEN)



- A global collection of technical experts from across sectors — **including creators** — undertaking the expert-level discussions of the AI
- The work has evolved into Focus Group areas:
 - **Common Lexicon:** Building a collection of technology-related terms
 - **Metadata Framing:** conveying the importance of metadata
 - **AI-Generated Content Taxonomy:** a framework for determining level of human input in an AI-assisted work
 - **Industry Workflows:** identifying content lifecycles and where AI has impact

TEN Membership



127 members
from

36 countries

As of Sept 8, 2026

An Emerging Area of Focus



- As the TEN has evolved, it has become clearer that our IP infrastructure has largely been built to track a **work**, while AI raises questions about **people**
- This is particularly relevant to **music performers**, as a musical style and personal likeness (image/voice) is something that has thus far had limited protections by the existing IP systems
- New Focus Group forming:
 - the **Personal Characteristics** Focus Group

Opportunity to Engage: AII Annual Meeting

- *November 11, 2026*
- *Held directly after the Global Forum on IP and AI*
- *Will be the first opportunity to see the direct output of the TEN and the individual Focus Groups*
- *Online registration is open to the public*



Thank you.

Feel free to reach out at
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