Artificial Intelligence and Copyright
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The rapid expansion, evolution, and acceptance of artificial intelligence has resulted in questions being raised faster than they are answered. The law, as a general principle, is not a fast-moving entity, nor is it one that readily adapts to new challenges. The quick evolution of artificial intelligence and its uses leaves the law open to interpretation and potential abuse. In the world of artificial intelligence: how does the law distinguish protections for artificial intelligence only created works and human created works, made with the assistance of a computer program?

The United States Copyright Office has reevaluated its current rules in an effort to keep up with the evolution of machine learning tools and artificial intelligence. A recent case decided that artificial intelligence produced images (and by extension other works *could* be protected, but only the ultimate author is a real, living human being.[1] The example in the challenged case revolved around a graphic novel, which featured images made by artificial intelligence. The graphic novel as a whole is eligible for copyright protection, due to the influence of the human author, but the individual images were not because of nature of their creation.[2] This decision provides some guidance, but still leaves the line between human and artificial work blurry. Individual artists, writers, composers, and other creatives have tools are their disposal that suggest edits, lyrics, or any other number of aspects of a given piece of art. If the ultimate marker for copyright protection is the human involvement, at what point is the piece of work secure? Does it require 51% or more human involvement, or does it just require a small touch of humanity? In the context of the work of creative minds, artwork for graphic novels is hardly where the use of artificial intelligence ends. Signers and songwriters often will use tools to help finish lyrics or add different melodies.[3] In this instance would lyrics, melodies, or portions of songs suggest by computer models not be protected, but the portions created by human hands would? The rule, based on the images from the graphic novel, would be that that entire thing is protected, but not the individual parts created by a computer. This does little to help individuals protect creative works and offers confusion instead of clarification.

As predictive, suggestive, and otherwise helpful computer models become mainstream in creative industries, the law is going to have to adapt. The adaption needs to happen quickly, without a clear line and rule to follow artists are left with little protection when using the tools available to elevate their creative pieces.

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[1] Bill Donahue, *Copyright Report Says AI-Assisted Works Can Be Protected – But Only If A Human Was Still In Charge*, Billboard, Mar. 15, 2023, https://www.billboard.com/pro/songs-using-ai-eligible-copyright-registration/.
[2] *Id.*
[3] David Israelitte, *U.S. Copyright Office AI Guidance Sparks More Questions Than Answers for Music*, Billboard, Mar. 23, 2023, https://www.billboard.com/pro/copyright-office-ai-guidance-questions-david-israelite-guest-column/.