

# Artistic Integrity and Copyright Implications of AI Generated Music

Jamie Rigg and Ian Bofinger

February 2024

*The music industry is at a crossroads of the implications of the incorporated use of AI affecting artistic integrity as well as copyright liability. Legal disputes are emerging, raising questions about content ownership and protection. On the commercial front, transparency about AI use is becoming paramount, with artists now taking measures to control the use of their content and unique stylistic timbres and nuances in AI models. Generative artificial intelligence (AI) presents new avenues for opportunities for music production, but also raising critical questions about the future of art and the role of human artists. This paper considers to what extent music creators in the industry should leverage the benefits of AI without compromising their own or other musician's artistic integrity.*

## Copyright and Court Rulings

Loeb & Loeb (2023) note that the Copyright Office and at least one US federal court have already ruled that images, text and video created entirely by AI are not protected by copyright law because copyright requires human authorship, which remains a requirement in copyright law. However, a human author's decision to add artistic elements to an AI-generated work or to arrange multiple images in a particular order can result in protectable content.

This has exacerbated the concerns of performing artists that their works and unique commercial sound are being used to train AI systems. In late 2023, a class action was filed against an AI platform, alleging that its model infringes their copyrighted song lyrics. While there have been previous lawsuits filed against AI platforms by book authors and visual artists, Lane (2023) writes that this is the first legal action targeting AI technology filed by a music publisher. The outcome of this lawsuit will be pivotal to assess where copyright infringement issues are headed.

## AI Voice Replication

As an example, the voice of Rihanna, has also been AI regenerated in a separate viral social media snippet, on which an AI replication of her voice can be heard 'singing' the Beyoncé hit, *Cuff It*. Another song that has drawn current attention is a cover version of Ice Spice's *Munch (Feelin' U)*, on which the vocals are 'performed' by an AI copycat of Drake's voice. As Dalugdug (2023) notes, it is currently being posted and reposted across social media sites including Twitter and TikTok. Drake has since responded to label it as "the final straw".

Universal Music responded to the "fake Drake" viral AI track according to Pymnts (2023) saying the training of generative AI using its artists' music and the availability of infringing content created with generative AI "begs the question as to which side of history all stakeholders in the music ecosystem want to be on: the side of artists, fans and human creative expression, or on the side of deep fakes, fraud and denying artists their due compensation."

Jeffrey Harleston, Universal Music's General Counsel stated in Tencer (2023), that an artist's voice "is often the most valuable part of their livelihood and public persona, and to steal it, no matter the means, is wrong".

The track, *Heart on My Sleeve*, credited to the 'artist' Ghostwriter, has racked up more than 230,000 plays on YouTube, and more than 625,000 plays on Spotify. In addition to AI-replicated vocals of Drake, the track also features AI-replicated vocals of The Weeknd's voice. Ingham (2023) notes that the contentious issue for *heart on my sleeve* has raised is the fact that the audio and video files of the full 2-minute-14-second track have been successfully distributed to multiple music streaming services, including Spotify YouTube and Apple Music.

Coscarelli (2023) reports that while AI derived Rihanna singing a Beyoncé song or AI generated Kanye West doing "Hey There Delilah" may seem like a harmless lark, the arrival of "Heart on My Sleeve" on official streaming services, complete with shrewd online marketing from its anonymous creator, intensified alarms that were already ringing in the music business, where corporations have grown concerned about AI models learning from, and then diluting, their copyrighted material.

### **The debate rages**

So, while the debate rages over the legal and ethical ramifications of the current uses for this technology, what are the consequences for the millions of music creators worldwide who now have ready access to this technology and what are their responsibilities to the integrity of their industry? One thing is certain, the genie is out of the bottle and the industry must find ways to work with this technology.

A songwriter/producer on a laptop, developing content on software that is far more powerful and cheaper, than the all the technology available in the bricks and mortar analogue studios of the past, has at their disposal, a digital library of AI generated voices of most famous artists, current or past.

### **What possibilities does this offer?**

You are now able to write a song, with the help of tools as to harmonic, rhythmic and melodic structure, record the vocals yourself (even if you can't sing very well), upload your vocal file to an app which will convert this to the voice of any artist of your choosing, and correct any pitch and timing discrepancies at the same time.

When considering the artistic ethics and integrity of such a world, (that is already upon us), is there a way all this can be controlled? Regulation of such a global movement already seems realistically unattainable.

Perhaps the delivery services of all this content, i.e. Google, Meta, X, Tik Tok, YouTube, Spotify and the many more, will adopt a code of practice to certify the authenticity and integrity of all products on their platforms. A bit like the food industry's code of organic certification, however one would have to be highly sceptical of this happening any time soon.

And what of the consumer in all of this? No one seems to be outraged at hearing music with an AI generated Taylor Swift, Kanye or Rhianna. Quite the contrary, just another fun thing to amuse Generations X to Alpha.

So once again as has happened so many times in the history of music and mankind's relationship with it, we sail ahead into relatively uncharted waters, lead on by technology of our own creation.

## One big question must be posed at this time

Is popular music getting better, or are we being overwhelmed by the massive amount of vapid content?

Perhaps Aldous Huxley should have the final say as he so accurately predicted in his 1932 book "Brave New World":

*"If the world were perfect and everything was easy, nothing would have any meaning."*

## References

Coscarelli (2023) *An A.I. Hit of Fake 'Drake' and 'The Weeknd' Rattles the Music World* <https://www.nytimes.com/2023/04/19/arts/music/ai-drake-the-weeknd-fake.html>

Dalugdug (2023) *Google and Universal Music Group In Talks Over Licensing Ai 'Deepfakes'* <https://www.musicbusinessworldwide.com/google-and-universal-music-group-in-talks-over-licensing-ai-deepfakes-report/>

Ingham (2023) *This AI Drake Rip-Off Already Has 250,000 Plays on Spotify. How Will the Music Industry Respond?* <https://www.musicbusinessworldwide.com/this-drake-ai-rip-off-already-has-250000-plays-on-spotify-is-it-a-ticking-time-bomb-for-music-rightsholders/>

Lane (2023) *An AI-generated Rihanna cover of Beyoncé's 'Cuff It' is going viral, and it could open up a new legal nightmare for the music industry* <https://www.businessinsider.com/rihanna-ai-cuff-it-cover-legal-nightmare-music-industry-2023-4>

Loeb & Loeb (2023) *Copyright Protection In AI-Generated Works Update: Decision in Thaler V. Perlmutter* <https://www.authorsalliance.org/2023/08/24/copyright-protection-in-ai-generated-works-update-decision-in-thaler-v-perlmutter/>

Pymnts (2023) *Google and Universal Music in Talks for AI-Generated Songs Licensing Agreement* <https://www.pymnts.com/news/artificial-intelligence/2023/google-universal-music-ai-generated-songs-licensing-agreement/#:~:text=Jeffrey%20Harleston%2C%20Universal%20Music%27s%20general,the%20means%2C%20is%20wrong.>

Tencer (2023) *Universal Music Group calls on US Congress to Pass New Rules* <https://www.musicbusinessworldwide.com/universal-music-group-calls-on-us-congress-to-pass-new-rules-regulating-ai/>

Huxley, A., 2010. *Brave New World*, London: Vintage.

## About the Authors

**Adjunct Professor Jamie Rigg** is a Fellow of the *UBSS Centre for Entrepreneurship* and a Member of *Musicum20* - <https://www.musicum20.com/adjunct-professor-jamie-rigg>

**Professor Ian Bofinger** is a Fellow of the Centre for Scholarship and Research and co-founder of *Musicum20* - <https://www.musicum20.com/professor-ian-bofinger>