


# ARTIFICIAL INTELLIGENCE IN THE ARTS INDUSTRY

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- Question everything.
  - Question your questions.
  - Acknowledge your biases, assumptions and motives.
    - Question again.



# ENTREPRENEURIAL SKILLS

- Self Reflection
- Critical Thinking Skills
- Research and Observation
- Opportunity Assessment

# ARTIFICIAL INTELLIGENCE IN IS NOT NEW



- Began in 1957 with *Iliac Suite* - an AI system that could create a musical composition based on constraints such as pitch, time signature, etc.
- AI algorithms that help “get your work out there”.
- Curation of content
- Music Creation AI's

# WHY IS IT A CONVERSATION NOW?

## Generative AI – Foundation Model

- Trained on a massive amount of data so can be used for any number of tasks.
- More specific elements can be introduced via “prompt engineering” or “tuning” resulting in more specific output
- Less time intensive

## “Library” Model


- Trained on more specific data sets which limits output to more specific tasks.
- More time intensive



# OPEN SOURCE VERSUS CLOSED SOURCE (PROPRIETARY)

Access  
Licensing  
Cost

- The public can access, use and modify with open source.

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- Stability AI
  - Open AI
  - ChatGPT
    - SORA
    - DALL-E
  - AIVA – AI music generator
  - AI Lyrics generator

# BENEFITS

- Breaks down barriers to knowledge and learning
- Efficiency and cost savings for artists
- Access to “royalty free” music (synthetic data)
- Expands possibilities for sound creation





- Expedites or eliminates time consuming “mundane” musical tasks
- AI as inspiration – help to overcome writer’s block, etc.
- Can help artists identify potential consumers and curate/create artistic content accordingly



# RISKS AND CHALLENGES

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- The nature of *CREATION* in the arts....
  - The nature of *COMMITMENT* in the arts...

# PONDER MOMENT #1

- What is art?
- Who creates art?
- What is the difference between “creator” versus “tool”.
- What role does *commitment* play?





# CONFLICTING VIEWS?

- “Media will be the first to be disrupted here, because creation is hard, and now it is easy”. – Emad Mostaque
- “The technology seems to offer the tantalizing possibility that we can skip all the work—of art-making, writing, or making any number of difficult or contentious decisions—and go straight to the results”. – Dan McQuillan, Author of the book *Resisting AI*





- Trustworthiness and Transparency:

- Generative AI (foundation model) - the amount of data being used is massive – difficult to source.
- *IBM states that there is an issue with trustworthiness because “We don’t know what the exact data sets are that are being “pulled” from.”*
- Issues of bias and representation

# Protection of Intellectual Property

- Right of Publicity  
*and*  
Name and Likeness (*artist reputation*)
- Copyright



- Generating content using copyright protected intellectual property without permission

Example:

- “Heart on My Sleeve” by .... Drake and The WEEKND...

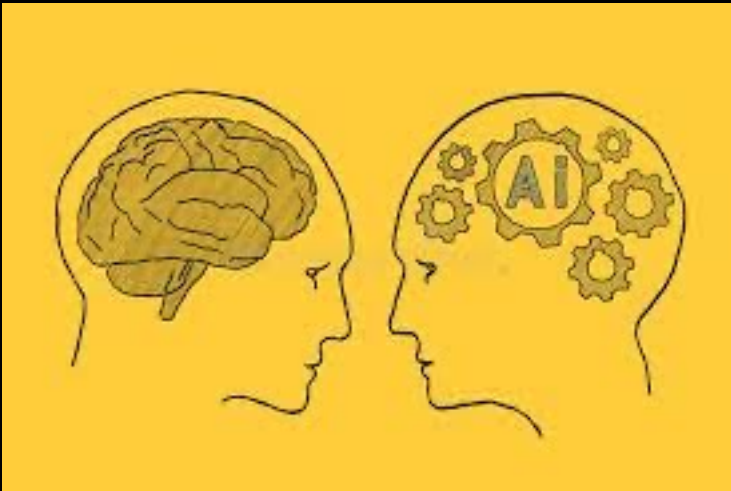
NOPE!



- Universal Group Responds in interview with NPR:

"The training of generative AI using our artists' music (which represents both a breach of our agreements and a violation of copyright law) as well as the availability of infringing content created with generative AI on DSPs [Demand Side Platforms], 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."

*Harvard Law Professor, Louis Tompros, poses two main questions...*



- 1.) Who, if anyone, owns the copyright to material that is in whole or in part generated by artificial intelligence?
- 2.) What rights do human copyright owners have when AI creates something?

Reed, Rachel, "AI created a song mimicking the work of Drake and The Weeknd. What does that mean for copyright law?" *Harvard Law Today*, May 2, 2023, [hls.harvard.edu/today/ai-created-a-song-mimicking-the-work-of-drake-and-the-weeknd-what-does-that-mean-for-copyright-law/#:~:text=Instead%20the%20tune%20had%20been,%20lyrics%20and%20musical%20styles](https://hls.harvard.edu/today/ai-created-a-song-mimicking-the-work-of-drake-and-the-weeknd-what-does-that-mean-for-copyright-law/#:~:text=Instead%20the%20tune%20had%20been,%20lyrics%20and%20musical%20styles).





CRAIG AVERILL (ENTERTAINMENT LAWYER) SAYS:

"The author has to be a human as the law stands, it can't be completely computer-generated".

*However, he points to another consideration:*

How much human intervention is needed to define the work as a "human" creation?



- “In the Office’s view, it is well-established that copyright can protect only material that is the product of human creativity. Most fundamentally, the term “author,” which is used in both the Constitution and the Copyright Act, excludes non-humans”.

# What rights do human copyright owners have when AI creates something?

- Output?

Fair Use?

AI Training?

Inspiration or Copy?

Input?

Derivative Work?

Infringement?

Market Impact?

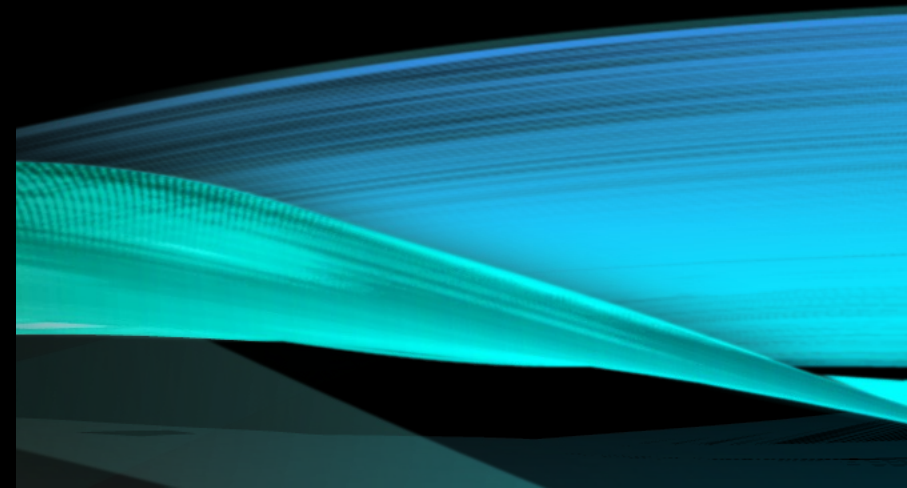
## PONDER MOMENT #2

- What does it mean to be human?
- How much collaboration between “human” and “tool” constitutes *enough* to result in “human made” content?





PROPOSED  
SOLUTIONS







AI-focused Copyright Act statutory changes

More likely...

Courts will continue to evolve in how they deal with AI in music.

# PRINCIPLES

The ASCAP Board of Directors has adopted a set of six key, creator-centric principles guiding our response to AI.



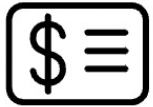
**Human Creators First** | Prioritizing rights and compensation for human creativity



**Transparency** in identifying AI vs. human-generated works and retaining metadata



**Consent** | Protecting the right to decide whether your work is included in an AI training license



**Compensation** | Making sure creators are paid fairly when their work is used in ANY way by AI, which is best accomplished in a free market, NOT with government-mandated licensing that essentially eliminates consent



**Credit** when creators' works are used in new AI-generated music



**Global Consistency** | An even playing field that values intellectual property across the global music and data ecosystem



*human*  
artistry  
campaign

- "The Human Artistry Campaign's stated goal is to underscore the unique value of human artistry and human creation, especially as technology and opportunism create a culture for conflict and misuse and even abuse," Navarro said. "I'd like to see a set of agreed principles with legal teeth so that artists, the music industry, streaming services, and audiences can understand what is — and is not — allowed."



**Content  
Authenticity  
Initiative**

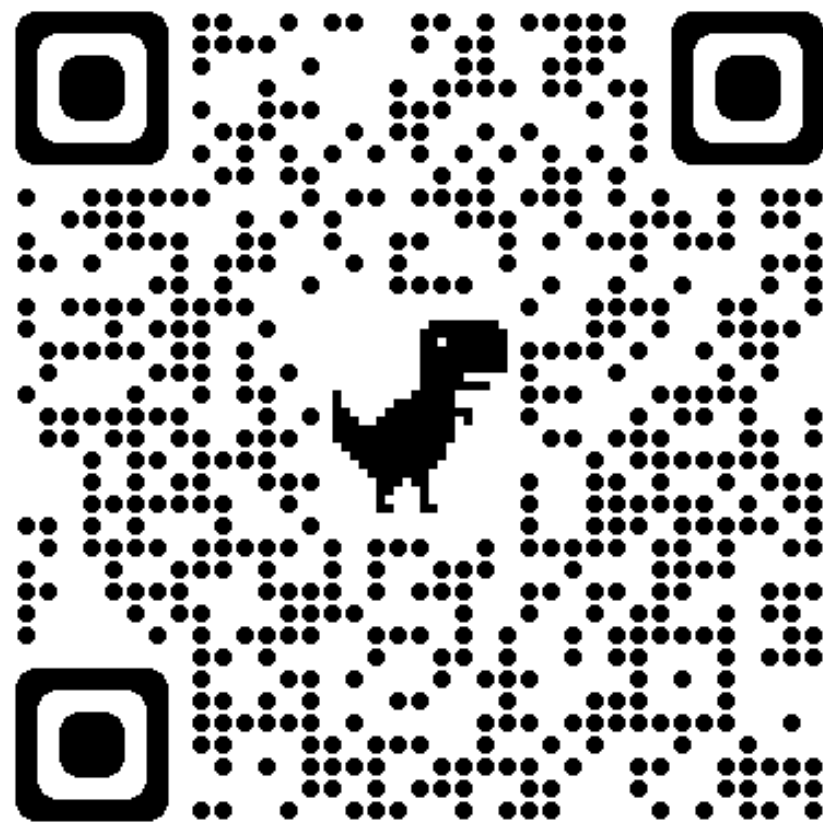
We are a community of media and tech companies, NGOs, academics, and others working to promote adoption of an open industry standard for content authenticity and provenance.

# CONSIDERATIONS AND CALL TO ACTION

- Stay informed and educated
- Ensure that music professionals have a seat at the table with policymakers
- Engage in conversations with musicians/artists, tech and legal communities
- Consider how and where you consume music – support artist entrepreneurs



SCAN FOR MORE  
RESOURCES







**You**

create a powerpoint presentation on the benefits and dangers of artificial intelligence in the arts industry



**ChatGPT**

**Title: Exploring the Impacts of Artificial Intelligence in the Arts Industry**

**Slide 1: Introduction**

- Welcome to our presentation on the benefits and dangers of artificial intelligence in the arts industry.
  - Today, we will delve into the transformative power of AI in the creative realm and examine both its advantages and potential risks.
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## Slide 2: What is Artificial Intelligence?

- **Definition:** Artificial Intelligence (AI) refers to the simulation of human intelligence in machines that are programmed to think and learn like humans.
  - **Examples:** Machine learning, natural language processing, computer vision.
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## Slide 3: Benefits of AI in the Arts Industry

- **Enhanced Creativity:** AI tools can assist artists in generating novel ideas, exploring new styles, and pushing boundaries.
  - **Efficiency:** Automation of repetitive tasks such as data analysis and content generation allows artists to focus more on the creative process.
  - **Personalization:** AI algorithms can analyze audience preferences to tailor artistic content, leading to higher engagement and satisfaction.
  - **Accessibility:** AI-powered tools enable individuals with disabilities to express themselves creatively, fostering inclusivity in the arts.
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#### Slide 4: Examples of AI in the Arts

- **Generative Adversarial Networks (GANs):** Used to create realistic images, music, and even literature.
  - **AI-Generated Music:** Platforms like Amper Music and AIVA compose original pieces based on user input and preferences.
  - **Computer Vision in Visual Arts:** AI algorithms analyze and interpret images, aiding in art restoration, authentication, and creation.
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#### Slide 5: Challenges and Dangers of AI in the Arts


- **Loss of Human Touch:** Over-reliance on AI may lead to a decline in the uniqueness and emotional depth of artistic creations.
- **Ethical Concerns:** AI algorithms may perpetuate biases present in training data, leading to issues of representation and fairness.
- **Copyright and Ownership:** Questions arise regarding the ownership of AI-generated artworks and the attribution of credit.
- **Job Displacement:** Automation of creative tasks may threaten traditional roles in the arts industry, impacting employment opportunities.

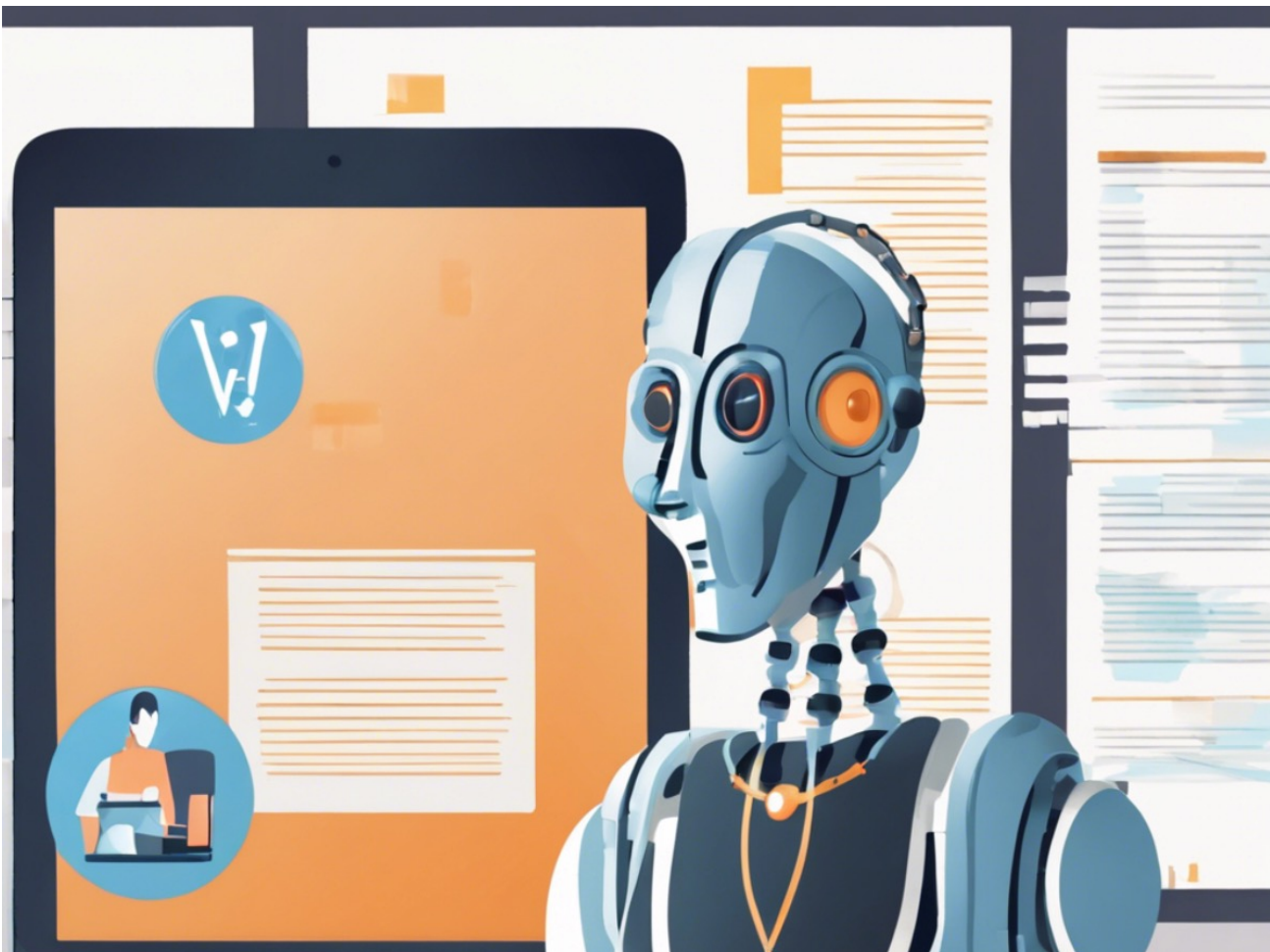


## Slide 6: Mitigating Risks and Ethical Considerations

- **Diverse Representation in Data:** Ensuring diverse and inclusive datasets to mitigate biases in AI-generated content.
  - **Transparency and Accountability:** Implementing mechanisms for transparent AI decision-making and accountability in the creative process.
  - **Collaboration between Humans and AI:** Emphasizing the symbiotic relationship between artists and AI tools, preserving the human touch while leveraging technological capabilities.
  - **Legal Frameworks:** Developing clear regulations and guidelines to address copyright, ownership, and ethical implications of AI-generated artworks.
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## Slide 7: Conclusion

- Artificial Intelligence presents immense opportunities for innovation and creativity in the arts industry.
- While it offers numerous benefits, including enhanced efficiency and accessibility, it also poses challenges such as ethical concerns and job displacement.
- By addressing these challenges through ethical considerations, collaboration, and regulatory frameworks, we can harness the power of  foster a more vibrant and inclusive artistic landscape.



### Slide 8: Q&A

- Thank you for your attention. We welcome any questions or comments you may have.



# QUESTIONS?

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