The Concept of Authorship Under Pressure: Does AI Shift Paradigms?

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“The Washington Post’s robot reporter has published 850 articles in the past year”

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Copyright Law

Germany

Sec. 2 (2) Copyright Act:

(2) Only the author's own intellectual creations constitute works within the meaning of this Act.

1.2. Copyright Law

Gerhard Richter, window, Cologne Cathedral, www.dombau-koeln.de/index.php?id=41


Status Quo

- "Works" created by AI without sufficient human involvement will be ineligible for copyright protection;
- Disputed how substantial the human input needs to be in order to enjoy copyright protection
Reform Options in Copyright Law?

- Integration of AI-“works” into Copyright Regime = radical change of copyright regime
- No Legislative Actions: AI-“works” = public domain, if not protected by database right
- Creation of a “Robot Copyright”, “Related Right” or Sui Generis Protection
  - prerequisites for protection?
  - right ownership? ePersons?
  - scope of protection?

Authorship: Does AI Shift Paradigms?

- From a practical point of view?
  If AI becomes state of the art, considerable competition for human works, e.g. translations, jingles, graphic design, ...
- The Legal Concept of Authorship?
- Need for justifying copyright protection for human works grows, if AI-“works” are perceived to be „better“
- Further Challenges: Liability Issues? Restrictions of copyright law in order to facilitate machine learning?