Ethics of AI in the Music Industry

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Abstract

Artificial Intelligence (AI) Generation has threatened creative artists by unjustly sampling their work to create cheap alternatives for producers. Our project explores the ethics of AI, the differences between human sampling and AI sampling, and potential repercussions posed by a lack of industry guidelines for sampling using AI. Our project is based on a review of legal documents and peer reviewed articles.

Background

As students pursuing degrees in music, we hope for a future that has room and potential earnings for our talents and knowledge. However, with the advancements in Artificial Intelligence (AI) and its abilities to generate nearly or fully passable samples of texts, images, and sounds, significant concerns are raised about how these technologies will affect the human creators of these fields. Further, we hold concern for the content that has been farmed from the internet and fed to these AI models that become a significant basis for these generations. Samples of text, art, and music made by real people that are sourced without permission nor credit. We wonder how people have responded to unethical uses of AI and whether these responses indicate a positive or negative outlook on our futures in the music industry.

Materials and Methods

The issues of music sampling has been ongoing for decades and the problem will not be solved overnight. We have conducted certain research about past copyright disputes, how some artists have been compensated for sampling, and how the use of AI can be viewed ethically and legally.

Intellectual Property rights and AI Deepfake voice recreation:

The use of AI in the entertainment industry is a complex issue that goes beyond mere contractual matters. As technology advances, the ethical considerations and challenges to traditional legal principles become more pronounced. The digital recreation of actors' likenesses is just one part of this broader phenomenon.

Deepfakes, a technology that uses AI to create realistic-looking images or videos of people saying or doing things they never did, represent an escalation of the very concerns raised by Hollywood's recent labor disputes. Intellectual property rights surrounding AI are a complex and evolving domain. The fundamental question often revolves around who should hold ownership over the creations generated by AI systems. While AI itself is not considered a legal entity capable of owning property, its outputs raise significant legal and ethical considerations. In many jurisdictions, the creator or user of the AI system typically retains ownership of the output. However, as AI becomes more autonomous and capable of producing original works, debates arise regarding whether AI-generated content should be eligible for copyright protection, and if so, who should hold those rights.

Can You Copyright a Voice??

To the question of whether someone's voice can be copyrighted, the answer is nuanced. In general, copyright law protects original works fixed in a tangible medium of expression, which can include recorded voices. Thus, an individual's unique vocal performance, such as a recorded song or audiobook narration, can be copyrighted as long as it meets the criteria of originality and fixation. However, copyright does not extend to the mere sound or quality of someone's voice itself. Instead, it protects the specific expression of that voice in a recorded form. Nonetheless, legal disputes occasionally arise over the extent of protection for vocal performances, especially in cases where individuals seek to imitate or replicate distinctive voices for commercial gain.

AI Voice Sampling as a Service

AI voice sampling can be done with proper compensation and respect to the sampled artist. Voice-swap AI is a company that offers AI sampled voices of specific artists as a service. The artist receives royalties for the use of their sampled voice, get to decide if they will grant a license for the commercial use of their voice in a song, and maintain their sampled voice as their own legal property. Voice-swap AI ensures that the artists are compensated and remain the owners of their own voices. Even though they are not being recorded in a studio, artists are still involved in and maintain control over the usage of their voice.

Results

Ethical vs Legal Solutions:
After finding examples of human vs AI sampling as well as facts of copyright, we have found there are certain ethical and legal solutions.

Ethical:
In the case of AI, fans are willing to pay more if they know that the artist will be compensated when their work is used in AI projects. This means that certain projects containing AI works will cost more than the artist's own works to compensate for the use of AI with their permission. Ethically, this benefits both the AI user and the original artist.

Legal:
For the artists' sake, a Blanket License may be a viable solution that allows artists to be at leisure to sample other artists' work within the parameters of the licensing agreement. Since many smaller artists don't have the finances to pay for larger copyright laws as well as bring lawsuits against those who profit from their work using AI, this license would allow them to at least gain revenue from the AI profits.

Conclusion

We conclude that AI's complexities do not warrant the right to copyright a person's unique voice. As deepfakes and debates about intellectual property rights of those projects become more autonomous, solutions like licenses and higher prices are beneficial to the artist. Plainly, the use of AI can be met with appropriate compensation, through legal action and/or ethical preferences.

Resources

Sulakian, Sona, ABA, "2022 ELI Writing Competition Winning Essay: Protecting the Artist: Licensing in an AI-Generated Music Market"
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Voice-Swap AI