

**Question for written answer E-000479/2023
to the Commission**

Rule 138

Emmanuel Maurel (The Left)

Subject: Works of art generated by artificial intelligence and artists' rights

A growing number of artists have criticised companies turning to artificial intelligence software to improve their communication. Artificial intelligence software, such as Midjourney, DALL-E and Stable Diffusion, uses artists' work to produce something new, which is then considered original.

In France, publishers Michel Lafon used Midjourney for the cover of Veronica Roth's latest novel¹. European works have also been used without permission outside the European Union, as shown by the posters for the San Francisco ballet's new production of the Nutcracker².

While original works are protected by copyright, 'AI creation' benefits from a legal vacuum that leads to economic losses and psychological distress for artists.

The Directive of 17 April 2019 on related rights does not address this particular matter, which raises the issue of free riding or even copying, when works are extremely similar³. The own-initiative report A9-0176/2020 on intellectual property rights for the development of artificial intelligence technologies called on the Commission to act quickly on this major issue for creators.

How does the Commission plan to regulate this use of AI, which harms artists and rights holders?

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¹ *Poster Girl*, published on 3 November 2022.

² Opened in December 2022.

³ 'Intelligence artificielle et droit d'auteur', French Ministry of Culture (in French) (https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwiGhY7AtMz8AhXWhf0HHSi-CzQQFnoECA8QAQ&url=https%3A%2F%2Fwww.culture.gouv.fr%2Fcontent%2Fdownload%2F263325%2Ffile%2FAnnexe%25204-%2520DGFLA.pdf&usg=AOvVaw2JG9pL3_Fxb1L6UNX14ypK).