# ARMA UPDATES

## The Rise of AI-Generated Music: Analyzing the Legal Implication under the Copyright Law

In this rapidly evolving landscape of technology, the emergence of artificial intelligence (AI) has revolutionized various industries, including the realm of music. With AI's ability to mimic human voices and create original compositions, questions arise regarding the legal implications of AI-generated music under Indonesian copyright law.

This ARMA Update aims to explore the issue of using a well-known artist's voice to create AI-generated music within the context of Indonesian Law Number 28 of 2014 regarding Copyright ("**Copyright Law**").

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## The Hypothetical Case of "Heart on My Sleeve"

To illustrate the complexities of this issue, let us consider the case of "Heart on My Sleeve." In this case, a TikTok user in 2023 creates a song using AI-synthesized voice technology, mimicking the distinctive styles of certain renowned artists. The AI-generated song gains immense popularity and experiences significant commercial success, attracting a substantial audience on various digital streaming platforms. However, despite its initial success, the label representing the original artists takes action to remove the content from streaming platforms citing concerns over copyright infringement. It is important to note that this case does not reflect an actual incident falling under the jurisdiction of Indonesian law. Instead, it serves as an illustrative example to aid our discussion within this article.

## Copyright Infringement

Under the Copyright Law, various creative expressions, including musical works, are protected. This law grants authors exclusive rights to control their works' reproduction, distribution, and public performance. However, when examining the question of whether the usage of someone's voice without consent or approval through AI technology constitutes copyright infringement, we must consider the applicability of existing provisions and interpretations within the Indonesian Copyright Law.

Though Article 58 of the Copyright Law does not explicitly address AI-generated music, it is arguable that the unauthorized use of a well-known artist's voice through AI technology may potentially infringe upon their exclusive rights as copyright holders. In this context, we can explore the notion of image and likeness, which has been recognized and understood within Indonesian law in relation to the unlicensed usage of someone's visual representation.

By considering the voice as an integral part of a person's image and likeness, we can extend the interpretation to include vocal sounds that are distinguishable and identifiable by the public and general listeners. This means that the vocal sound of an individual can be viewed as a component of their image and likeness, thereby falling within the purview of protection under Indonesian law.

The Copyright Law grants authors exclusive rights to control their works' reproduction, distribution, and public performance. One viewpoint suggests that AI-generated music should be considered a derivative work, as it relies on pre-existing elements, such as the voice of a well-known artist.

## Consent

In this line of reasoning, if the unauthorized usage of someone's voice through AI-generated music results in the creation of a commercialized intellectual property asset, it may indeed infringe upon the individual's rights to their image and likeness and a violation of Article 9 of the Copyright Law. Consequently, it would be essential to seek the voice owner's consent or approval to avoid potential copyright infringement and uphold the principles of fair compensation and ethical practices.

Therefore, based on an expanded understanding of image and likeness within Indonesian law, it is reasonable to argue that an individual's voice should be considered a protected aspect of their identity, deserving of legal safeguards.

## Legal Arguments and Precedents

To interpret and apply copyright law in relation to AI-generated music, we can explore legal arguments and precedents. One viewpoint suggests that AI-generated music should be considered a derivative work, as it relies on pre-existing elements, such as the voice of a well-known artist. In such cases, permission or licensing from the original voice owner may be necessary to avoid copyright infringement.

Additionally, we can examine the principle of moral rights enshrined in the Copyright Law. Moral rights grant authors the right to protect the integrity and authenticity of their works. Using someone's voice without their consent in AI-generated music may infringe upon their moral rights, as it alters their artistic identity and reputation.

## Conclusion

The advent of AI-generated music presents novel challenges for copyright law in Indonesia. By addressing the implications of using a well-known artist's voice without consent or approval, we can establish a robust legal framework that protects the rights of both creators and voice owners. Therefore, amendments to the Copyright Law are needed in order to keep up with the rapidly evolving landscape of technology.

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