

Artificial intelligence and copyright law

Abstract

This thesis studies the relationship between copyright law and artificial intelligence which is becoming more and more significant even in the field of creative arts. The main question of this ongoing conflict is whether creative outputs of artificial intelligence can be copyrightable works and if so, who is the author of such works.

The first part of the thesis deals with the two preliminary questions which must be answered before assessing the main issues of this thesis. Firstly, the thesis answers what artificial intelligence is, how it works and what is its definition. Secondly, current legislation regarding artificial intelligence and its creative outputs is assessed.

In the second part the thesis identifies relevant regulation defining conceptual features of copyrightable works in the Czech Republic and the European Union. Main issue of this part is whether outputs of artificial intelligence can fulfill requirements set by the conceptual features of work. Two examples of real artificial intelligence projects from the music industry are used in this analyses. Thesis focuses mainly on the requirements of originality and creativity which are usually the most problematic for artificially generated outputs to meet.

The third part of this thesis deals with the issue of authorship of artificially generated outputs. First of all, the possibility of artificial intelligence as the author of such works is assessed. Then the thesis analyses whether authorship can be vested into any of the natural persons which are involved in the creative process of the artificial intelligence. This part is focused mainly on the role of programmers and users of artificial intelligence whose creativity is essential for the final creative outputs.

Lastly the thesis analyses quality and suitability of the current legal regulation of artificially generated works. Based on this analyses, the thesis presents three *de lege ferenda* proposals which aim to improve the relevant legislation so it properly reflects the rising importance of artificial intelligence and the surge of its creative outputs.

Key words

copyright, artificial intelligence, authorship