The logo for 'ukai' is displayed in a bold, sans-serif font. The letters 'u', 'k', and 'a' are white, while the letters 'i' and 'i' are yellow. A small teal dot is positioned above the second 'i'.

ukai

Creative Industries & AI

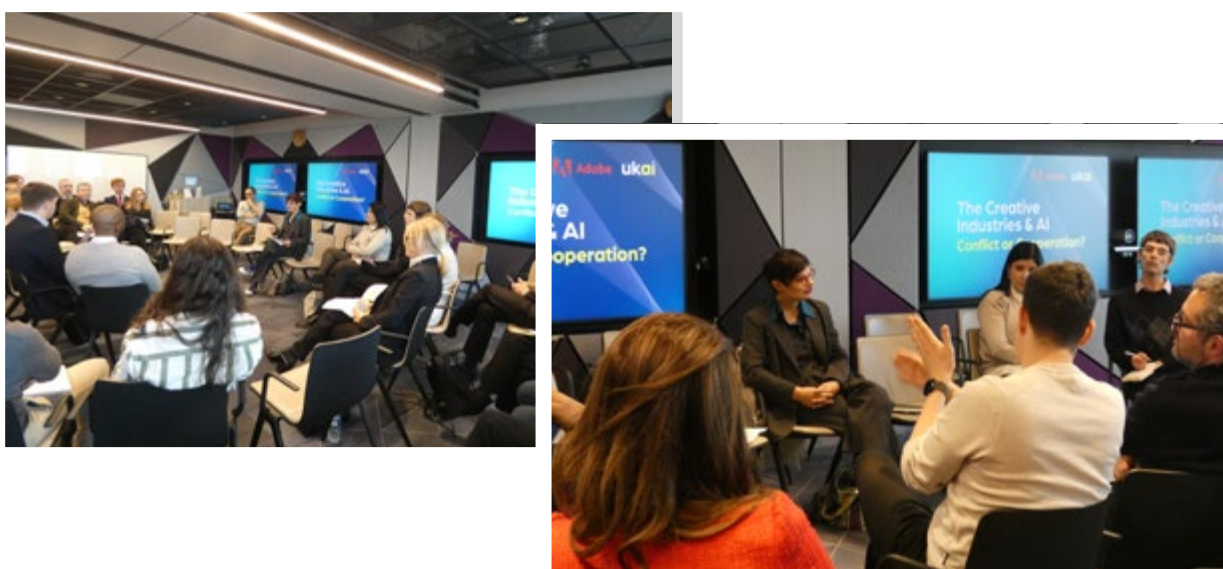
**Conflict or Co-operation:
Shining a Light on Solutions**

An Industry Roundtable

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About UKAI



UKAI is the UK’s only trade association representing the entire AI sector, providing a unified voice for tech and non-tech businesses who are harnessing AI to drive economic growth. UKAI brings together a thriving eco-system of businesses, investors and government, driving collaboration to secure the UK’s position as a global AI leader.

Disclaimer

This report aims to reflect the discussion that was held on the 14th of February, 2025.

The content of this report should not be interpreted or used as legal advice.

This report is a summary of the views shared in an open debate.

Under Chatham House Rules comments are not attributed to individuals.

The views expressed in Section 1 of this report do not represent the views of UKAI or its members.

UKAI has set out its views in a statement, included as the foreword to this report.

Executive Summary

UKAI brought together representatives of the AI and creative industries for a roundtable discussion, chaired by Baroness Thangam Debbonaire. The proposed changes to the UK's copyright law and their impact on the creative industries were top of the agenda.

Attendees from the creative sector outlined their concerns alongside helpful context from legal experts and further insights from policy experts. Several attendees from the AI industry presented how their businesses provide specific solutions. The discussion ranged from the core principles of copyright law to how we can use technology for better enforcement.

The first section of this report outlines the roundtable discussions, which are divided into several topics. Key quotes are included throughout and this section summarises what was covered in the meeting. At the end of each topic, an analysis of the level of agreement is included.

The second section presents UKAI's recommendations. These recommendations are informed by the roundtable and UKAI's policies, reflecting the interests of its members across the AI sector in the UK. Recommendations include: calls for further collaboration between the creative and AI sectors, using technology to accelerate solutions and a full assessment of the economic impact of making changes to copyright law.

UKAI concludes that the existing copyright law is adequate and should not be changed to an opt-out model. The proposed opt-out model would significantly harm the creative sectors to achieve a minimal gain for a small group of global tech companies. Changing the copyright law will erode public trust in the nascent AI sector and create unnecessary conflict. In the long term, this will undermine economic growth more than any benefits the opt-out could deliver.

Foreword

AI is transforming industries across the UK and the creative sector is no exception. UKAI recognises the enormous potential of AI to drive innovation, economic growth and social progress. However, we also acknowledge that the speed and scale of change can bring challenges, particularly when it comes to intellectual property, ethical standards and consumer trust. We believe it is the responsibility of the AI sector to engage with those challenges and find solutions, working collaboratively with other stakeholders and policymakers. This report makes several recommendations for how to address these challenges.

The debate around AI and copyright has become increasingly polarised, with creators, Gen AI developers and policymakers struggling to find common ground. UKAI believes that real progress can only be made through constructive dialogue and collaboration. This is the reason we convened this roundtable and produced this report: we sought to foster an open discussion to share knowledge and find practical solutions. The insights gathered here reflect a commitment to responsible innovation, one that respects creators, supports AI businesses and ultimately benefits consumers.

The UK is at a crossroads, with the opportunity to set a global standard for how AI and creativity can coexist. Copyright laws, licensing frameworks and regulatory approaches are being questioned and reshaped in real-time. The decisions made today will determine whether the UK can maintain its leadership in both AI and the creative industries. It is not necessarily a zero-sum situation. Both industries are essential for economic growth.

Throughout our discussions, several themes emerged. Transparency is essential; AI companies must provide greater clarity on how training data is sourced and used. Licensing should be explored as a viable path forward, ensuring that creators are fairly compensated while AI businesses access the data they need. Standards must be set that empower consumers to make informed choices about the AI-driven products they engage with. Above all, responsible and ethical AI development must be championed as the foundation for the creation of a sustainable and successful AI industry in the UK.

UKAI believes that AI should be a force for good and that by working together, AI businesses can support the continued growth of the creative sector. We offer further collaboration and cooperation.

Tim Flagg
Chief Executive Officer, UKAI



Definitions

Gen AI

This report has have used the term 'Gen AI' (Generative AI) to refer to the global technology companies that are building large language models (LLMs) that require huge data sets for training.

The AI Sector

The AI Industry in the UK is made up of over 4,000 businesses. UKAI believes it is important to point out that the majority of the AI sector in the UK is composed of thousands of businesses that are not Gen AI companies. Some of these companies are customers of Gen AI companies, others do not use any Gen AI. Very few AI businesses in the UK are building large language models that require large training sets. Moreover, many other UK businesses are now embracing AI powered tools and services: Whilst they may not call themselves an 'AI business' they are deeply invested in the future success of the UK's AI sector. The majority of AI businesses in the UK are collaborative, responsible and ethical and believe in working collaboratively and fairly with the UK's creative industries.

Text and Data Mining (TDM)

Accessing and ingesting of content from websites by machines in order to build 'data sets' that can be used to improve Gen AI models.

UK Copyright Law

The main piece of statutory legislation is the **Copyright, Designs and Patents Act 1988** (CDPA 1988).

The EU AI Act

The EU Artificial Intelligence Act (Regulation (EU) 2024/1681) came into force in August 2024.

EU Copyright Law

The main of EU legislation is the **Copyright in the Digital Single Market (CDSM) Directive** (Directive (EU) 2019/790).

US Copyright Law: The main piece of legislation is the **U.S. Copyright Act of 1976** (17 U.S.C. 101-810). However, the **US Digital Millennium Copyright Act (DMCA)** (1998 Amendment) also provides protection for digital copyright.

The Roundtable



Context

The UK Government has begun an Open Consultation looking at Copyright and Artificial Intelligence, this opened on the 17th of December and will close for submissions on the 25th of February.

The Government also indicated in the AI Opportunities Action Plan that it would reform the text and data regime to make it competitive with the EU [Clause 24]. The EU has an opt-out model for text and data mining. Many have interpreted this to mean that the Government favours an 'Opt-out' model. Copyrighted materials would be accessible to Gen AI companies by default. This means rights holders will have to opt out if they do not want their materials to be used in this way.

The creative industries are extremely concerned about the implications of this change to copyright law, not just the short term impact on creators' livelihoods, but also the longer term economic impact to the creative sector.

Objective

UKAI represents businesses that operate across the AI sector. Most of the companies in the AI sector are not Gen AI companies. UKAI champions responsible and ethical businesses that will increase consumer trust and drive economic growth. UKAI is optimistic about what the UK's AI sector can achieve: AI is a force for good.

The debate around copyright and AI has become very polarised. UKAI set out to bring together all sides of the debate in a roundtable discussion to find common ground and actively look for solutions.

UKAI will submit this report as evidence to the Government's consultation, alongside our own recommendations. Before we submitted our position it was essential to conduct this roundtable and listen to all sides of the debate.

Process

UKAI invited 50 stakeholders to participate in a roundtable discussion, kindly hosted by Adobe in their London offices. The roundtable was chaired by Baroness Thangam Debbonaire, formerly Shadow Secretary of State for Culture, Media and Sport.

The event was recorded digitally and the transcript and individual notes were analysed. The key points are summarised and additional recommendations have been put forward. The information gathered was then collated into this report by the team of policy researchers from Chamber UK, with subject matter expertise from the UKAI advisory board and management team.

Part 1 summarises the points raised in the roundtable, whereas Part 2 contains UKAI's own recommendations that we believe will benefit the UK's AI sector. Part 2 is the view of UKAI and does not necessarily reflect the views of the roundtable attendees.

Chaired by

Baroness Thangam Debbonaire

“It was a privilege and so interesting to chair this event. The model of respectful listening across different views and experiences was admirable and one which demonstrates the value of bringing relevant actors from across the spectrum of this topic together. We all want there to be good solutions which work for creators, IP rights holders and AI companies, all of whom are critically important for the UK economy to grow.”



Roundtable Participants

The attendees consisted of UKAI members and their guests, legal experts, AI businesses and representatives from across the Creative Sector.

The event was conducted under Chatham House Rules and consequently comments are not attributed to individuals or companies.

Direct quotations are provided in italics throughout this report.

Creative Industries



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gettyimages



DACS

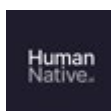
AOP



SXSW



AI Businesses



Other Organisations



radiate b2b

Rakuten Viber



Part 1

Summary of the Roundtable Discussion

The Fundamental Conflict: Accessing Copyright Materials

Currently, anyone who produces creative materials has a right to copyright those materials to ensure (ie. remove comma and text 'in order' ensure that if another party wants to access and use those creative materials they have to pay the original creator. Existing copyright law is well established and understood across most jurisdictions including the UK, the US and the EU. The concept of copyright was developed in the UK and the UK has substantial expertise in the interpretation and application of copyright law.

“The creative industry should have a say in shaping a very clear position for the UK in an increasingly fragmented regulatory environment.”

The central discussion centred around whether the existing copyright laws should be updated, or whether they are sufficient and adequate as they currently stand.

The central argument in favour of updating the law was that Gen AI companies need to have access to more materials and that they cannot get access to the volume of additional materials that they require under the existing copyright law.

Most people have no objection to Gen AI companies becoming successful and support their requirements to obtain the additional materials they require. Disagreement arises when it comes to how this is to be done.

“I totally understand why the Government has proposed it, and I see it as a political compromise that will genuinely achieve nothing for this country, nothing for rights holders and nothing for [Gen] AI companies.”

Simply put, existing copyright law allows for Gen AI companies, as well as any other party, to access copyrighted materials with the consent of the copyright owner. The party who wants access must obtain consent. The proposed changes to copyright law makes it the responsibility of the copyright owner to opt-out and withhold their consent for their copyrighted materials to be used. The default position becomes that all materials can be used by Gen AI companies unless the copyright owner opts-out.

“Copyright has always been a commercial right, not a moral right.”

There are several secondary questions around how copyright owners can opt-out, the effectiveness of this opt-out process and whether it can be enforced.

Are Current Copyright Laws Adequate?

Broad Disagreement

Many attendees believe that the existing copyright laws adequately provide protection for the individual copyright holders and therefore no changes are required.

“The law is clear on this subject and the problem is just adherence with that copyright law.”

However, some attendees felt that current copyright laws do not reflect the emerging requirements of the GenAI companies and that therefore the copyright laws need to be updated. Some questioned the entire validity of copyright as a commercial model.

“Just because copyright has historically been the tool used doesn’t mean it is the tool for the future.”

Nevertheless, there was optimism that solutions could be found.

“We’ve had the genius to invent these laws in the past... why not be confident now and come up with something that is innovative, that protects innovation, but at the same time says to the world that The UK is the place to come and invest.”

Opt-In or Opt-Out: The Focal Point

There was intense debate in the roundtable over whether Gen AI companies should **require explicit permission (opt-in) to access copyrighted works**, or whether they should only **be allowed to access works until the creators object (opt-out)**.

“If all creatives’ work is used without consent, then licensing talks are meaningless.”

Attendees who supported the existing copyright system highlighted that this approach protects creators’ rights by default. The burden of responsibility for obtaining consent falls upon the party who wants to access the copyrighted materials, rather than the rights holder. This means that the creator starts from a strong negotiating position, which is important when there is a significant imbalance in power between individual creators and global tech companies. The ‘Opt-in’ route aligns with existing copyright laws that use well-established commercial licensing agreements.

Those who argued in favour of an opt-out system pointed to the fact that the current process is unwieldy for Gen AI companies, who want to find the easiest and cheapest way to obtain the training data that they require. They suggested that an opt-in system would result in less data being available, which would limit the operating efficiency and accuracy of the Gen AI models. The result might be that Gen AI companies will go elsewhere, ultimately meaning that the UK will lose out on the associated revenue and economic growth.

Attendees discussed the fact that a lot of material has already been scraped and ingested by Gen AI companies. Only the opt-out method would make any difference in the future and require Gen AI companies to remove any materials where the rights holders have opted-out. Furthermore, the EU AI Act supports an opt-out mechanism, which the UK could benefit from.

Opt-in or Opt-out:

Broad Disagreement

Not surprisingly, this was the main issue which divided opinion the most. Creators are in favour of an opt-in system requiring Gen AI companies to obtain explicit permission to use copyright material. Whereas Gen AI companies, and those supporting them, favour an opt-out model.

“TDM [Text & Data Mining]* opt-out is a non-starter - even if the ‘opt-out’ is respected at the website level, what happens to content used downstream?”

Creators highlighted that Gen AI companies do not recognise the value of the creators’ materials they create that are essential to the development of their models.

“With the large AI model, the engineers that developed them were paid, they paid their electricity bills, they bought their GPUs so why would they not pay for the content?”

* See ‘Definitions’ for further explanation.

Transparency: The First Step

Attendees agreed that transparency is of fundamental importance and much of the current mistrust is because the processes by which Gen AI companies train their models are opaque and secret, in order to protect *their* Intellectual Property. Rights owners want to understand:

1. What materials have been used for training data so far?
2. How is data used within the training process?

Transparency is an important principle to establish to ensure that all future discussions and negotiations are informed by actual objective data: Revealing both the scale of usage and the frequency, as well as highlighting what type of materials (and which creators) are used most. Many in the creative industries believe that until AI developers disclose what data is being used, licencing discussions are meaningless.

“There isn’t really a discussion to have on attribution unless we have knowledge of what works are being ingested.”

Without knowing which datasets AI models are trained on, together with the volume and frequency of usage, creators cannot negotiate fair agreements.

Proposed Solution: Transparency by Default

As the party that is driving demand, the Gen AI companies should provide greater transparency for what data sources they are using for training models. One proposed solution is to create publicly accessible records of all the datasets used for training Gen AI models.

Gen AI companies are concerned that revealing which data sources they use would undermine their intellectual property. However, the intellectual property that the Gen AI company creates should exist in the process between the input (the training data) and the output: The data sources that any Gen AI company include should not form part of their intellectual property (ie. as a 'trade secret') and should not therefore require any unique protection.

Transparency is Necessary: Broad Agreement

Attendees broadly agreed with the principle that transparency is valuable and essential to encourage responsible and ethical behaviour, this applies across industries. It was suggested that because Gen AI companies are very new they are especially protective. On one hand, greater openness and transparency is expected as these companies mature and scale. UKAI believes that being open, responsible and ethical will emerge as an important competitive advantage for Gen AI companies. On the other hand, as non-Western competitors emerge, such as DeepSeek, it will make the established players more wary and protective of their core intellectual property.

Attribution and Enforcement: Is it Possible?

“Attribution at scale is science fiction right now.”

Once there is greater transparency, then it should be possible to start to track how individual creators' copyrighted materials are being used. For example, the copyright holder for a photograph would want to know that a Gen AI company has used their photograph in this country, to train this model, for this purpose and has been used to generate these 100 additional images from the model. This is the process of tracking and attribution, it requires tools to track and manage this information in a database that can be easily accessed and queried.

The music industry has faced exactly this challenge over the past two decades with the emergence of digital music files and a new technology of 'Digital Rights Managements' has been established to identify when music is being played across platforms like YouTube so that it can be attributed to the rights holder. Similar tools exist to track when music is being played across TV channels. Put simply, rights holders can now track how often a particular music track is being played which will determine how much the rights holder gets paid.

The question is whether it is possible to track and attribute how Gen AI models are accessing and using copyrighted materials as training data. This context is more challenging because of the lack of transparency that has already been noted. The process of ingesting training data is not observable and relies upon the Gen AI company being willing to share this information. Further, once copyrighted materials have been ingested into a model it is hard to track them as discreet entities, since they are represented by an array of numbers. The Gen AI model creates further generations based upon the original. Whilst each new generation inherits qualities from the original, it becomes more abstract and therefore more complex to attribute back to the original.

It becomes more problematic to try to ascertain the relative importance, and therefore the relative value, of one particular piece of copyrighted material. For example, set of training data might contain 10,000 music tracks. The value of the training set is as an entire set, not the individual track. The model is looking for patterns and variations across the entire set. It is therefore very hard if not impossible to attribute a value to one music track within the data set.

If the Gen AI model that has been based upon this training set generates a new piece of music, to what degree can we attribute this new music track to the original training set. We could say that each of the 10,000 music tracks in the data set contributed 1/10,000th of the value, but this becomes unwieldy very quickly. Instead of trying to calculate micropayments based upon usage, it might be preferable to negotiate a licence based upon 'fair use'.

Proposed Solution: Using AI to Enable Attribution

One solution would be to create a tool that uses AI to operate at scale with complex data sets to identify when copyrighted material has been used within a Gen AI tool. The tool could analyse the outputs from the Gen AI tool and compare these with the original set of copyrighted materials. Running a 'pattern recognition' algorithm should be able to measure the probability that the outputs have been derived from the original copyrighted materials. Whilst this is possible in theory, the attribution tool would need to have access to the outputs from the Gen AI tool. This would require the compliance and assistance of the Gen AI company, to provide access to every single output, of which there may be millions each day. To be truly effective, this tool would need to have access to all of the Gen AI tools, at which point increased scale and complexity would lead to increased costs.

“It’s going to be incredibly hard to crack the attribution problem because of the speed at which AI companies are coming to the market.”

Managing the Vast Information about Rights Holders

The process of identifying which copyrighted materials have been used by Gen AI models could be a huge task. It would result in a vast database that contains thousands of creators, billions of copyrighted materials and millions of micropayments due to each creator every time some material is used. AI tools could have an important role to play in the management of this data, to query, record and update individual records in this database.

“Voice-Swap provides a service to voice artists enabling them to submit their own creative materials to be used as training data. These voice artists then receive 50 per cent of any revenue that is generated from the use of their voice.”

In addition to the technical challenge, there is also a legal challenge around enforcement. Even if a system existed that was able to analyse all the outputs from Gen AI models and then record all this data in a vast database, then we would still have the challenge of ensuring that the Gen AI companies are incentivised to pay. Can the current copyright laws be effectively enforced?

“With the large AI models, the engineers that developed them were paid, they paid their electricity bills, they bought their GPUs so why would they not pay for the content?”

Can Attribution Work at Scale?

Broad Disagreement

Whilst there was broad agreement that AI-powered tools and processes could be used to benefit creators and artists in many ways (creative tools, rights management, fingerprinting), many in the group questioned the feasibility of applying this to attribution.

“Reliable attribution at scale is science fiction right now.”

Being able to track how and where a piece of copyright material is being used can be very difficult. There are several challenges, firstly being able to identify the creative asset accurately; Secondly, how to operate accurately at scale, particularly when there are tens of thousands of creative assets to track; Thirdly, how to ensure interoperability and standardisation across different systems, simplifying the process for an individual creator with limited resources. It is also difficult to delineate what should and should not be attributed: Where does the threshold for ‘influence’ lie, how far back do we go and how do we recognise and remunerate every creator who has influenced the final output, especially when the result may be derived from the work of thousands of creators?

Lastly when it comes to enforcement, individual creators are at a financial disadvantage and often cannot afford to take legal action to protect their rights.

“The vast majority of rights holders won’t be able to enforce their rights, even if they know they’ve been encroached. The economic model in this jurisdiction means an individual rights holder is going to get nothing that would justify taking action.”

Several people also pointed out that investors are not interested in funding ethical solutions such as ‘attribution tools’.

“A lot of the companies in this space are not incentivised to solve this problem, there’s not as much money going into researching attribution as there is going into researching new models”

“We’ve been trying to raise money [to build tools that solve attribution] and we’ve actually been told off for having this ethical stance towards rights holders because it’s not something that [investors] believe that you can scale.”

Licensing: A Workable Solution?

Many in the creative industries believe licensing is the only way forward, ensuring fair pay for the use of creators' work. Licensing works well in many other creative industries, allowing for the asymmetry between large global businesses (entertainment brands) who want to access the rights and creators who produce the copyrighted materials and hold the rights. Many rights holders argue that licensing is already the default solution, based upon existing copyright laws, and that if these were enforced adequately, then no changes to the law would be required.

“Licensing should be the default, rather than legal disputes.”

***“You don’t need to change copyright law.
You just need to have licensing solutions built for
different applications...different solutions for
different sectors of the creative community and
for different AI applications.”***

Whilst licensing does offer some protection it has its challenges both for creators and for Gen AI companies.

Many of the creators working in the UK’s creative industries are self-employed artists. They do not have the resources to negotiate licensing agreements, nor are they part of a union, or other body, that could negotiate on their behalf. Each creative industry has a different composition when it comes to the prevalence of licensing and the industry bodies that negotiate on behalf of individuals. The music industry has one of the most mature licensing ecosystems. A move towards licensing would require all industries to move towards this type of model as standard. Licensing may not be perfect but it does empower rights holders to negotiate.

“Copyright allows licensing to happen. It is our negotiation. It’s not always fair and that’s the problem with creators at the bottom end of the pyramid. But we want there to be negotiation. We want fair compensation. We want to see that process working.”

Even with licensing, there are concerns about what happens ‘downstream’: A copyrighted material may be licensed to a Gen AI company, but once this material has been ingested, should the derivative material fall under the original licence? Does the derivative material now become the copyrighted material of the Gen AI company, or the end user? The derivative material could also start to compete with the creator’s original work, undermining their financial livelihood.

“AI is wonderful at creating a lot of derivative works and, and then that technology competes directly with you.”

Gen AI companies are opposed to licensing as a solution for a number of reasons, primarily because of the cost of licensing the billions of data required to train a Gen AI model. Even a small text based model will require 100 billion tokens to train. Gen AI companies are in a constant competitive battle to train more accurate and faster models, each generation requires more training data.

“Profit making requires fine tuning for which you need lots of nice, well licensed data.”

Gen AI companies would argue that the scale of data required would make the cost of licensing one training set prohibitive, and that they need multiple data sets on a regular basis. Further they point out that the way that they use the materials is substantively different to the way in which other licencees use copyrighted material: Gen AI companies process the entire data set of millions of individual materials in its entirety, rather than using individual pieces.

However, this would seem to be an argument for a different pricing model, based upon this specific requirement and volume. That is something that could be accommodated within the existing licensing framework.

Licensing is the Most Logical Path Forward: Broad Agreement

Licensing is a well established commercial model that enables rights holders to be fairly remunerated. There seemed to be broad support for some sort of licensing model with several specific suggestions of how this might be facilitated, particularly using technology.

Attendees felt that the licensing model had been deliberately ignored as a solution.

“The reason that there isn’t a successful licensing market is because the technology sector has not had the incentive to licence. If copyright law was enforced, if transparency requirements were enforced, then technology companies would have the incentive to pay for and licence material from creators.”

It was acknowledged that licensing is easier for larger businesses who have the resources to negotiate, manage and enforce licensing agreements. However, this could be challenging for individual creators and artists. Technology has an important role to provide platforms, allowing individual artists to come together and to work collectively. Some technology companies are pioneering innovative finger-printing and revenue-sharing models.

There is evidence of both interest and demand for licence based solutions.

“We’re seeing huge demand from AI organisations for licensing legitimate content and it’s not just about the big American companies.”

Government's Role: Providing Incentives or Regulation?

Many attendees argued that government intervention is necessary to protect creators, while others warned that overregulation could stifle AI innovation and drive companies to less regulated markets.

Those who advocated greater regulation suggested that only the Government has the power to hold large corporations accountable and create new legislation to sanction transgressors. Otherwise market forces might favour profit over what's best for society. It was suggested that a series of common standards and frameworks will need to be created and that only the Government has the resources and authority to incentivise and effect this sort of change and standardisation.

An analogy was made with the Land Registry which is a non-ministerial government department responsible for accurately recording the ownership of land across England and Wales (with equivalents in Scotland and Northern Ireland). It performs a vital and fundamental commercial role, but benefits from being an independent, government body. It has certain statutory powers that are relevant to its aim of ensuring clarity and accuracy around land ownership. Could the Government create a 'Creators' Rights Registry' that would be responsible for the accurate recording of which creators' rights are used as training data by Gen AI companies. This could also enable an accurate and detailed database of information to be collated, whilst protecting the Gen AI companies: Like the Land Registry, not all of the information collected is publicly available.

Other attendees disagreed with the suggestion that more regulation was needed and pointed to the US. Overregulation could push AI research and development to other countries. Being seen to be championing regulation of (mainly) US based Gen AI companies would be politically damaging and is therefore extremely unlikely. The legal and regulatory landscape around AI is already complex and adding more rules could be counter-productive and may increase uncertainty.

Government Regulation & Intervention:

Broad Disagreement

The group discussed the role of the Government, with some suggesting it should take a more active role in the regulation of AI, whilst others advocated self regulation, or minimal regulation. Some attendees highlighted that the 'market' often places profit above ethics, and that only Government intervention can create the incentives required for companies to act ethically.

“If you leave it to free market forces, individual creators will not be able to protect themselves.”

Global Challenges: Operating Collaboratively

One of the biggest challenges raised in this debate was how to enforce any copyright law across jurisdictions. Existing copyright rules are well established and consistently applied across jurisdictions, including the US and the EU. Whilst the new Trump administration has advocated sweeping deregulation, there has so far (Monday 17th of February) been no announcements aimed at changing copyright law. The EU AI Act reinforces existing EU copyright law, as well as adding additional language that requires greater transparency around what materials are used for training data. It also includes a provision that any AI systems that are accessible within the EU must comply with its regulations.

The main point of difference is that under EU copyright law, individual creators must opt-out if they do not want their copyrighted materials to be used by Gen AI companies. The EU AI Act further stipulates that Gen AI companies must ensure that they do not use materials belonging to creators who have opted out.

Large US tech companies have been given substantial multi-billion dollar fines by the EU for a range of mostly anti-trust transgressions¹. The Trump administration has hinted that it will support US businesses to undermine these EU regulations in future².

So the UK must decide between keeping the existing copyright regulation, uncontroversially aligned with the US, or move closer to EU copyright regulation. One benefit of aligning with the EU regulation is the UK could then rely upon the power of the EU to enforce these new copyright laws, with far greater weight than the UK alone.

Some attendees claimed that the problem with doing nothing is that it ignores the reality that the current copyright laws are not working and cannot be enforced. Copyrighted materials have already been scraped and will continue to be scraped, without the knowledge of the rights owners. They argued that copyright law needs changing to make them more effective and more enforceable, particularly as technology evolves and more powerful models are built in countries beyond the jurisdiction of current copyright laws.

1 Big Tech Fines - [TechRadar](#)

2 Silicon Valley fights EU tech rules with backing from Donald Trump - [The FT](#)

“There are parts of the world that are already ahead on innovation and investment that are the least regulated.”

“We need to have global consensus on this issue because countries like China will come up with with more versions of Deepseek, powerful GPTs for much less cost, that do not respect copyright law.”

The UK Should Develop Its Own Position: **Some Agreement**

Broadly, attendees agreed that the UK should not be forced to follow exactly what the US or the EU is doing and could instead establish its own unique path. Copyright was developed in the UK and many felt that the UK might be uniquely placed to propose and champion a solution, leveraging the UK’s rich legal and regulatory expertise.

“The UK should create its own balanced regulatory framework rather than copying the EU or US.”

AI Poisoning as a Defensive Measure

Although it was only mentioned briefly, the idea of creators fighting back with defensive measures was raised. Whilst the mood in the roundtable was very much focused on working collaboratively to find solutions, it was interesting to note that outside of this room there are some in the creative community who feel that all routes have been exhausted and that this is the only way to respond. Technologies such as Nightshade and Glaze have been developed through the computer science team in the University of Chicago.³

“Imagine if your own data could be manipulated so that if scraped illegally, it damages the whole dataset.”

In essence, ‘AI poisoning’ is a way to modify the digital representation of copyrighted materials that a Gen AI company’s scraping tool will then ingest. If a human sees a photograph on the website, then it appears as normal. However, when a Gen AI scraping tool tries to load and analyse this image (to use as training data) what it ‘sees’ is a very different representation of the photograph. This distorted electronic representation can be manipulated to confuse or break the Gen AI tools that are trying to use this photograph as training data. If AI scrapes poisoned data, it corrupts its dataset, making it unusable. In this way, the copyright holder retains control: Only with their consent can the Gen AI company access the photograph with an accurate digital representation.

However, it has been highlighted that this could lead to an arms race between Gen AI developers and the developers of these poisoning tools. Rather than address the structural problems, this adds friction, antagonising both parties.

3 About the [Glaze project](#)

Part 2

Recommendations

The discussion made it clear that there is no one-size-fits-all solution. Instead, a combination of licensing, transparency, regulation, enforcement, education and compensation models will be needed to bridge the gap between Gen AI companies and creative professionals. UKAI has developed the ideas from this roundtable into some specific recommendations.

Summary of Recommendations

1. Copyright and AI Taskforce
2. Greater Transparency
3. Facilitate AI Licensing
4. Copyright Pioneers
5. Empower Consumers
6. Assess Opportunity or Cost

1. Copyright and AI Taskforce: Active Discussion to Find Solutions

- **Bring all stakeholders together in Taskforce**
- **Common purpose to find solutions**
- **Independent oversight from neutral body, such as the IPO**

Several attendees who represent creative rights holders said that this is the first time they have had the opportunity to sit down and discuss these issues with technology companies around the same table. It often feels as if decisions are being made without taking all viewpoints into consideration and that there have been few attempts by the Government to bring the different stakeholders together to find solutions.

It is clear from UKAI's roundtable that all parties are willing to make the time to talk and share their expertise and insight to find solutions. All sides are open to working collaboratively and mostly feel that this conflict is artificial, unnecessary and should be avoided. The Government can ensure that senior representatives from all parties are brought to the table, including Gen AI companies, AI businesses, representatives of the creative industries, legal experts and policy makers. UKAI recommends that the Government should convene a 'taskforce' to encourage greater transparency and responsibility, aimed at finding and agreeing solutions that will work for all parties.

The objective of the taskforce would be to develop clear guidelines and standards on licensing, transparency and compensation. It would ensure that there is a structured dialogue, bringing all sides into one discussion, rather than multiple fragmented debates or discussions where only one side is heard. Bringing together all stakeholders, the taskforce should be overseen by an independent government body such as the Intellectual Property Office (IPO).

2. Greater Transparency: A Database of AI Training Sets

- **Greater transparency needed, particularly around how training data is used**
- **UKAI recommends industry-led transparency standards**
- **Consumers need to be empowered to make informed decisions**

The EU AI Act requires any Gen AI company that is operating in an EU state to provide a summary of the training data that has been used. This makes transparency a legal requirement, enforceable by law. In theory, this law produces transparency that also benefits rights holders in the UK, irrespective of whether the UK is aligned to the EU or not. However whilst it is highly likely that any global Gen AI company would use the same model for the EU and the UK, it is not necessarily so. Both Apple and Meta have launched different products for the EU and the UK¹, because the EU AI Act required a more limited product in the EU.

1 Europe now has a huge AI gap - [Mashable](#)

In future, this could lead to Gen AI companies having one ‘EU-safe’ model which uses limited AI training datasets, whilst their ‘UK’ model has access to additional training datasets that do not need to be declared under existing UK law.

Ultimately, greater transparency is required for an effective copyright system and for its application to Gen AI companies. This then begs the question of whether the UK should create a new regulation to compel Gen AI companies to share their training data. Introducing new regulation on tech companies is unlikely to be welcomed by the US.

The main objection from Gen AI companies is that the training data that they use is part of their ‘trade secret’ and that revealing this would make them less competitive. However, as has been noted, the intellectual property that a Gen AI company owns should surely be based upon the process that happens between the inputs and the outputs, not the inputs themselves. A restaurant does not give away its trade secret by revealing the ingredients that it uses. The value is in the method, process and ratio by which those ingredients are combined and the presentation of the final dish. Moreover, diners want to know the provenance of the food that they are paying for. At the very least they want to know that it is safe to eat, but also that it has been sourced responsibly and ethically.

Instead of new regulation, UKAI champions industry-led self regulation. In practice this means that the industry should come together to establish a set of transparency standards and a framework for the disclosure of how training sets are being used. Whilst it is unlikely that all Gen AI companies will sign up to this self regulation at the beginning, many will and some have already developed their own standards (e.g. Anthropic). It is then the responsibility of the industry to oversee interoperable standards and highlight why this is important to consumers, enabling them to make informed decisions.

3. Facilitate AI Licensing: Leverage Technology to Empower Creators

- Tracking copyrighted materials is important but difficult
- Technology can provide solutions such as registries, fingerprinting and marketplaces
- Government should play a central role in adoption of new licensing solutions

Whilst the licensing model is well established in some areas such as music publishing, few platforms, processes or standards exist for the licensing of copyrighted materials to Gen AI companies to use as training data. Some tools already exist, but the approach is fragmented and inconsistent.

“Have you heard of the ISCC standard? An ISO standard [24138]² for efficient identification and tracking of digital content across different platforms. A fingerprint for each unique digital asset.”

Firstly, AI powered software can be used to manage, track and attribute how creators’ copyrighted materials are being used by Gen AI companies.

“You express your rights and then any [Gen AI] company that wants to ingest these digital assets can basically apply the same fingerprint to run a look-up in the registry and see what they’re allowed to do, how they need to compensate you, how they need to abide by your rights... This can be done at scale from either side.”

2 [ISCC Standard](#)

AI powered software might also be used to consolidate individuals rights to be managed by larger bodies (e.g. rights management organisations) as well as track usage and payments, greatly simplifying the work required for individual rights owners. Once copyrighted material has been licensed there are questions about what happens to it 'downstream' and how it is used cannot be controlled.

Attribution remains a major challenge, solving it would ensure fair compensation providing a financial incentive for creators to participate in AI. The attribution process reinforces the importance of collaboration and the importance of creators' materials to Gen AI models, which increases trust.

Secondly, standardising this process and enabling individuals' materials to be quickly and easily consolidated into larger data sets will make the process easier and more attractive for Gen AI companies who are keen to avoid legal disputes. Some AI powered technologies are already offering a 'marketplace' for Gen AI companies to shop for uniquely high quality and permissioned data that can be licensed as training data.

Supporting the licensing marketplace should result in the development of a pricing model determined by the market. This could be similar to the 'programmatic marketplace' that is well established in online advertising.

Whilst the technology makes a licensing marketplace technically feasible, to be commercially external incentives are required to make it commercially feasible. UKAI calls for the Government to give unambiguous support to the development of a licensing model for creators' rights and to incentivise the development of a licensing marketplace and the software and tools to support it.

4. Copyright Pioneers: Reestablish the UK as the Global Centre of Copyright Expertise

- **The UK has a rich heritage and unique expertise in copyright law**
- **Championing the existing and well understood copyright law provides clarity for businesses**
- **The UK should be a global leader in responsible, ethical and pragmatic AI governance**

The UK has a unique position and unique legal expertise which could allow it to become the global centre of copyright expertise. Rather than changing the existing copyright law, or moving to align with the EU AI Act, the UK should champion the clarity and simplicity of the existing domestic copyright law. Existing UK copyright law is well understood in the US, in comparison to new EU law, which is likely to be rejected.

UKAI calls for the Government to support the existing copyright law, which would signal to UK lawyers that it is worth investing time and resources in actively finding innovative legal solutions to some of the challenges highlighted above. UKAI is confident that solutions can be found that build upon existing law rather than replace it. This would place the UK at the centre of both legal and technological solutions, strengthening the UK's position and influence within the global AI industry.

The UK should not copy EU law: A tailored approach will enable it to remain internationally competitive, aligned with the US, yet still able to hold global Gen AI companies accountable.

This recommendation builds upon UKAI previous recommendation for the UK, and the City of London in particular, to position itself as a global centre of expertise in AI regulation.

5. Empower Consumers: Greater Consumer Understanding Drives Informed Choices

- **AI is still poorly understood, education will unlock solutions**
- **Train creators to fully harness the power of AI tools**
- **Empower consumers to make informed decisions**

Understanding of what AI is, and how it works, is still fairly limited amongst UK consumers. UKAI believes that increasing basic AI literacy is essential to build greater trust and increase adoption of AI technologies by workers and consumers across the UK. Lack of trust and adoption of AI will ultimately limit economic growth.

Understanding the basic principles will help consumers make informed decisions about the companies that they use. An analogy can be made with the change in consumer attitudes to egg production. Increased awareness of the environments in which eggs are produced has led to the emergence of ethical (free range and high welfare) production methods being selected. In the same way, if consumers understood how Gen AI models are proposing to obtain their training data then UKAI believe they would choose those companies who are investing in more ethical approaches. For example, Anthropic has already committed to ‘Constitutional AI’ that will only source training data that has been fairly and legitimately obtained. Increased education means more informed consumers, which should drive growth in market demand market demand for responsible products.

In parallel to educating the general public, individual creators should receive adequate training in how to use Gen AI tools, as well as any new solutions that emerge to help them protect copyrighted materials.

“A big solution would be getting the artistic industry on side and educating them with tech. Hollywood industries are upskilling, bringing in experts to show their VFX [Visual Effects] teams and their production teams how to use AI to make films more cost efficiently.”

6. Assess Opportunity or Cost?

Properly Assess the Economic Cost

- **Assess the costs as well as the opportunities**
- **Industry sectors should not be competitors, growth is not zero-sum**
- **The majority of AI businesses want to support the creative sector fairly and responsibly**

Several attendees suggested that a decision of this magnitude requires proper analysis to understand economic risks as well as the opportunities. The Government has stated that the reason that they are considering making changes to copyright laws is to benefit the AI sector and encourage growth.

Most people agreed that economic growth is a good thing, but not if growth in one sector is directly at the expense of another. UKAI recommends quantifying the risk, conducting an economic risk-assessment that can evaluate both the potential benefits to the AI sector and the corresponding costs to the creative sector.

UKAI highlights that the AI sector comprised of thousands of UK businesses, of which Gen AI businesses are a very small fraction. Whilst Gen AI companies are important, and many of the other businesses rely upon their technology, UKAI believes the broader AI sector will drive more economic growth from a system that consumers trust and know to be fair.

Conclusion

A Collaborative and Considered Approach is the Only Way Forward

All parties seek a fair solution. UKAI believes that it is good business to act in a responsible and ethical way: Increasingly consumers choose businesses that act ethically.

Relatively little work has been done to bring all parties together to find common ground. UKAI's initial work in this roundtable suggests that all parties are willing to work together to find solutions and that AI technology can be part of those solutions.

UKAI believes that solutions can be found that protect individual creators' rights, but which do not impede the growth of Gen AI businesses: A win-win scenario is possible and a zero-sum outcome can be averted through further discussion. Moreover, AI businesses across the UK call for a solution that is fair. UKAI is concerned that moves to change the copyright law would damage the reputation of the entire UK AI sector, in order to achieve minimal gains for a few, global Gen AI companies.

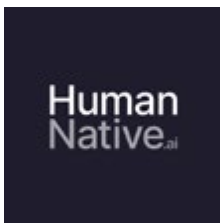
UKAI does not see an urgent reason to change the copyright law and recommends that if after further consultation any changes are proposed that they should be implemented carefully, rather than rushed through. Copyright legislation that is robust enough to have changed very little in 300 years does not need to be overturned overnight.

Appendix

Appendix I: AI Businesses

Three AI businesses were present that provided relevant solutions. They were invited to share a short explanatory paragraph here.

Human Native AI



Human Native AI is an AI data marketplace that fairly benefits both rights holders and AI developers.

Human Native AI helps rights holders prepare and catalogue their content for training AI. We ensure they get a fair deal, by indexing, benchmarking, and evaluating datasets to demonstrate their value.

Human Native AI gives them granular control over the prices they charge and where their content is used. Human Native AI provides proprietary market intelligence to help them set the best price for their content.

Human Native AI helps AI companies licence high-quality content at scale, from a diverse range of sources. This reduces compliance risk and ensures they can access data swiftly via standardised legal documents.

Human Native AI is building a fair information ecosystem, and are already working AI developers ready to licence content, and tens of rights holders partners across news, audio, video and publishing.

Liccium



Liccium is a rights management platform that enables creators and rightsholders to digitally sign and certify their original works. It allows copyright claims and metadata to be persistently linked to digital content without relying

on embedded metadata or watermarks. The software has a simple, easy to understand interface that allows creators to express AI opt-in/out preferences for their valuable work in just a few clicks.

Liccium developed the [TDM-AI](#) protocol, a framework for expressing machine-readable rightsholder preferences regarding AI training and generative AI applications. The protocol utilises the International Standard Content Code (ISCC ISO 24138) for digital content identification and incorporates W3C-compliant verifiable credentials. This ensures that rights declarations and AI usage preferences are both verifiable and properly attributed to legitimate rightsholders. A federated registry infrastructure provides AI model developers with access to rightsholders' preferences without requiring creators to share their content. This approach is particularly effective when content has already been distributed online.

By enabling standardised, transparent, and verifiable claims, Liccium supports responsible AI development while safeguarding intellectual property rights.

Voice-Swap



[Voice-Swap Limited](#) is an AI voice technology and rights management company. They specialise in creating the highest quality singing and speaking voice models and delivering custom solutions for individuals and enterprises, while safeguarding IP rights and creating new revenue streams for the rights holders.

Voice-Swap was launched as an ethical and professional solution to widespread unauthorised data scraping and voice cloning practices, while capitalising on the growing market and interest in AI voice technology.

Each AI voice model is built from training data recorded specifically for Voice-Swap and is powered by our proprietary base model that ensures no copyrighted content is used at any part of the process. Additionally, their AI voice models create a passive royalty stream for the original voice, as soon as their voice is converted. Voice-Swap has implemented custom watermarking to trace every output and deployed content moderation to prevent the use of inappropriate language and hate speech.

Voice-Swap works directly with creative industry stakeholders, giving them the control over AI.

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