

WIPO Magazine

MUSIC SPECIAL

2025



Artificial intelligence:
**Is this the industry's
next Napster moment?**

Music merchandise:
**The new key
to branding**

Streaming:
**The secret sauce behind
MENA's music scenes**

WIPO

Editor's note

Dear reader,

We're pleased to share our 2025 edition exploring the evolving relationship between music and intellectual property (IP). This year's focus on music inspired an exceptional range of stories and perspectives from an 18th century legal case which helped lay the groundwork for music copyright (p58), to the ways AI-generated songs are fueling the rise of streaming farms (p30), plus conversations with music creators and essays from industry leaders and innovators.

The focus on music is timely. The latest industry data shows significant industry growth, particularly in regions where piracy was once prevalent. Streaming services and industry associations report record royalty payments and investment in marketing and A&R (p6). Yet, as digital distribution evolves, artists need a greater awareness of their rights now more than ever (p16).

The changing relationship between artificial intelligence (AI), human creativity and copyright only ups the tempo of this already urgent conversation. AI is disrupting business models. The industry could well be experiencing another Napster moment, as one contributor opines (p34), and must strive for harmony between creativity and new technologies while calling for licensing inside and outside the courts (p44). On page 48, a technologist examines how AI systems generate music and wonders whether machines could help ensure fair royalties in the future.

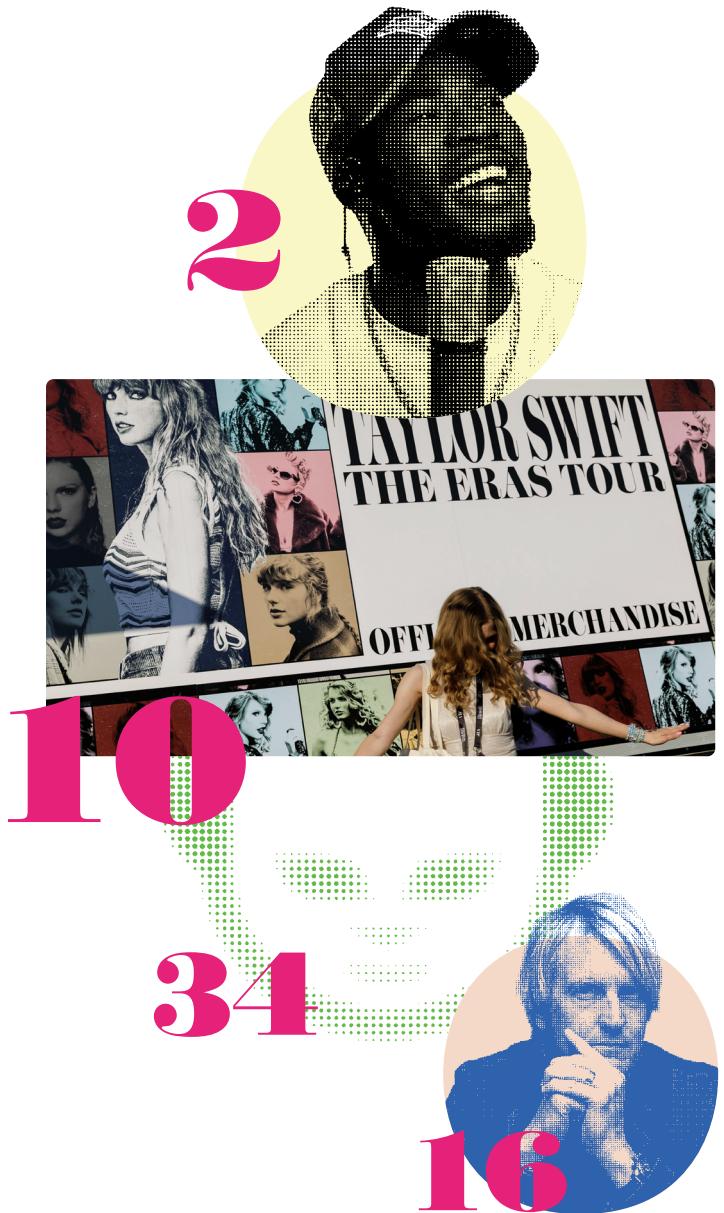
Artist compensation features prominently elsewhere too, with Grenadian Soca star V'ghn (p2) and Cabo Verdean singer Solange (p40) explaining how to effectively navigate IP systems. We also examine China's collective management system (p54) and explore India's take on geographical indications to protect traditional instruments (p68).

Happy reading.



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PROFILE

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V'ghn:

Grenada's prince of Soca music and WIPO's latest IP Youth Ambassador

By WIPO Academy

Grenada's rising Soca star V'ghn is emerging on the global stage not just through his growing follower base, but now as the latest IP Youth Ambassador for WIPO. Discover his insights on how musicians can transform their artistry into lasting livelihoods.





Grenada is home to a bustling music scene, and its jazz, reggae, dancehall and Soca artists compete on the world stage. Jevaughn John, better known as V'ghhn, is a 28-year-old Soca musician, songwriter and producer. He has a global following of nearly 100,000 listeners on Spotify and recently signed a deal with Virgin Records. Here, he shares key lessons he has learned growing up in the music industry.

As a child, Jevaughn John listened to his father play guitar every night and danced his afternoons away at the Spices Dance Company in Gouyave, Grenada. He spent six years being molded into a performer and started making music at the age of 11 in a Soca duo.

He was 16 when he won recognition as a solo artist at the 2013 National Soca Monarch competition in Grenada. Six years later, he won the International Soca Monarch competition in Trinidad and Tobago and was the first musician from Grenada ever to place in the top three. His song "Trouble in the Morning" won in the Groovy category.

That same year, V'ghhn was made a cultural ambassador for Grenada, and Carriacou and Petite Martinique, in

acknowledgement of his contribution at such a young age to his country's music industry. In April 2025, he became the latest IP Youth Ambassador for the World Intellectual Property Organization (WIPO).

"I am proud to be a WIPO IP Youth Ambassador for Grenada," V'ghhn said when he heard the news. "I want to represent what my industry can offer by setting a good example for young creatives like myself."

V'ghhn had always produced and distributed his music himself, but in 2025 he signed a 10-song deal with London-based EGA Distro Ltd, a label under Virgin Records. Before signing, he did a deep dive into intellectual property (IP), trying to learn as much as he could. He settled on a 10-song deal in order to keep the master recordings and remain an independent artist.

"The industry can be unforgiving, so the most important thing artists can do is to protect themselves and learn about their rights, which includes their IP," explains V'ghhn. "There is no pension in music, and artists need to remember that, sometimes, the business of it is way more important than recording in the studio."

Like most artists, he earns 60 percent of his income from performing, while streaming provides only 15 percent. He is also partnering with brands to promote their products among his audience. Through that experience, he has learned another side of IP.

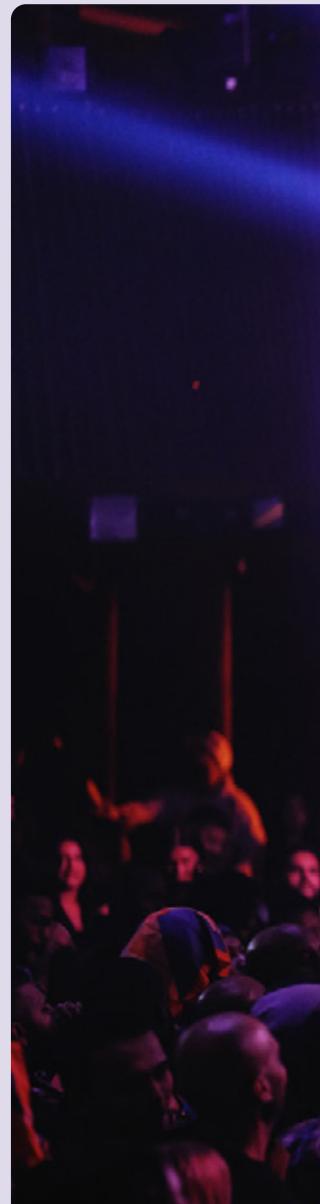
"IP for artists like me shouldn't just start and end with copyright," he says. Trademarks are important too. "The branding and business side of my work is how I can see myself sustaining my future with music."

As a songwriter, what matters most to him is being credited for his work. "I've written songs for my friends in the industry, like Nadia Batson, Blaxx, Skinny Fabulous and Konshens, to name a few. Sometimes they ask me to write them, and other times I just come up with songs that would go better with them. I don't usually ask for remuneration for the lyrics – just credit for my contribution."

V'ghn is a member of the Eastern Caribbean Collective Organization for Music Rights (ECCO) Inc. and relies on its support for copyright to his music in the region.

"You can't be on the stage forever, but your music will stream forever, because music never dies. So, as creatives it is important to ensure that our IP is copyrighted and taken care of, because it will not just benefit us but also give our descendants a chance at a good life." **M**

**IP for artists like me
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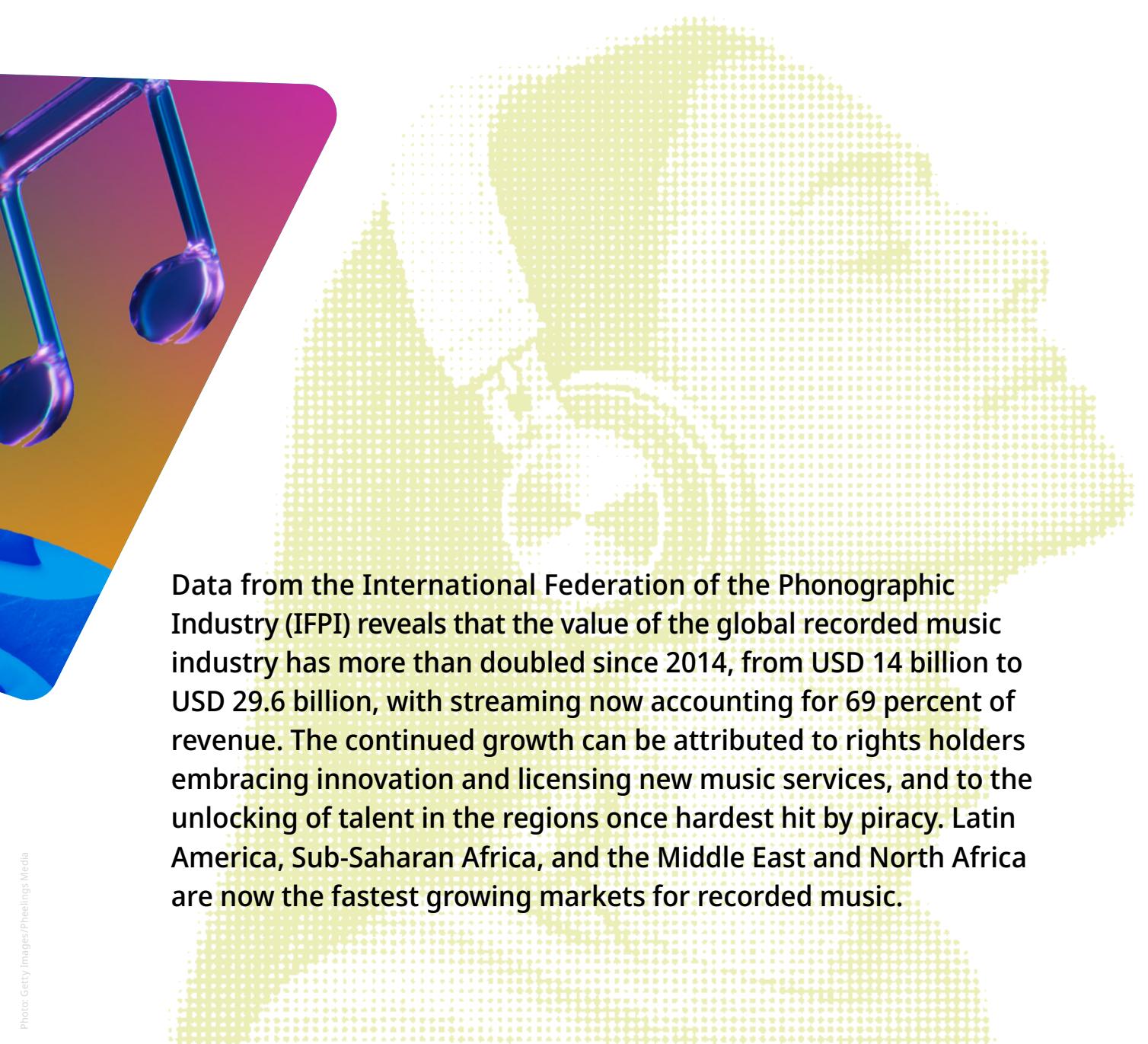


“The branding and business side of my work is how I can see myself sustaining my future with music.”



IFPI looks at a decade of digital transformation in the music industry

By Lauri Rechardt, Chief Legal Officer, IFPI



Data from the International Federation of the Phonographic Industry (IFPI) reveals that the value of the global recorded music industry has more than doubled since 2014, from USD 14 billion to USD 29.6 billion, with streaming now accounting for 69 percent of revenue. The continued growth can be attributed to rights holders embracing innovation and licensing new music services, and to the unlocking of talent in the regions once hardest hit by piracy. Latin America, Sub-Saharan Africa, and the Middle East and North Africa are now the fastest growing markets for recorded music.

The latest data and trends show that the potential for continued growth remains, but IFPI emphasizes that respecting copyright frameworks and investing in artists remain essential. Artists and repertoire (A&R) and marketing spending reached an all-time high of USD 8.1 billion already in 2023, amid unprecedented challenges to copyright from artificial intelligence (AI) companies.

From CDs to streaming: the revenue shift

In 2015, I wrote an article for WIPO Magazine on the state of the music industry, addressing the opportunities for and challenges to copyright and future growth. At that point, IFPI had just published data on global revenue for 2014 that showed the recorded music industry was worth USD 14 billion, with compact disc (CD) sales the main source of income. Spotify had 15 million subscribers – there were 263 million in 2024 – and a major obstacle to growth was the market distortion caused by online content-sharing platforms distributing music without licenses while claiming to benefit from “safe harbor” privileges.

Ten years later, the 2025 IFPI Global Music Report provides the latest data. In 2024, the industry was worth USD 29.6 billion, with 69 percent of revenue coming from streaming. There were more than 750 million users of paid streaming subscription accounts globally, and, with the exception of a few holdouts, major content-sharing and social media platforms had negotiated licenses for music use. It is fair to say that the depth and pace of the industry's transformation and growth have exceeded even the most optimistic predictions.

Three key factors driving global music industry growth

(1) Physical products and performance licensing
While the market growth is mainly driven by paid streaming, physical products have not disappeared. On the contrary, sales of vinyl records have been growing steadily. Collective management organizations (CMOs) are also increasing revenue from

broadcasting and public-performance licensing. So, although digital streaming accounts for most industry revenue, other products are also growing and contributing to the overall trend.

(2) Global expansion and local artist development

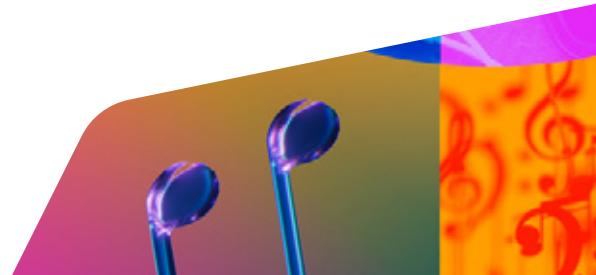
The industry growth is global and reaches all regions. The top 10 markets now include China, the Republic of Korea, Brazil and Mexico, and the fastest-growing regions in 2024 were the Middle East and North Africa, Latin America and Sub-Saharan Africa. Moreover, according to a recent paper on “Glocalization”, most countries in the study have seen “an absolute and relative increase in the domestic share of their top 10 songs and artists in 2022”. At IFPI, we see evidence of this trend in the annual top 10 charts for each market.

The data demonstrate the importance of investment in local talent to secure continued growth, and the importance of predictable and harmonized global copyright frameworks that support such investment. It cannot be overstated how important the WIPO Copyright Treaty and WIPO Performances and Phonograms Treaty are as the foundations of the global copyright system and enablers of the growth of local music and other creative industries.

(3) Equitable growth across the music value chain

All groups – songwriters, publishers, artists, record companies and distributors – in the music value chain have benefited. In the United Kingdom, the Intellectual Property Office (IPO) and the Competition and Markets Authority (CMA), in their respective studies on music creators' earnings in the digital era, reported that artists and songwriters were receiving a larger share of the growing industry sales revenue, while the licensed streaming services provided consumers with unprecedented value.

IFPI has found the same trend globally. In 2023, record labels paid 34.8 percent of their revenue to artists, with payments increasing by 107 percent between 2016 and 2023. Songwriters and publishers have also benefited – their streaming revenue in 2023 was more than double what they earned from CD sales in 2001, the year when physical sales peaked.



USD 8.1 billion in artist development: cutting through digital noise

It is also true that, while artists today have more choices and opportunities than before when it comes to producing and distributing their music, the “democratization” of music production and global competition make it harder than ever for artists to reach fans.

More than 100 million songs are available on streaming platforms, and more than 100,000 new recordings are uploaded daily, according to Luminate (the entertainment market monitor and insights provider that was once known as MRC Data and Nielsen Music). That is why record companies continue to play a key role in the music ecosystem; their expertise in finding, promoting and nurturing talent can help artists to succeed in the ever-intensifying fight for fans’ attention.

What has remained constant during the industry’s rapid evolution and the significant changes in its operating environment are the centrality of artistry and record labels’ belief and investment in artists and their music.

According to the 2025 IFPI Global Music Report, labels’ investment in A&R and marketing reached an all-time high of USD 8.1 billion in 2023. That investment is essential because investing in an artist is still high-risk, with only one or two out of 10 artists becoming commercially successful. That investment also benefits other players in the sector, from songwriters and publishers to digital service providers.

Against that backdrop, copyright protection remains a crucial precondition for record companies to make risky investments in artists and their music. Without the exclusive rights that copyright provides, labels would not be able to negotiate fair commercial terms for the use of their recordings necessary to secure the creation of new music and investment in new artists.

This fundamental tenet of copyright remains equally relevant in the context of generative AI.

Further growth is not a given; it takes investment, belief in human artistry and a robust copyright framework.

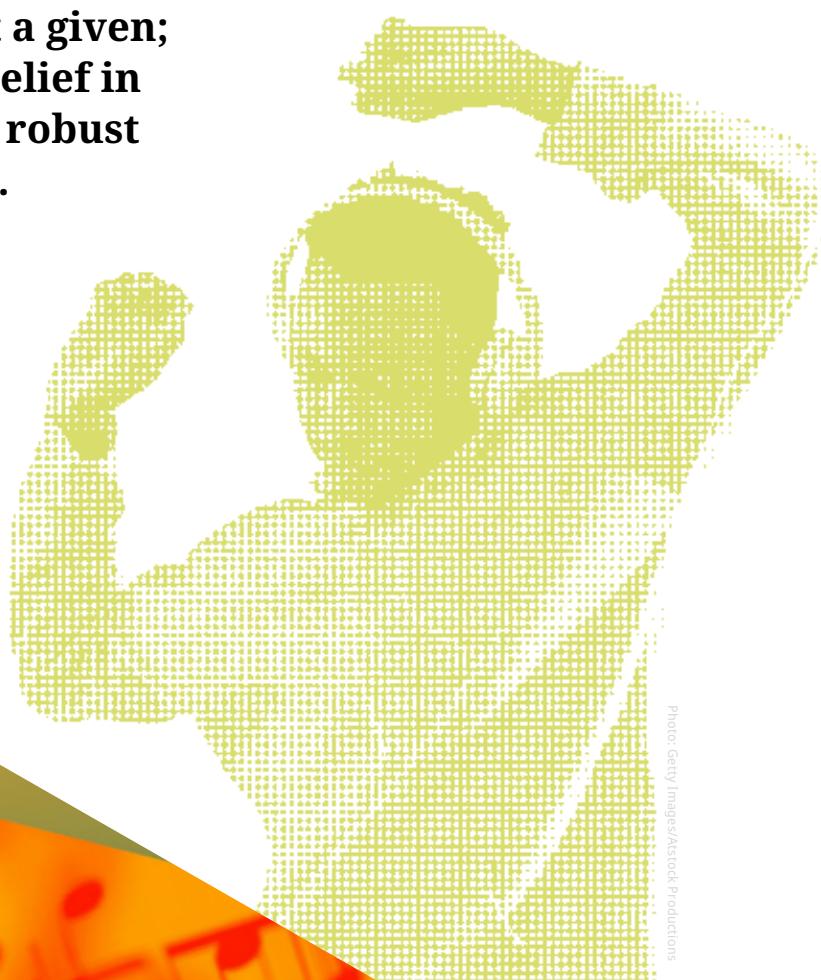


Photo: Getty Images/Alstock Productions

Copyright protection remains a crucial precondition for record companies to make risky investments in artists and their music.



The future of the music industry: streaming, copyright and AI

What do the next 10 years hold for the global recorded music industry? One of the most exciting things about our sector is that we simply don't know what future musical trends, genres and artistry fans will embrace; there is always something new and unexpected.

What is clear, however, is that today's recording industry embraces change and is directly engaged in driving innovation. This means continued growth in new and emerging markets, leading to greater artist development and opportunities to break out globally.

Technology will continue to be an essential partner as record companies explore ways to deepen the connections between artists and fans. As for AI, there is a positive way forward where music is licensed on fair terms to generative AI services based on principles of authorization and transparency. We need governments to recognize and support this.

Perhaps paradoxically, music's exciting future is predicated on the same thing that has underpinned the past 10 years of its evolution: respect for the global copyright framework. **M**



This article was shortened.
Read more about the author's view
on current AI developments online.

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Music merchandise:
**The new key to
branding for
musicians**

By James Nurton, freelance writer

How musicians such as Taylor Swift and Rihanna build billion-dollar IP empires beyond music, all while facing trademark challenges and balancing creative control with commercial success.



There's nothing like seeing your favorite musicians perform live – and it seems like more and more of us want to do so. Taylor Swift's recent Eras Tour was the highest-grossing tour of all time, with total attendance of more than 10 million people and box office revenues of more than USD 2 billion.

Meanwhile, 15 years after they split up, British rock band Oasis recently announced a series of concerts to take place in July and August 2025. The dates immediately sold out.

The popularity of live events shows the value that fans place on connecting with musicians and bands. For many fans, buying memorabilia and merchandise is a way to continue that relationship and identify with their heroes.

Merchandise is increasingly important for many of today's stars, given the limited returns available from royalties from record sales and streaming. According to a recent report by MIDiA, the global merchandising market will grow to USD 16.3 billion by 2030.

"Musicians can maximize the benefits of their IP with merchandising. It can diversify their income and expand their brand as well as creating more ways to connect with their fans," says Hayleigh Bosher, Reader in Intellectual Property Law at Brunel University of London in the UK.

However, to be successful, a merchandising strategy requires careful management of IP rights such as trademarks and designs, and negotiation of licenses and agreements with third parties.

It is critical for musicians to ensure they control the rights to their name and associated intellectual property.

Hip-hop merchandise: a branding revolution

Anyone who has been to a gig or record shop since the 1960s will be familiar with the range of goods that fans of performers and bands can buy, from T-shirts and posters to key rings and toys.

But in some musical genres, merchandising has always had a bigger role to play. Professor Kevin Greene of Southwestern Law School in Los Angeles, California, argues that merchandising was particularly important for hip-hop artists from the 1980s onwards.

Professor Greene, who recently published an article titled "Goodbye Copyright? The Rise of Trademark and Rights of Publicity in the Hip-Hop Music Industry" tells WIPO Magazine: "The music industry was rotten for many marginalized communities. But hip-hop brought with it the inner city ethos of hustling."

Greene argues that IP has historically adversely impacted African American music creators to the benefit of multi-national corporations: techniques such as sampling were disapproved of and copyright did not adequately recognize

works created by African Americans. But in 1986, he says, the hip-hop band Run DMC "smashed the door open" when they became the first band to partner with a major athletic brand, launching the song "My Adidas".

Run DMC have been followed by artists such as Drake and Travis Scott (both with Nike), Jay-Z (Puma) and Cardi B (Reebok). Today, says Greene, "it's de rigueur to have a branding contract right out of the gate."

Celebrity clothing brands and fashion collaborations

Some musicians even have their own fashion labels or work with luxury brands as designers. Rihanna launched the Fenty Beauty brand in 2017 and led the Fenty fashion brand (owned by LVMH) from 2019 to 2021. Since 2014, she has also had a collaboration with Puma under the Fenty X Puma brand. The singer is estimated to be worth USD 1.4 billion, largely due to Fenty Beauty and her other business ventures.

US musician Pharrell Williams is now working with Louis Vuitton as Men's

Creative Director. In January 2025, Williams and Japanese DJ and designer Nigo unveiled a men's streetwear collection at Paris Fashion Week that won rave reviews.

And the money is not just in fashion. For example, rapper Megan Thee Stallion has deals with Nike, Revlon, Cash App and Popeyes. Dr Dre sold his headphone company Beats by Dre to Apple for USD 3 billion in 2014.

How to protect artist brands with trademarks

While the rewards of successful merchandising can be enormous, especially for established musicians with a broad fan base, several obstacles have to be overcome.

First and foremost, it is critical for musicians to ensure they control the rights to their name and associated intellectual property, such as logos and images. In K-pop, for example, there have been several disputes between agents and singers or bands (including G-Dragon and iKON) over the ownership of names.

A key decision for musicians is whether to develop their own brand, ensuring full control and creative freedom, or working with a licensee.



RUN DMC x Adidas Originals pop-up and art installation in New York, marking 40 years of the legendary Hip Hop group, August 2023.

Disputes often arise when band members join or leave a group. The former members of the 1970s British band the Rubettes (famous for the song "Sugar Baby Love") ended up in court after one of them applied to register UK and EU trademarks for "Rubettes". The UK trademark registration was eventually invalidated in a High Court ruling, while the EUTM registration was cancelled. A second key point is to ensure that trademark registrations cover all the required goods and services in all relevant jurisdictions. The Madrid System, which currently covers 130 countries, can be an invaluable tool in this respect. Trademark filings should also cover any products that are planned in future, taking into account grace periods to show use of the mark.

Third, other IP rights such as registered designs and the right of publicity (where available) may be relevant. Design rights

are crucial in industries such as fashion and furniture. But, given their high media profile, musicians have to be particularly attentive to novelty requirements and the risk of invalidating designs through premature disclosure.

This risk became apparent in a recent case before the EU General Court (Case T-647/22), involving a registered Community design (RCD) for shoes filed by Puma. An RCD is a unitary industrial design right that covers the European Union. Since May 2025, all Community Designs have been renamed European Union Designs (EUD), following amendments to the EU Design Regulation (EUDR).

In the Puma v Forever 21 case, the Court upheld a finding that the design lacked individual character on the basis of designs disclosed by the singer Rihanna in photographs posted on her Instagram page and elsewhere in December 2014.

The Court stated that, because Rihanna was a world-famous pop star in December 2014 (more than 18 months before the RCD application was filed), both her fans and specialists in the fashion sector had developed a particular interest in the shoes that she wore on the day she signed the contract with Puma.

"That being the case, it is perfectly reasonable to take the view that a not insignificant proportion of the people who were interested in music or in Rihanna herself, including her clothing, in December 2014 viewed the photos in question closely in order to discern from those photos the appearance of the shoes that the star wore, thus recognizing the features of the prior design," wrote the Court.

Puma's appeal to the Court of Justice of the EU was not permitted to proceed (Case C-355/24 P), meaning the decision is final.



While the benefits of merchandising can be enormous, there are risks, including litigation.

Musician owned branding vs celebrity endorsement: a dilemma

Given the complexities involved in IP management and protection, a critical decision for musicians is whether to develop their own brand, ensuring full control and creative freedom, or work with a licensee, which can reduce upfront costs but means giving up some control and a share of revenues.

Whichever approach is taken, says Ms Bosher, "artists should make sure that they receive a fair share of the income from their merchandise. In some cases, we have seen that venues make more money from the merchandise sold at a gig than the artist, because of unreasonable commission fees."

Enforcing trademark rights for unofficial merchandise

While the benefits of merchandising can be enormous, there are significant risks – including litigation. When launching any merchandising programs, it is vital to ensure that others' IP rights are respected. This is particularly important when branching out into new product lines where established brands may already exist.

Musicians may also have to go to court to enforce their rights. In 2013, Rihanna sued retailer Top Shop in the UK over its sale of T-shirts with her photo on them. The Court of Appeal upheld a first instance finding that there was passing off, as some members of the relevant public would think that the T-shirts were endorsed by the singer.

In 2016, Run DMC launched US lawsuits against Walmart, Amazon and other retailers over what they claimed were unauthorized sales of goods bearing the band's name. The band sought damages of USD 50 million. Rapper RZA of the band Wu-Tang Clan has also reportedly sued online marketplaces over the sale of bootleg products.

Celebrity endorsements gone wrong

In some cases, overexposure or egregious behavior can cause damage, ultimately leading to merchandising deals being canceled.

An example of the dangers of overexposure is the rapper MC Hammer. "He was everywhere in the early 1990s," says Professor Greene. During this period, MC Hammer endorsed Taco Bell, Pepsi and KFC and starred in an animated TV show, Hammerman. But then he lost credibility and was pilloried. "Oversaturation (and massive overspending) had done him in," writes Professor Greene.

When it comes to bad behavior, meanwhile, Professor Greene describes the experience of Kanye West as "a cautionary tale". Adidas ended its 10-year relationship with the US rapper and withdrew all Yeezy footwear in 2024 after he made antisemitic comments. Travis Scott is another rapper who lost millions of dollars in deals after 10 people died at one of his shows in 2021.

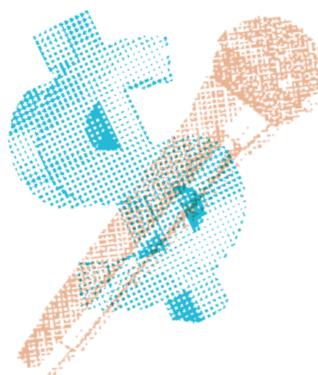
Balancing art and commerce

Rock'n'roll purists may be uncomfortable with the rise of music merchandising, while some musicians such as Prince famously refused to do commercial deals. But in an industry where careers can be short and often end abruptly, it can be powerful and lucrative.

As Professor Greene observes, in today's celebrity-driven culture: "Superstar musicians are also social media influencers and their brands depend on trademark and copyright."

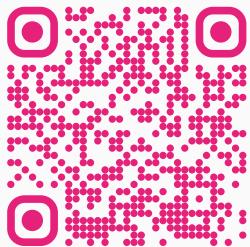
In an ideal world, argues Ms Bosher, musicians would make sufficient income just from their music, while merchandising would be more about connecting with fans rather than diversifying income. But that is not the reality today.

"Carefully considered merchandise can create wonderful ways for fans to connect more deeply with the music that they love," she says. "It is also a great way for fans to support the artists they care about, as long as the income from the merchandise does go into the hands of the artists, which unfortunately isn't always the case." **M**



Where more music meets intellectual property.

WIPO Magazine's dedicated webpage gathers the business strategies, legal precedents, and technological shifts transforming the music industry online.



Focus | Music

WIPO

Niclas Molinder:

Music creators need to shift their mindset about metadata and IP



Swedish music producer Niclas Molinder urges creators to take better care of their metadata, so that the industry can take better care of them.

Niclas Molinder has built a career championing creator rights. He has collaborated with music industry titans such as ABBA's Björn Ulvaeus, with whom he co-founded the collaboration and data tool Session Studio alongside renowned producer Max Martin. This platform helps creators document the critical data required for correct royalty payments and credits. As a key initiator of CLIP (Creators Learn Intellectual Property), Molinder is a strong advocate for music rights and artist education worldwide. In this conversation with WIPO Magazine, he urges music creators to take proactive steps to secure their rightful compensation.

— Where does your passion for music rights come from?

Initially, I had no intention of getting involved in music rights. I've been a songwriter and producer for more than 20 years, and my focus was always on creating music. But at one point, my partner and I received so many requests for new songs and productions that we couldn't keep up. To manage the demand, we launched a publishing company and a label, turning our operation into a full-scale production house.

For the first time, I was on the other side of the table, representing other creators. It was up to me to ensure that all registrations were correct. That's when I truly grasped the complexity of metadata and its crucial role in a song's lifecycle. I also realized something fundamental: the term "song" that we use so casually is not a legal definition – it's a combination of a musical work and a sound recording. It became clear that metadata and rights management are essential for ensuring everyone involved in the creation of a song is properly credited and paid. That was my wake-up call.

— You mention the other side of the table. Some artists feel they are sitting on the wrong side. At the same time, Spotify claims it paid out USD 10 billion in royalties in 2024. What's going on?

First and foremost, I think it's a lack of knowledge and education. Too often, instead of seeking solutions, we blame each other. I genuinely don't believe that any company or organization is deliberately trying to exclude creators for financial gain. The challenge is the system itself – it's complex and, without the right data in place, payments can be delayed or lost.

— What about the other side?

Speaking as a creator myself, if we don't keep track of who we collaborate with and who contributed to a musical work or sound recording, how can we expect the rest of the industry – publishers, managers, labels, streaming services and collective management organizations (CMOs) – to figure it out for us? The foundation of intellectual property and royalty-based payment relies on everyone having the same understanding of who was involved and how revenue should be divided.

Ultimately, the problem comes down to transparency and communication. What I'd like to emphasize to publishers, labels, managers, CMOs and everyone in the industry is that high-quality metadata needs to be captured early in the creative process. If we get this right from the start, we can establish secure links between identifiers and the money will flow faster and more accurately through the system. That benefits everyone.

— So as a music creator, what do I do?

Think of it like any other job. If you work at a restaurant, for example, you need to provide your employer with three



Photo: Knut Kivistö

key pieces of information to get paid: your social security number, your bank details, and a time report documenting your hours.

Music creators should apply the same mindset. When a song is finished, share your IPI, IPN and ISNI identifiers, agree on the splits, and ensure that everyone involved has the exact same information. I'm not saying this is just on the creators – it concerns everyone in the industry. But before we can discuss downstream improvements, creators need to shift their mindset and recognize the importance of metadata as the essential link to their work.

What I'm talking about can be done with paper and a pen. It's just something you need to do. What matters most is adopting the right mindset and taking action.

Let's say I have all this information; how do I make sure it is going to be available to the global industry?

My recommendation is to use creator tools that are compatible with the DDEX-RIN standard.

The real challenge is that the process is often too complicated for music creators. That's why it's crucial for music industry companies to adopt existing standards and solutions such as Connex, which ensures all metadata is accurate and matched before a song is released.

Give us an example.

Let's say that you're a songwriter. Before your song is released, you need to discuss and agree on the split for the musical work. This conversation is often uncomfortable and can create a bad vibe, but avoiding it leads to bigger problems.

If the split isn't documented, the industry might recognize you as a songwriter but won't know how to distribute payments.

As a result, the money is held until the dispute is resolved. Many songwriters complain about delayed payments, but the truth is, this issue could be easily prevented with a simple agreement at the start which all involved songwriters, publishers and CMOs have access to.

Is this the so-called black box of money not going anywhere because it's hard to find the creators?

Yes, though sometimes, the money does eventually find its rightful recipient. CMOs, publishers and other industry organizations work hard to distribute royalties as accurately as possible. However, we also need to address the enormous administrative costs and delays caused by incomplete or incorrect data. If a CMO or publisher doesn't have the necessary metadata, they must manually track it down, which is time-consuming and expensive. Creators need to be more involved in their own administration. The more accurate data we provide upfront, the fewer resources are wasted tracking down missing information later.

Do you see a solution?

The industry needs to fundamentally shift our mindset – real metadata accuracy starts at the source during creation, not through costly and time-consuming corrections downstream long after a song's release. The industry also needs to take a more active role in education. I attend conferences and music industry events all the time and education is always a hot topic. People constantly say, "We need better education for creators."

Which is something you provide.

Exactly. With CLIP, we've done something unique: we created a free educational platform available in seven languages. Most importantly, all content is approved by the entire music industry. Our advisory board consists of leading music industry

trade bodies, which has never happened before on an educational initiative like this. Of course, it takes time to get CLIP fully adopted worldwide, but we need stakeholders across the music industry to step up and support it.

To everyone in the industry: join us. It's free. It doesn't cost a single dollar, euro or any other currency. All we ask is that you help spread the word to your creators at scale. **M**



Photo: WIPO/Emmanuel Berrod

Poundo Gomis performs at the CLIP launch, the WIPO platform Niclas Molinder helped to create.

IN THE COURTS

How a Bollywood veteran set a legal precedent

By Dipak G. Parmar, IP Attorney, India

Playback singer Arijit Singh is the most followed artist on Spotify. When his voice was cloned, the resulting court case highlighted growing concerns around AI, IP and personality rights.



In Bollywood, the most popular male vocalists are playback singers whose voices can fit any film actor but who do not appear onscreen themselves. Arijit Singh is one of the few to have emerged from behind the curtain.

As of June 2025, Singh is the most followed artist on Spotify, with 155.8 million listeners, surpassing Taylor Swift's 139 million. While Swift remains in the top 10 for streams, Singh ranks at 59. Singh's popularity as a solo artist, however, has led to an unsettling development: companies using artificial intelligence (AI) to replicate his voice.

In 2024, Singh sued and won a landmark case, potentially establishing a legal precedent for personality rights in the age of AI. The Arijit Singh v. Codible Ventures LLP case marks the first Indian judgment addressing the misuse of generative AI tools, intellectual property (IP) and music. It also highlights the growing tension between technological innovation and personality rights, as generative AI challenges traditional norms around identity and authorship.

So what happened? Singh alleged that Codible Ventures was using AI tools to synthesize artificial recordings of his voice, a practice known as voice cloning. It also used Singh's likeness in its advertising, misrepresenting his endorsement of or performance at its virtual event, and created various assets bearing his name and likeness without authorization.

The judges ruled that Singh's name, voice, image, likeness, persona and other traits are protected under his personality rights and right to publicity. The court expressed particular concern about the potential for exploitation enabled by this new technology.

"What shocks the conscience of this Court is the manner in which celebrities, particularly performers such as the present Plaintiff, are vulnerable to being targeted by unauthorized generative AI content," noted Justice R.I. Chagla of the Bombay High Court.

This ruling not only protects the rights of one of India's most beloved singers but also serves as a critical reference point for creators worldwide navigating unauthorized exploitation of their personas in the era of AI.

India's legal precedents for celebrity personality rights

This is not the first time an Indian court has ruled that celebrities have the right to protect various facets of their personality from unauthorized commercial exploitation, even before the advent of AI.

However, as Madhu Gadodia, Deputy Managing Partner at Naik Naik & Co., explained in a WIPO Conversation in 2024, the concept of personality rights is relatively new in India. It had to be derived from common law, copyright, trademarks and even the Advertising

Standards Council of India (ASCI). The latter protects famous people from having their faces used to advertise things without authorization; this also applies to their voices, which can be just as recognizable.

In rulings to protect personality rights and the right to publicity, plaintiffs must prove three key elements: their celebrity status, that they are identifiable from the defendant's unauthorized use and that such use by the defendant is for commercial gain.

A few seconds of audio is all that's required to clone a voice with up to 95 percent accuracy



This form of technological exploitation infringes upon the individual's right to control and protect their own likeness and voice

In the case of Arijit Singh, the Bombay High Court also ruled that the singer's personality attributes, including his name, voice, photograph and likeness, were protectable and that the unauthorized creation of merchandise, domains and digital assets was illegal.

The court further found the following protectable facets of Singh's personality rights and right to publicity: his voice, vocal style, vocal technique, vocal arrangements and interpretations, his mannerisms and manner of singing, and even his signature.

Moreover, the court found that the use of AI tools to recreate Singh's voice and likeness – apart from violating his exclusive right to commercially exploit his personality – could potentially affect his career if used for defamatory or nefarious purposes.

Singh had successfully defended his personality rights by securing an ad-interim order from the Bombay High Court, preventing several entities, including AI tool platforms, from commercially exploiting them. [M](#)

This article was shortened. Read more about the case and AI voice cloning online.



Prof. (Adv.) Dipak G. Parmar is an IP Attorney, mediator and arbitrator and founder of Cyber-IPR in Mumbai, India. He serves on the Advisory Board of the Centre for Development of Intellectual Property and Research (CDIPR) and the Council of EU Chambers of Commerce in India, among other memberships.

'In the Courts' articles typically report on current court cases and rulings and are circulated in a timely manner for discussion and comment.'

Music rights: Harmonizing creativity in music and business



Music copyright

Copyright is the cornerstone of the music industry. It protects the originality of songwriters (recognized as authors in copyright laws) in creating songs and ensuring that they are able to monetize their intellectual creations in the vibrant creative industries, including live entertainment, the recording industry, the audiovisual sector, video games, etc. It is the starting point of the music value chain.

Authors need to understand how they can manage their intellectual creations and their respective rights in the music marketplace in order to make the best decisions for them as creators.

Music publishing rights

Authors are the starting point of the music industry. They might reach the market directly or through music publishers. Publishers represent songwriters by authorizing the recording of the song, licensing to streaming platforms, and even to audiovisual productions while also fostering the career development of artists. A music publisher, acting on behalf of authors, ensures that the use of the song is done with the respective remuneration and credit, ensuring that creators are rewarded for their creativity.

Who earns music royalties?

Royalties are payments made to rights holders for the use of their music. This includes creators (songwriters, musicians, and performers), publishers representing authors, record labels (phonogram producers), and anyone who obtained or licensed the rights over songs and/or recordings, such as a company that bought an artist's music catalog. Royalties are compensation payments for the exploitation of the music and/or recording. This could be from a synchronization license granted by a collective management organization.

Intellectual property rights provide the framework for protecting musical works, recordings, and performances. These rights empower music as a business, giving the opportunity to creators to control the use of their work, receive fair compensation, and invest in future projects. By understanding and leveraging IP, artists have the building blocks to develop sustainable careers and contribute to the cultural and economic vitality of the global music industry.

The music industry is a dynamic landscape, constantly evolving with technological advancements and changing consumer preferences. From streaming services to live performances, IP rights are essential for navigating this complex environment. Musicians and industry professionals must stay informed about the latest developments in IP law to effectively manage their creative assets.

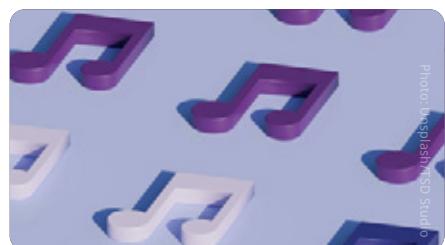


Photo: Unsplash/StockSnap



Photo: Unsplash/Unsplash

Trademarks and music

Besides owning copyright over their songs, musicians and bands might also protect their names and logos as trademarks. The protection through trademarks enables artists to engage with fans through memorabilia and merchandising. As the band expands its fanbase, trademarks will ensure exclusivity over the use of their names and logos.

Patents for musical innovations

Patents might not come to mind when we talk about music, but inventions play a significant role in different areas of the music industry. For a start, they revolutionized how we access and listen to music, from vinyl players to inventions allowing us to easily access music on mobile phones. For more technical inventions, from music mixing to technologies to improve musical instruments such as guitars, patents have paved the way to advancements that benefit musicians and fans around the world.

For a more detailed breakdown, visit WIPO's dedicated music page.





How K-pop fandoms rally around intellectual property

By Ana Clara Ribeiro, intellectual property attorney in Curitiba, Brazil



Photo: Alamy Stock Photo/TCG/Prod.DB

Seventeen pose for a promotional image for their 2022 concert film *Seventeen Power of Love: The Movie*.

K-pop fans aren't just consumers – they're IP investigators who scan databases to determine their idols' next moves. Meanwhile, the industry extends its IP strategy to capitalize on these super-engaged fandoms.

In the music industry today, fandom is everything. "Superfan" is the latest buzzword, as artists and labels realize that loyal fans can be more valuable than hit songs.

In the Republic of Korea, this is old news. Through livestreams, reality shows and exclusive fan events, K-pop companies have long nurtured a culture designed to convert casual listeners into dedicated followers and strengthen the bond between fans and idols (the name given to K-pop entertainers, whether solo artists or band members).

Labels sustain this culture with the help of intellectual property (IP) strategies that go beyond music copyright, trademarked logos and merchandise designs, while the K-pop industry at large is attentive to the IP that protects fandom assets.

Then there are the fans themselves. Through their understanding of IP issues such as copyright and trademark ownership, K-pop devotees are better able to learn about their idols' upcoming releases and celebrate their achievements. Fans even go so far as to defend their idols' IP rights when they detect a violation.

Hybe IPX and JYP Three Sixty, subsidiaries of Hybe and JYP Entertainment, respectively, have branches dedicated to IP licensing. Some companies include chapters on IP in their investor briefings, as in SM Entertainment's SM 3.0: IP Monetization Strategy. Hybe releases public statements about its IP policies and the actions it takes against those who infringe upon its IP rights and those of its artists.

K-pop companies also issue fan etiquette notices, which include rules on IP awareness and encourage fans to help them identify violations. In 2023, SM Entertainment launched KWANGYA 119, a service through which fans can report IP infringements. According to one of the company's lawyers, the service receives an average of 400 reports per month.

BTS Army vs Lalalees in Borahae trademark dispute

Fans often notify the owner of the IP while calling out the violator. In 2021, the BTS Army, the official fanbase of boy band BTS, found that cosmetics company Lalalees had filed a trademark application for the expression "I purple you" (Korean: "보라해", or "borahae"). The word "borahae" turns "purple" into a verb meaning "to love" and is part of the BTS fan vernacular. When fans discovered that Lalalees was trying to capitalize on the term, they flooded its social media pages with comments and reported the issue to Hybe, BTS's management company. Lalalees withdrew its application and issued an apology to the fandom.

The borahae incident exemplifies a broader pattern in K-pop culture. Passionate fan support often translates into a desire to protect idols, making IP infringement a frequent topic of debate. Such discussions can involve claims of groups or companies "copying" each other's concepts, sampling disputes or even allegations of music plagiarism.

K-pop song copyright: beyond the music

As across the entire music industry, copyright protects the core product of K-pop: songs and albums. Korea's music business is one of the most successful globally. In 2023, the Korean Music Copyright Association (KOMCA) was ranked the world's ninth biggest collector of music royalties, collecting around €279 million.

According to annual stats released by the International Federation of the Phonographic Industry (IFPI), K-pop was the leading global genre in physical and digital music sales in 2024. On the IFPI Global Album Sales Chart 2024, 17 of the top 20 albums belonged to K-pop.



Passionate fan support often translates into a desire to protect idols

Fan accusations of likenesses between songs, music videos and aesthetics led to controversies



BTS during a live interview on NBC's TODAY show in New York City in 2020.

Music aside, copyright also protects other assets essential to K-pop fandom. The fan-idol relationship is fostered on specific platforms and apps, such as Hybe's Weverse and SM's LYSN (which includes the Bubble app) that utilize copyright-protected software and company content. Building on conventional social media platforms, these networks offer a distinct way for idols to interact with fans and for fans to feel intimately connected, also within the fandom.

Another integral part of K-pop is dancing, making choreographies a relevant and occasionally disputed topic. Notable cases involve the choreography of Secret's 2011 song "Shy Boy", which was recognized as a copyrighted work by the Seoul District Court the year of the song's release.

More recently, in 2024, a controversy over an alleged choreographic resemblance between two girl groups sparked debate about dance copyrights in Korea. NewJeans' producer Min Hee-jin claimed that the dance routine to Illit's "Lucky Girl Syndrome" copied several of NewJeans' choreographies. Many NewJeans fans supported the charge and pointed out similarities in other Illit dance moves as well. Fan accusations of likenesses between the songs, music videos and aesthetics of groups such as NewJeans, Illit and Le Sserafim also led to controversies between the groups' labels, which then released public statements and took legal actions against the spread of defamation and false information.



Ive performs at the 2022 K-Culture Festival in Seoul.

Fan tracking of K-pop songwriting credits

Given the commercialized and carefully controlled nature of K-pop, idols haven't always had a hand in writing and producing their music. However, the success of groups such as BigBang and BTS has seen idols uplifted to the status of songwriters and producers. Today, members of K-pop bands such as IVE and Seventeen have songwriting credits on the groups' albums. The same is true for all seven members of BTS and all nine members of Twice.

Even when the music is not written or produced by the groups who perform it, K-pop fans are eager to know more about the people behind the hits. When an album tracklist is revealed, fans seek more information on the producers' and writers' previous song credits. Blogs such as The Bias List highlight the work of K-pop songwriters and producers, and fans advocate crediting artists and copyright holders when sharing art, pictures and videos.

K-pop enthusiasts also use official IP databases to figure out where credit is due. When an idol becomes a full member of KOMCA (requirements include receiving a certain amount of royalties from their copyrighted songs per year), the news is usually the subject of celebratory hashtags and other supporting projects. Moreover, monitoring song registrations on the KOMCA online database allows fans to find out about new music from their idols.

Trademarking band names

K-pop fans also scan other IP databases to stay informed and uncover new information. They often turn to the KIPRIS (Korea Intellectual Property Information Search) online database to search for trademark applications filed by K-pop companies.



In their essay on fandom trademarks, Ana Clara Ribeiro and Paula Giacomazzi Camargo found that trademarks are one of many assets involved in artists' careers and their relationships with their fanbase.

In their most basic form, trademarks protect K-pop groups' names and logos. Some companies trademark the group name as a romanized word mark and also in hangeul, the Korean alphabet. For example, girl group Aespa's name is trademarked both in romanized and hangeul (에스파), and in a stylized font.

But trademarking a group's name is just the start. K-pop companies also register other names, such as those of fandoms. K-pop labels typically

create fandoms in tandem with their groups' brands. Army (BTS), ReVeluv (Red Velvet) and NCTzen (NCT) are all fandom names trademarked under the Korean Intellectual Property Office (KIPO). Even event names – such as SM Entertainment's S.M. ART Exhibition – are registered.

Trademark ownership disputes in K-pop

Because K-pop groups are the outcome of strategic planning and investment by conglomerates, it's the conglomerates that own the trademarks. However, this may be changing. In 2022, GOT7 reached an agreement with JYP Entertainment to transfer the trademark from the



NewJeans members Hyein, Hanni, Minji, Danielle, and Haerin at the 2024 Billboard Women in Music event held in Inglewood, California.

K-pop fans are eager to know more about the people behind the hits.

company to the band's members. The accord set a precedent, followed in 2025 by former YG Entertainment artist G-Dragon.

Not all artists have been so lucky. After a setback in its case against record label Ador in March 2025, NewJeans announced their hiatus. The ruling forbade the group – who wanted to rebrand as NJZ – from organizing their own appearances, making music or signing advertising deals during their dispute.

K-pop lightsticks and merchandise

While much fan culture now lives online, concerts and in-person experiences make up a massive part of K-pop. One of the most characteristic products of fan culture that combines design registrations and patents is the lightstick, a handheld device designed to allude to a K-pop group's name and aesthetics.

The devices synchronize with live or recorded music via Bluetooth – technology that can be the subject of complex patents. SM Entertainment owns numerous design applications and registrations related to its groups' lightsticks, while Hybe owns designs and patents for its own.

Fans' relationship with their lightsticks goes beyond the purchase as merchandise – they're symbols of fandom identity that foster a sense of unity during live performances. It is common for K-pop fans to bring their lightsticks even to events that are not related to K-pop.

As with copyright and trademarks, fans search the KIPO database to find design registrations and patent applications filed by K-pop companies. That's how the BTS ARMY discovered the upcoming release of a personalized 3D slide viewer in 2021. The discovery created buzz on

social media and Weverse, where the product quickly sold out.

Clearly, K-pop fans are more than passive consumers – they are active participants in the K-pop ecosystem. And IP plays a significant role in shaping this dynamic. Harnessing fan action as part of their IP strategies while also using IP for commercial aims, K-pop companies turn enthusiasts into advocates with an acute awareness of how crucial IP is to the industry. **M**

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Artificial streaming and its real effects across the music world

By Clovis McEvoy, freelance writer

AI-powered streaming fraud is costing the music industry hundreds of millions. Now stakeholders are fighting back with new detection tools and collaborative initiatives.

Global recorded music revenue reached USD 29.6 billion in 2024. The streaming economy, a cornerstone of the wider music industry, exceeded USD 20 billion in revenue for the first time the same year. It is also a key target for criminals looking to perpetrate streaming fraud.

Using armies of bots or forming entire streaming farms, fraudsters artificially inflate streaming numbers, diverting billions of dollars from the finite royalty pool – funds that should be allocated to right holders such as music creators, artists, labels, or publishers – into their own bank accounts. Music streaming platforms distribute royalties based on play counts but by manipulating the system, criminals can undermine business models across the industry.

This is not new. Streaming fraud has existed for as long as streaming platforms. However, the explosion of AI technology has poured rocket fuel on this long-smoldering issue, revolutionizing the way fraudsters operate and supercharging their ability to evade detection.

In the past, bad actors would upload a relatively small number of tracks to streaming platforms and have automated bots play the content repeatedly to generate fraudulent royalty payments. The problem for the would-be thieves, though, is that this approach is easy to spot; unknown songs by unknown artists suddenly garnering millions of streams raises obvious red flags. AI has flipped the paradigm on its head.

Deezer estimates that 18 percent of the content uploaded to the platform every day is AI-generated

Now, fraudsters use AI song generators to flood streaming platforms with millions of fake songs and stream each one just a few thousand times – enough to generate royalties from each track but not enough to arouse suspicion and detection.

"AI is the ultimate enabler" of streaming fraud, Melissa Morgia, Director of Global Content Protection and Enforcement at the International Federation of the Phonographic Industry (IFPI), told a panel on the sidelines of the seventeenth session of WIPO's Advisory Committee on Enforcement (ACE) in February 2025, because it allows bad actors to "stay under the radar but still operate at a sufficient scale that their activities are lucrative".

Michael Smith lawsuit

The recent case of North Carolina musician Michael Smith is emblematic of this new form of artificial streaming fraud. Smith allegedly extracted more than USD 10 million in royalty payments from a host of streaming platforms by uploading hundreds of thousands of AI-generated songs and using bots to play each one a smaller number of times.

Bad actors are using AI not only to generate audio content but also to create and manage the bots used to stream the content. There are even businesses that boldly advertise streaming fraud as a service, highlighting their use of AI to spoof digital identities en masse and bypass anti-fraud system employed by the likes of Spotify, Apple Music and Deezer. Companies pushing the use of bots frame streaming fraud as a valid way for musicians to grow their brand but conspicuously avoid any mention of the damage it causes across the music industry.

Financial impacts of artificial streams on the music industry

The most obvious and direct harm is financial. Streaming platforms have a finite revenue pool from which they can pay royalties and every time a bad actor successfully extracts fraudulent payments, there is less revenue to share with artists, labels and publishers.

Everyone in the value chain loses out on a material amount of revenue on an annual basis

In April 2025, streaming platform Deezer estimated that 18 percent of the content uploaded to the platform every day is AI generated. That's about 20,000 tracks.

Morgan Hayduk, Co-CEO and Co-Founder of Beatdapp, a service that identifies streaming fraud and tracks missing royalties, believes this figure largely holds true across the music streaming ecosystem, which would mean massive financial losses for the industry.

"Every point of market share is worth a couple hundred million US dollars today," Hayduk tells WIPO Magazine. "So we're talking about a billion dollars minimum – that's a billion dollars being taken out of a finite pool of royalties and everyone in the value chain losing out on a material amount of revenue on an annual basis."

Knock-on effects of fake streams on real artists

Beyond loss of revenue, streaming fraud has a number of knock-on effects. Every time a song's play count is manipulated, it skews its platform's recommendation algorithm and makes

it more difficult for real artists to get their music heard. It also distorts the consumer data that artists increasingly rely on to plan tours and promotional campaigns and decreases the window of opportunity artists have to get a toehold in the music business.

As David Sandler, Warner Music Group's Vice President of Global Content Protection, put it at the panel: "[Streaming fraud] is impacting artists you've never heard of because we don't have a chance to bring them to market. Our company invests a tremendous amount of money, time and energy in discovering new artists, signing new artists and developing their careers. Every dollar we spend to fight fraud is a dollar we can't spend discovering new artists."

Streaming trackers for fraud prevention and detection

As the threat of streaming fraud increases, so too do the industry's mitigation efforts. Using many of the same technologies employed by fraudsters, stakeholders are developing new detection tools to identify AI-generated content and manipulated streams.

"AI can do good things too," says Thibault Roucou, Deezer's Royalties and Reporting Director. "We have been using AI to fight this since 2017, to detect user behavior that is fraudulent and content that is suspicious."

In addition to its AI-based solutions, Deezer has introduced a new artist-centric remuneration model with an innovative approach to combating streaming fraud. When calculating royalty payments, Deezer caps its users at 1,000 streams – if a single user surpasses this limit, they are still able to listen to music but generate royalties at a much lower rate.

"It means that, with only one account, you cannot generate thousands and

thousands of streams and redirect royalties," says Roucou. "It's very useful for combating bots who are just looping content endlessly."

Despite these promising developments, the solution to this issue lies beyond the actions of any single company or even any single government. The networks that enable these fraudulent practices operate worldwide, which means any mitigation efforts must be similarly broad.

On the policing and enforcement side, IFPI's Melissa Morgia notes that many of the necessary mechanisms are already in place; the challenge lies in helping local authorities familiarize themselves with the legal issues and in facilitating communication between music industry stakeholders and the jurisdictions where fraud networks are operating.

"The legal tools to take action globally are there," says Morgia. "It's just a matter of implementation."

For industry stakeholders, it is paramount to share data on the rates, types and methods of detected fraudulent activity and take collective action on this issue. In 2023, global music companies

The challenge lies in helping local authorities familiarize themselves with the legal issues and in facilitating communication with the music industry.

including Spotify, SoundCloud and TuneCore united to form the Music Fights Fraud Alliance. It works with the National Cyber-Forensics and Training Alliance and represents the most coordinated industry action to date and is a foundational step towards combating the issue.

As we move into the age of AI, threats to intellectual property (IP) are evolving and multiplying at an astonishing rate. The sophistication and scale of attacks on IP holders and their royalty payments will only increase over the coming years. It is essential that stakeholders from across the industry work together with public institutions and global organizations to fight fraud.

As Sandler points out: "This is a global problem – it crosses borders, it crosses streaming platforms, and we need a unified effort." **M**



Clovis McEvoy is an Affiliate Researcher at the University of Greenwich, UK, and has a Master's degree in contemporary music composition. He has lectured at the University of Auckland, NZ, teaching music production, sound design and composing for film and games. He's a regular contributor to a number of online publications, including MusicTech, MusicRadar and Future Music. He's also an award-winning composer, sound artist and founding member of the multidisciplinary group Rent Collective.

OPINION

Could AI music be the industry's next Napster moment?

By María L. Vázquez, Dean of Law School,
Universidad de San Andrés, Argentina

The music industry survived Napster by learning to adapt. Now generative AI is testing those same survival instincts.

“Have Everything. Own Nothing,” Napster once claimed. Today’s generative AI models seem to say, “Scrape Everything. Credit Nothing.” Still, fairer frameworks may yet emerge, says Professor María L. Vázquez. Working for Virgin Music in the 1990s, the Harvard-educated lawyer saw early file-sharing give rise to legitimate streaming platforms. For WIPO Magazine, Vázquez explores the copyright lessons we may learn from past disruptions.

In the 1990s, as a young in-house lawyer at Virgin Music in London, I had a front-row seat to the music industry at its peak. The offices at Kensal House buzzed as the label churned out recording and publishing contracts almost weekly. Virgin famously signed the Rolling Stones for USD 45 million in 1991, a testament to its confidence that it could recoup that sum from record sales. Yet the industry stood on the brink of unprecedented disruption.

Napster burst onto the scene in 1999, changing the way music was consumed. The peer-to-peer sharing platform allowed users to exchange digital music files directly. For the first time, anyone with an internet connection could access music instantly, effortlessly and at no cost, threatening the industry’s entire business model. Record and CD sales plummeted, while file-sharing services blossomed.

The Recording Industry Association of America (RIAA) responded to digital piracy with an aggressive legal strategy, filing thousands of lawsuits against individual users. One of the most notorious cases was that of Jammie Thomas-Rasset, who was ordered to pay USD 222,000 for downloading and sharing 24 copyrighted songs on the file-sharing service Kazaa.

Yet the music industry was unable to prevent illegal downloads. Napster reached 80 million users before being shut down in 2001. Virtually every song ever recorded was now available online and, more importantly, consumers had become accustomed to this new way of accessing music.

Apple's introduction of the iPod and iTunes Store in the same year that Napster was shut down proved transformative. By offering licensed digital songs for USD 0.99, Apple demonstrated that consumers were willing to pay for music online, as long as it was affordable and delivered via a user-friendly platform.

Just as species must adapt to survive, so too must industries

This laid the groundwork for the next major shift: streaming. Platforms such as Spotify, introduced in 2008, gave users access to extensive music libraries via a subscription-based model, no ownership required.

This time, the industry did not fight the change. While many labels had initially clung to physical formats such as CDs, they later came to accept streaming. Today, streaming drives the majority of industry revenue and teaches a clear lesson in evolutionary theory: just as species must adapt to survive, so too must industries.

The coming of AI

Fast-forward to November 30, 2022. The release of OpenAI's ChatGPT triggered the same industry panic that Napster had some 20 years earlier. This time, though, the stakes were even higher.

Some early "creative AI" companies licensed data throughout the 2010s and ethical AI companies still do. However, as many other commercial generative AI (genAI) companies rushed to develop their systems, vast volumes of data were scraped with little concern for tracking the sources that went into training their models. In music, this means existing musical works and sound recordings, synthesized beats, lyrics, chord progressions and musical patterns have been used.

Perhaps this was a digital gold rush – collect now, ask later. Yet the sheer scale of the data grab has made it almost impossible to trace or credit original creators, let alone compensate them. This has sparked a growing conflict between genAI companies and content owners.



Photo: Alamy Stock Photo/Chris Willson

First generation iPod, released in 2001.

While Napster challenged the way music was distributed and sold, AI-generated compositions, tracks and deepfake performances are threatening the very foundations of music creation and authorship. In both cases, the creative community pushed back, raising concerns about the unauthorized use of their work and the erosion of intellectual property rights.

At the heart of these law-suits lies a question: does AI training constitute fair use of copyrighted material?

As they had in the wake of Napster, the lawsuits came swiftly. The release of "Heart on My Sleeve" in April 2023, which featured unauthorized deepfakes of Drake and The Weeknd's voices, was a wake-up call for the entire industry. Many complaints followed. The song was quickly removed from platforms shortly after its release, but its impact continues to reverberate.

In April 2024, prominent musicians and artists, including Billie Eilish, Nicki Minaj and Pearl Jam, signed an open letter denouncing irresponsible AI training as a direct attack on human creativity. Then, in June 2024, the RIAA announced that Universal Music Group, Sony Music Entertainment

and Warner Records filed against AI startups Suno and Udio, accusing them of using copyrighted content to train their models.

At the heart of these lawsuits lies a fundamental question: does AI training constitute fair use of copyrighted material? Tech giants argue it does, comparing AI training to humans reading books. But how would these lawsuits fare in the many countries that don't recognize fair use? Unlike the US and other common-law countries, most civil-law countries have a closed catalog of exceptions that only justify unconsented use in very limited instances. Still, the outcome of key US cases such as *New York Times v. OpenAI*, as well as those of music labels suing AI music companies, will have global repercussions and probably influence licensing and industry norms worldwide.

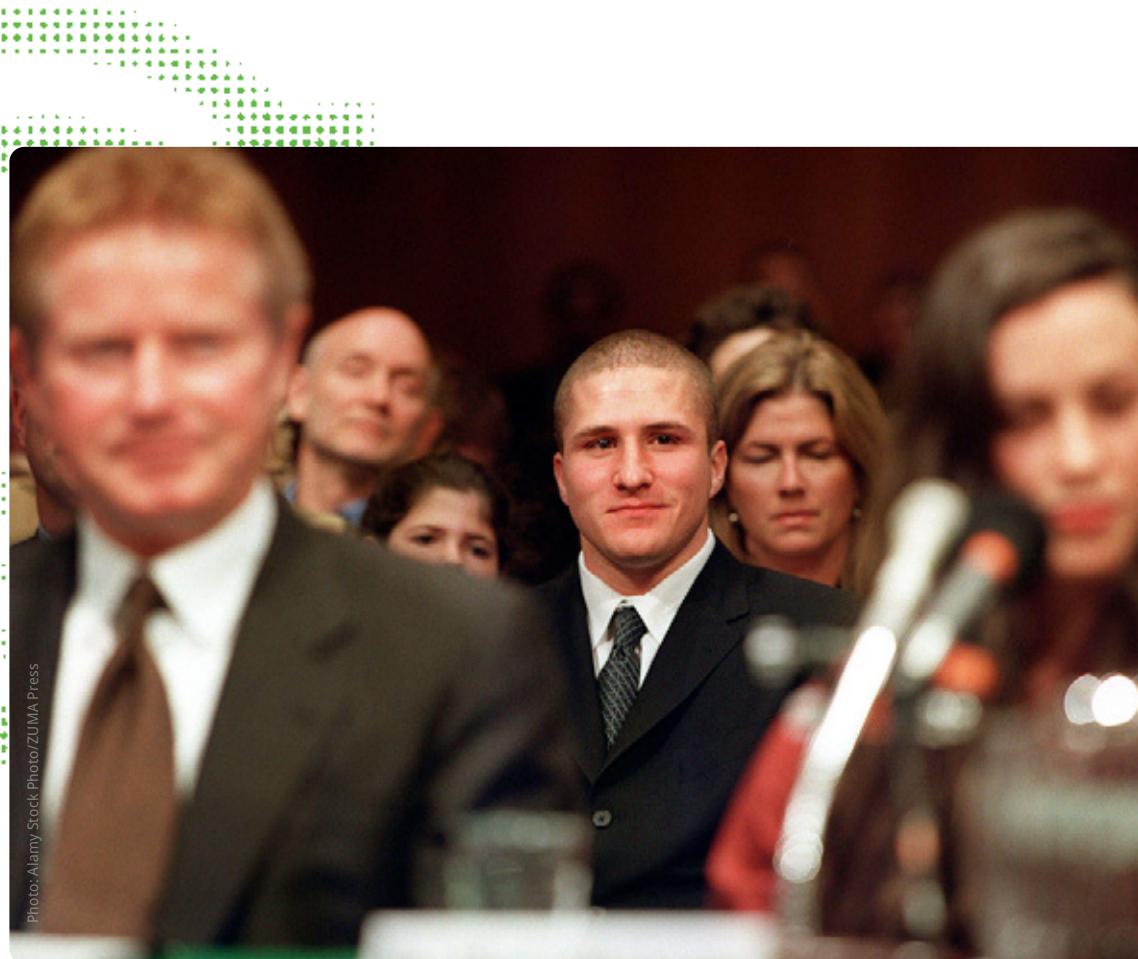
However, even as these legal battles unfold, the industry is exploring a different path that echoes its eventual accommodation of streaming platforms. Rather than trying to halt the rise of AI, some artists and music professionals are seeking ways to use it to their advantage.

In April 2023, Grimes announced that she would split 50% of the royalties with creators of "any successful AI-generated song" that uses her voice. The Financial Times reported in June 2024 that the likes of Sony, Warner and Universal were in talks with Google-owned YouTube to license their catalogs for training purposes, potentially in exchange for substantial lump-sum payments. More recently, in June 2025, Bloomberg reported that some labels are in talks to settle with Suno and Udio, much to the disappointment of companies that have always licensed training data and continue to do so.

Napster's unauthorized peer-to-peer sharing paved the way for legitimate platforms. Today's unregulated use of copyrighted material in genAI, however, has yet to show what kind of authorized frameworks may emerge to ensure that AI training respects creators through attribution and compensation.

"Have Everything. Own Nothing," Napster once claimed. Today's generative AI models seem to say, "Scrape Everything. Credit Nothing." The difference

Napster founder Shawn Fanning (center) during a Senate hearing on online entertainment in Washington, D.C., 2001.



lies in scale and traceability. Where Napster still made individual songs distinguishable and accessible, and Spotify offers discoverability, AI training renders them invisible.

This issue of invisibility – or more precisely, discoverability – matters. Despite tens of thousands of new tracks being uploaded daily to platforms like Spotify, these services still offer discoverability, helping artists build an audience.

As generative AI drives music creation to an unprecedented scale, artists' individuality will be lost in the training process.

If AI systems aim to establish genuine partnerships with creators, they should leverage technology that enhances discoverability for human artists to remain visible and competitive. Artists may be more inclined to opt in to AI training datasets when their contributions are attributed and recognized.

The challenge is not to resist innovation but to shape it in ways that respect creativity and reward talent

As well as expecting AI firms to ensure attribution, creators who negotiate voluntary licenses also expect to retain some control over their works and receive fair compensation for them. In an ideal world, these licenses would respect creators' rights and foster creativity, while providing AI developers with access to content without legal uncertainty. However, given the vast scale of data required to train AI models and the lack of standardized frameworks and collaborative mechanisms, securing voluntary licenses for each and every work used in data scraping seems truly impossible.

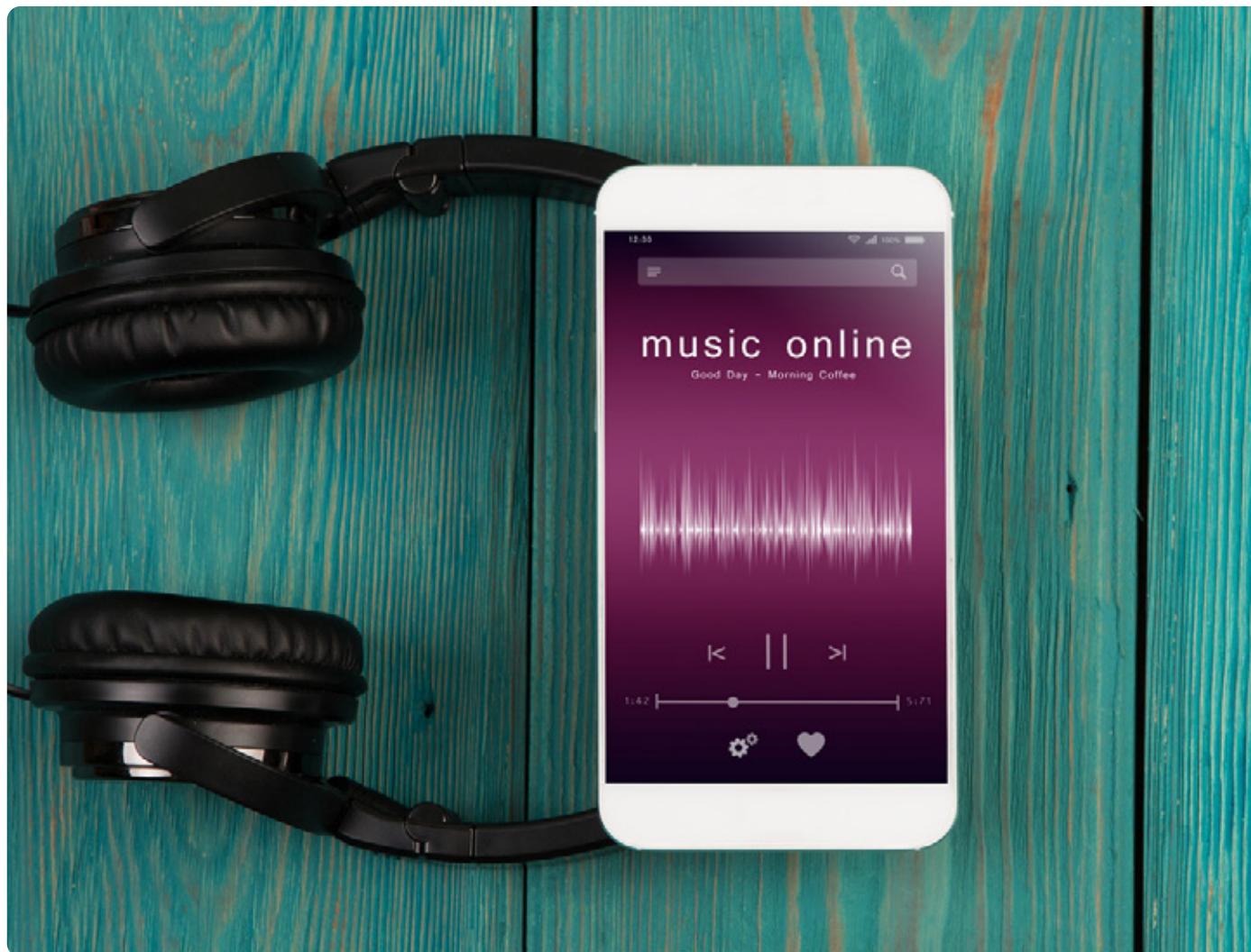
Therefore, collective management organizations (CMOs) could play a pivotal role in negotiations with generative AI companies on behalf of their members. Blockchain technology, already employed by some CMOs to enhance data accuracy for members, has also been praised for its potential to monitor training data, streamline licensing and support fair compensation.

Voluntary licensing continues to advance but, if we hope to avoid being entirely dependent on a

slow and complex process, some scholars suggest that a statutory license for machine learning could be another option. A statutory license could set a standard for accessing protected works, thereby reducing transaction costs, providing legal clarity and ensuring fair compensation. However, there is opposition from rights holders and creators and any "catch all" solution would have to be carefully balanced to hopefully encourage AI innovation while protecting the vital role of human authors.

In any case, we should learn from the lessons of the past. For the music industry, the challenge is not to resist innovation but to shape it in ways that respect creativity, reward talent and build trust between artists and technology.

And for the stakeholders behind today's AI systems, perhaps they could use their technological savvy to solve the very conundrum they've created, developing tools that help artists understand, manage and license their work for AI training in ways that are transparent, equitable and empowering. Just as the disruption of Napster eventually gave rise to fairer models such as iTunes and Spotify, long-term success will depend on forging thoughtful responses that honor creators' rights. To echo Otis Redding, all they're asking "is for a little respect." **M**

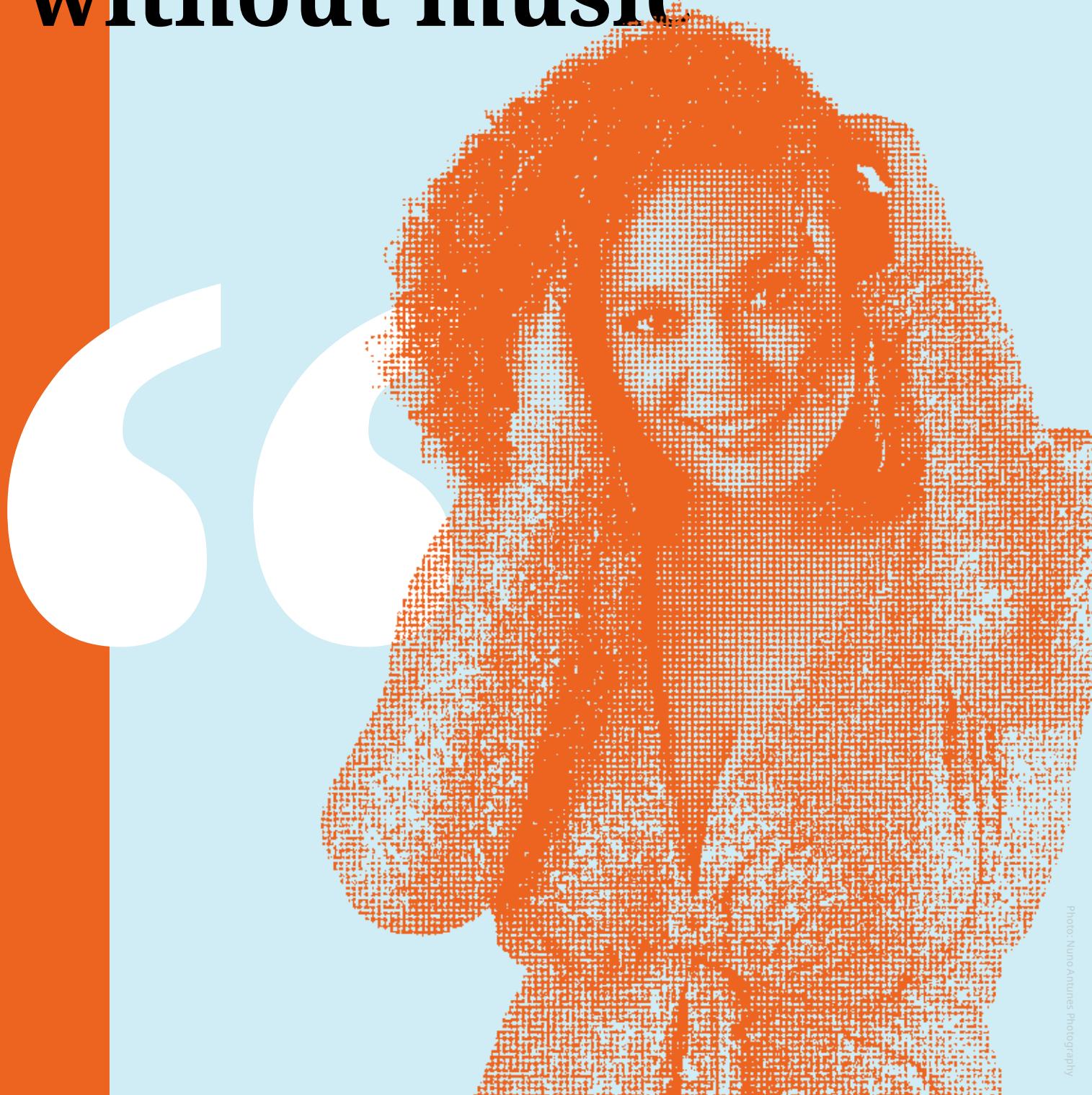


Professor María L. Vazquez serves as the Dean of Law School at the University of San Andres (UdeSA) in Buenos Aires, Argentina. She is also the Director of UdeSA-WIPO Joint Master Program in IP & Innovation and the Director of UdeSA Regional Center in IP & Innovation (CPINN). She went to Harvard Law School and worked for Virgin Music in London and EMI Records in New York before serving as partner at Marval O'Farrell & Mairal in Buenos Aires.

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Solange Cesarovna:

**We could not
understand ourselves
without music**



Known as the Queen of Morna and recognized across Portuguese-speaking Africa as a passionate copyright ambassador, Solange Cesarovna shares what she has learned about establishing a CMO and taking charge of artists' rights.

Solange Cesarovna is one of Cabo Verde's most accomplished musical ambassadors. The singer and songwriter has represented the West African archipelago on stages everywhere from Brazil to the Vatican. In 2013, she co-founded the Cabo Verde Music Society, the country's first collective management organization (CMO) exclusively to protect music intellectual property (IP). Today, it has more than 1,700 members – not bad for a nation of little more than half a million people. After serving back-to-back terms as the Society's president, Cesarovna stepped down in late 2023 in order to refocus on writing and recording. She talks to WIPO Magazine about the importance of managing IP and the difficulties in setting up a CMO in small countries, the resources available to creators, and what's next for her career.

Tell us about Cabo Verde.

Cabo Verde is a small Portuguese-speaking country of 10 beautiful islands in the Atlantic Ocean off the coast of West Africa. We are proud to think of ourselves as a country of music. We would all embrace music as a career – if only it were that easy [laughs]!

I fell in love with music when I was 5 or 6 years old. From an early age, I would find public spaces, such as my island of São Vicente and the city of Mindelo, where I could perform or listen to music. After winning a prize at the age of 7, I was invited to perform on the islands. When I was 8, I was invited to open Baía das Gatas, the biggest festival in Cabo Verde.

“There is a huge opportunity in Africa and Latin America.”

Music, and especially the morna, is a big part of Cabo Verde's national identity. What does the morna mean to you?

Morna is the best way to share how we feel, our values and how we connect to people and the world. When a child is born, we receive it with morna. We go to

the family's house to protect the child by singing. The morna that we sing, "Ná, ó Menino Ná", was written by one of Cabo Verde's greatest composers and poets, Eugênio Tavares.

You recorded the work of Tavares on your 2017 album, Mornas. Did using his lyrics pose any challenges?

With Tavares, it was easier because it's in the public domain. Cabo Verde protects the musical works and copyright of songwriters and composers for 50 years after their death. When I recorded the work, it was part of a project celebrating Tavares' 150th birthday run by the publisher Edições Artiletra. The idea behind the project was to support the candidacy of morna to be placed on the United Nations Educational, Scientific and Cultural Organization (UNESCO) Representative List of the Intangible Cultural Heritage of Humanity, which was approved in 2019.

Tavares worked not just as a poet, songwriter and composer but also as a journalist and politician. It takes a long time to organize these things. We had to



Photo: Nuno Antunes Photography

make sure that we had the manuscript and lyrics he wrote with his own hands. That way, we could recreate the songs as Tavares wrote them.

— In the music industry, artists often blame the system for poor remuneration. Would you say that it's partly up to the artists to fix this?

Yes, but not just us. You also need to understand who the other stakeholders are, how they can help, and the obligations of the creators and the public sector.

You have to get advice from international organizations working in the field, because that will reassure you that you're not pursuing some crazy dream, and that the dream is 100 percent achievable if creators act. But they need to study how the system works.

— Let's talk about the stakeholders.

We started the CMO before Cabo Verde even had a law allowing CMOs to exist and license on behalf of creators. There was a copyright law that gave creators the exclusive rights of use to the musical work. The same law says that, if creatives themselves are unable or do not wish to do it, they may ask a CMO to help distribute their works and authorize it to represent them in the management of the works. But they were not able to say what a CMO does or what rights it has. Everything started happening after we set up the Cabo Verde Music Society.

— What are the most important things you've learned about setting up a CMO in a small country?

Once you set it up, you need to increase its membership numbers and get active members who create and record a lot. Your country has to understand that your project collectively represents some of the greatest names in your sector.

“We were trying to increase our membership at concerts, at airports, in the street, wherever we could.”

At first, we went to concerts and performances to see our colleagues and tell them that we had created the Cabo Verde Music Society. Our mandate was not digital, it was physical [laughs]. We were trying to increase our membership at concerts, at airports, in the street, wherever we could.

After that, you need to make sure that the Government understands what a CMO is. Without the legal framework you need to operate properly in your territory, you won't have a deal. We wanted to make sure that it would be a priority for the Minister of Culture too. It was necessary for the older system to invest in the new laws we needed, for the country as a member state of the World Intellectual Property Organization (WIPO) to adopt the treaties, and for us to change our law in line with the treaties in order to make sure that we work not just in our territory but on an international level. We also had to make sure internally that we understood what the CMO does.

“You need amazing documentation and a strong distribution system.”

We received strong support from WIPO, which developed the WIPO Connect system in Portuguese and allowed us to implement it in the Society. The IT solution became the first technological system for documenting and distributing copyright royalties in Cabo Verde, ensuring that collected royalties were properly paid to their rightful owners.

This achievement took place at the height of the COVID pandemic and represented a major milestone for Cabo Verdean musicians.

— Looking at the creative space and IP system at the moment, what are the challenges for 2025?

The challenge is still to set up a good collective management sector in the least developed countries. It seems like, in the near future, the whole world will be focusing on Africa and Latin America. These big continents have a lot of young, wonderful musicians, creators and songwriters. You can feel that there is a huge opportunity. The best way to take advantage of this opportunity is to get organized, with the help of international stakeholders such as WIPO, CISAC and other federations that represent creators globally. The support of international organizations that can also lobby governments is fundamental.

— Let's talk about CLIP, the free knowledge platform launched by WIPO and the Music Rights Awareness Foundation.

CLIP gives all the players in the music ecosystem a way to learn. You can empower creators to learn what to do if they don't have the frameworks in their own country. If they do, that's wonderful, and they can be empowered to play their role in the best way they can, because creators have rights, but we also have responsibilities.

When we create a song, we want to put together the best team. In the same way, we need to put our best efforts towards managing our IP.

What I find inspiring about CLIP is that it is peers, other creators, talking about subjects that we think of as very complex, such as identifier codes. You learn why they are important, and about standard contracts that you should sign. There is even a huge glossary in the language of the business of music.

— What's next for you in your musical career?

I'm waiting for an inspiring moment that will allow me to share my new musical works and recordings. I ended my mandate as president of the Cabo Verde Music Society in 2023 and came back to songwriting – it's quite difficult finding a good balance between being a CMO president and being creative.

— Was it worth it?

We had the opportunity and the challenge to create it from nothing. It's a lot of work. It's a lot of learning. It's a lot of experimentation. It's a lot of sharing. It's a lot of time. But I'm so happy that the system is working.

What is also true is that my passion for copyright and for IP management has increased 100 percent. I want to continue serving this sector. I want to continue learning. **M**



Solange Cesarovna alongside several founding and non-founding members of Sociedade Cabo-verdiana de Música at its inaugural Gala in 2018.

This interview has been edited and condensed from two conversations and shortened for this edition. You can read the full story in WIPO Magazine online.



OPINION

Artificial intelligence: The synergy of technology and creativity

By Geoff Taylor, Executive Vice-President, Artificial Intelligence, Sony Music Entertainment

AI and creativity need not be opposing forces. Sony Music Entertainment Executive Vice-President for Artificial Intelligence, Geoff Taylor, sees a future in which technological innovation and IP rights work together based on key principles of consent, compensation, credit and transparency.



Almost daily, we read about a debate between tech companies and the creative sector over the future of artificial intelligence (AI). That is nothing new: the discussion on technology and intellectual property (IP) has often been framed as a binary choice between the two. Yet history shows us that this is a false dichotomy.

As the music industry has consistently demonstrated, there is a robust and positive synergy between technological progress and respect for IP.

For more than a century, technological evolution has defined how artists and fans connect with the music industry. Today, AI presents entirely new ways of boosting creativity and imagining new business models. Its emergence, however, brings with it significant challenges.

Many artists are seeing their work taken to train AI models and generate new competing content without their consent, without credit and without compensation. In addition, their voices and likenesses are being misappropriated to create deepfakes. That seriously hampers their ability to earn a living and denies them control over their own artistic identity. Artists' unique voices and images go to the very heart of who they are as performers. At Sony Music, as a company that invests heavily in human talent, we are committed to protecting their work and creativity from misuse arising from the utilization of AI.

At Sony Music, we have issued more than 75,000 takedown notices to protect our artists from deepfakes and AI covers.



Music is one of humanity's most precious inventions. It connects us emotionally, inspires innovation and drives culture. Advances in recorded music – from LP records to the Sony Walkman, compact discs, iPods and music streaming – have constantly disrupted the music ecosystem. Each technological leap, however, was underpinned by partnerships between record labels and tech companies that provided new experiences for fans while respecting artists' creativity.

We now face a new frontier with the AI revolution, powered at its core by the synthesis and analysis of centuries of human knowledge and creativity. Although AI models depend entirely upon human thinking and ideas for their capabilities, some AI companies are seeking to convince governments that they should be allowed to take all human creativity for free. Their aim is to use that 'data' to generate new content that competes with legitimate content on existing consumer services, but without their primary cost of business, paying creators. This would represent an unprecedented and unjustifiable market distortion. We believe that there is a better, more sustainable approach, rooted in mutual respect and collaboration.

There is nothing fair about secretly taking other people's work, without their consent, to develop products that can put them out of business.

Our vision for the future of AI is one built on innovative commercial partnerships between creative businesses and AI developers. Such partnerships must respect a few key principles.

The first is the principle of consent and compensation. AI developers must seek permission before using an artist's work for training or cloning. They should not be allowed to hoover up for their own benefit any creative work they can find online that has not been security-tagged by the creator. Such "opt-out" systems are unfair in principle and unworkable in practice. Rewarding creators fairly for their contributions will encourage sustained investment in the creation of new culture, which in turn will drive consumers to engage with technology.

Attribution is another foundational principle. AI systems must track and credit the works on which they rely, ensuring that creators are properly acknowledged as well as compensated.

Finally, there is transparency. Users should be informed when content or interactions are AI-generated. That will foster clarity and trust.

Those principles are the basis for a sustainable ecosystem that benefits technology and creators, just as similar commercial partnerships unleashed 15 years of consistent innovation and growth from music streaming.

At Sony Music, we have already embraced those principles in ethical AI initiatives and are involved in multiple negotiations to license IP to AI developers. Whenever we do so, we will share AI revenues fairly with artists, as we do for other digital formats.



Photo: Owner: Mike Marfot; Enterprise owner: Sony Music Entertainment

Six approved cover art examples for the Metallic Spheres In Colour project.

For example, fans of The Orb and David Gilmour were empowered to use generative AI to create their own audio and artwork remixes from the album *Metallic Spheres*. In other projects, AI has been used to change artists' images in music videos.

Unfortunately, for the time being, such responsible uses of AI remain exceptions. Many AI developers train their models on copyrighted content without permission or compensation. Some argue that this constitutes fair use, but there is nothing fair about secretly taking other people's work, without their consent, to develop commercial products that don't share with the creators who make the original product.

Moreover, to do so is unwise: innovation in AI will require a constant pipeline of original new human content for AI outputs to remain relevant and engaging. It is the blend of cultural and technological innovation that will deliver success.

For now, a pressing issue dominates AI's impact on music: unauthorized vocal cloning, AI-generated deepfake recordings, and misappropriate artists' voices. Such "recordings" confuse fans and distort artists' identities and reputations. At Sony Music, we have issued more than 75,000 takedown notices to protect our artists from such deepfakes and unauthorized AI covers, but they are often removed slowly by streaming platforms, if at all.

Time is of the essence. Generative AI, including music generation and photorealistic video, is developing rapidly. Encouragingly, a commercial market for AI partnerships is gathering pace, but its development is tempered by many AI companies still betting on being able to take content for free.

Laws should clearly reaffirm that using copyrighted content to train AI systems requires a license.

The music industry's success with online streaming – fueled by clear rights frameworks and licensing agreements – offers a valuable blueprint for a balanced, win-win outcome. Today, over 750 million paid subscribers worldwide enjoy on-demand access to vast music libraries for affordable prices, benefiting creators, the tech sector and consumers alike.

The World Intellectual Property Organization (WIPO) plays a critical role in framing global AI policies that harmonize IP rights with technological innovation. Strong IP protections can work alongside free-market innovation to ensure that AI serves humanity, not the other way around.

Together, by encouraging commercial partnerships between AI developers and IP rights holders, we can build an ecosystem where technology amplifies human creativity rather than replacing it – protecting our shared culture and ensuring a sustainable future for creators and innovators worldwide. **M**

GUEST ESSAY

Music royalties:

How to treat artists fairly in the age of AI music

The AI music industry is growing, raising questions around how to protect and pay artists whose work is used to train generative AI models. Are the answers in the models themselves?

By Dorien Herremans, Associate Professor, Singapore University of Technology and Design, Lead, Audio, Music and AI Lab (AMAAI)

The “Illiac Suite” is considered the first piece of music to be composed by an electronic computer. Lejaren Hiller, a professor and composer at the University of Illinois Urbana-Champaign, painstakingly programmed the school’s pioneering computer, the Illiac I, to generate four movements based on algorithmic probabilities. That was in 1956.

Today, with the rise of computing power and generative AI (genAI) technology, it is possible to generate music in your web browser through text prompts alone, all in a matter of seconds. New genAI models such as Suno and Udio can create impressive pieces, with polished melodies, harmonies and rhythms, as well as professionally mastered timbres. However, unlike the Illiac I, these models are trained using pre-existing music written by human hands. Therefore, this newfound ability to generate commercially viable music requires us to rethink how the industry protects and remunerates artists.

With the rise of these genAI systems comes a fundamental question: how do we treat artists fairly?

At the Audio, Music and AI lab (AMAAI) at the Singapore University of Technology and Design, we’re exploring whether new AI models designed to detect similarities between pieces of music could reveal new ways to distribute royalties. In a musical landscape set to become increasingly dominated by AI, this research could help transform how creators are compensated.

How we learn music – the original neural network

Our brains, which are made up of about 86 billion neurons connected by pathways called synapses, are the inspiration for AI models. Throughout our lives, we are exposed to tens of thousands of songs. Our brains implicitly learn patterns and expectations by forming new synaptic connections and strengthening existing ones.

In cognitive science, this process is known as statistical learning. The more we are exposed to certain patterns – such as the common perfect fifth interval (do-sol) in western music – the stronger those connections become. This enables us to form expectations about music. For instance, when we hear a dissonant note that does not belong to a key, it violates our learned expectations, leading us to perceive it as wrong or out of place.

Our understanding of these complex networks remains limited

Our brains do not store entire musical pieces like a recording. Instead, our brains build neural pathways that encode patterns and structures in music. These pathways are what allow us to recognize and anticipate melodies and harmonies. When we hum or compose a song, we are not remembering a given recording but constructing music dynamically based on learned patterns.



How AI music is made

Deep learning networks are based on a similar idea. Artificial neural networks are inspired by human biology, particularly the theory of connectionism, which posits that knowledge emerges from strengthening the connections (synapses) between the brain’s processing units (neurons).

During their training, artificial neural networks are fed thousands of music pieces. They do not store these pieces, but rather learn the statistical relationship between their musical elements, much like our brains learn patterns through exposure.

After training, what remains is not a database of songs but a set of weight parameters that encode the statistical pathways needed to shape musical structure. These weights can be interpreted as the strength of the synapses in the brain. When it is time to generate music, the network performs inference. Given an input – often a text prompt – it samples from the learned statistical distribution to produce new sequences.

However, these weight sets may contain billions of parameters, making them like a black box (an AI system whose internal workings are opaque) that is difficult to interpret.

In an attempt to better understand these networks, researchers have developed new techniques such as SHAP (SHapley Additive exPlanations) and LRP (Layer-wise Relevance Propagation), but our understanding of these complex networks remains limited.

Ethical AI music generator from text

This lack of understanding feeds into another issue: the lack of transparency in commercial systems. At the AMAAI Lab, we created Mustango, a controllable open-source text-to-music model like Meta's MusicGen. But unlike Meta's model, Mustango was trained exclusively on Creative Commons data.

Such openness is not the norm in the field. Commercial models such as Suno and Udio have not disclosed their training datasets, nor their model details. This raises important questions about how we should deal with copyright to facilitate ethical AI development in the music industry. This issue is illustrated by recent legal cases such as the Recording Industry Association of America (RIAA) v. Udio and Suno (June 2024).

If a model was trained on music by Taylor Swift and lesser-known artists, should all artists be compensated equally?

Because neural networks – unlike databases – do not store training songs but rather internalize statistical patterns, it is difficult to detect whether particular pieces of music were used to train a model, and because AI companies can easily delete their training data, audits are almost impossible.

At the AMAAI Lab, we are looking into how we can help verify whether models have been trained on particular songs. For this, we are exploring new techniques such as membership inference attacks

and perturbation analysis. In the latter, for example, we make tiny changes to a song and observe how the model responds to them. If the model reacts strongly to small changes, it indicates that the AI was exposed to this song during its training.

The music industry has to adapt rapidly. We must keep in mind technologies that help us facilitate ethical training practices.

Licensing music datasets for machine learning

With the rise of these genAI systems comes a fundamental question: how do we treat artists fairly? Unless the courts find merit in the argument that copyrighted music may be used freely to train music because we hear music all around us all the time, commercial genAI systems should properly license the music datasets they use for training. However, because there is no universal standard licensing mechanism, this would leave smaller startups and academic labs in a pinch. Without access to large datasets, they face significant barriers to training models or making their weights available open-source, thus slowing technological progress. Lacking legal clarity, these groups often cannot take the risk of facing legal action.

In addition, acquiring large, legally sound datasets typically requires the kind of substantial up-front investment that precludes smaller tech companies from taking part.





Photo: Singapore University of Technology and Design

Prof. Dorien Herremans and colleague Prof. Soujanya Poria demonstrating their Mustango text-to-music model to Prof. Phoon Kok Kwang, President of Singapore University of Technology and Design.

Artists' compensations for use of their music to train AI models

There are other questions that come with designing licensing models too. For example, if a model was trained on a hit song by Taylor Swift as well as songs by lesser-known artists, should all artists be compensated equally? A one-size-fits-all licensing fee may not be fair. A more equitable option could be to use a dynamic mechanism that looks at how much each song contributes to the generated output.

If a user inputs the prompt "create a song like Taylor Swift," the generated output will be similar to the music of Taylor Swift. In this case, should we consider attribution according to likeness, ensuring that the artist whose music most significantly influences the output is compensated? For this to be possible, we would need technical advancements, including highly accurate similarity models that could help us conceive of such a dynamic and fair attribution model.

Natural language processing (NLP) provides the foundation for such similarity-based metrics. Since machine-learning models cannot deal with words directly, we translate them into vectors of numbers before feeding them to any model, a process called embedding. These vectors are essentially multidimensional coordinates, and researchers have discovered from early models such as word2vec that words appearing in similar contexts have similar vector positions, following the distributed semantic hypothesis.

In the field of music, we use a similar embedding process to represent audio. At the AMAAI Lab, we are researching how to fine-tune such embeddings to create meaningful musical similarity metrics that can focus on timbre, melody, harmony, rhythm or even the input prompt itself. Such metrics could also be expanded to detect plagiarism. However, such research remains challenging due to the absence of clearly defined plagiarism rules and datasets.

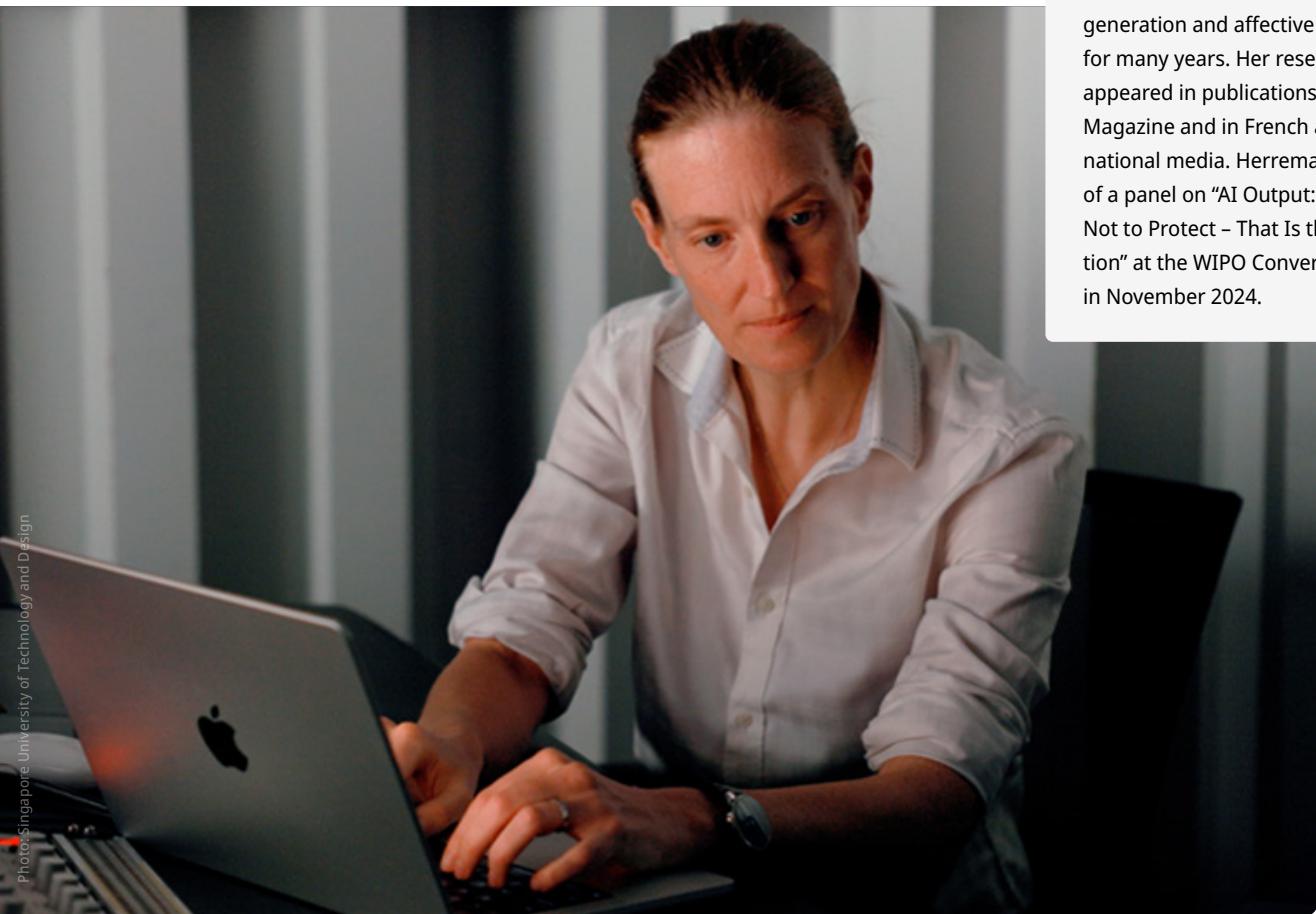
Enhancing human creativity through generative AI Music

At the 2024 ISMIR (International Society for Music Information Retrieval) conference, keynote speeches such as that by Ed Newton-Rex, founder of Fairly Trained – a non-profit trying to ensure that artists are paid for training data input – added momentum to an outcry over artists' rights, as well as a call for AI tools that empower music creators rather than replace them. Instead of models designed for pure music generation, AI could focus on enhancing the creative process of composers by acting as collaborative partners, assisting composers with ideas for harmonization, accelerating workflows, infilling short melodic sections and more.

Much like the revolution sparked by the iPod and music streaming, the ongoing AI revolution, which is arguably bigger and more complex, is forcing the music industry to adapt rapidly. In doing so, we must keep in mind technologies that may help us facilitate transparency and ethical training practices.

The first public performance of the "Illiad Suite" in 1956 generated much commotion. One listener "presaged a future devoid of human creativity". Today's genAI music models have caused a similar uproar in artistic circles, as well as in the licensing arena. But these amazing new technologies could also lead to the development of collaborative tools that do not undermine but instead enhance artists' creative processes, as well as ensuring that they get a fair share. **M**

Dorien Herremans is an AI music researcher from Belgium and an Associate Professor at the Singapore University of Technology and Design (SUTD), where she leads the Audio, Music and AI Lab (AMAAI). Herremans has worked on automatic music generation and affective computing for many years. Her research has appeared in publications such as Vice Magazine and in French and Belgian national media. Herremans was part of a panel on "AI Output: To Protect or Not to Protect – That Is the IP Question" at the WIPO Conversation forum in November 2024.

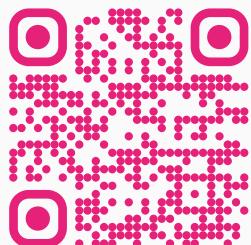


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WIPO





Copyright protection in the music industry in China

By Qingqin Xu, Lecturer in Intellectual Property Law, University of Manchester

China has made great strides in protecting music copyright since 1991. In a world of increased digitalization and AI, how are platforms, CMOs and new regulations shaping the industry's future?

The rapidly growing music market in China is ranked fifth in the world's top 10. As a member state of the World Intellectual Property Organization (WIPO), China has worked hard in recent decades to protect music copyright. The first Copyright Law went into effect in 1991 and regulations have since been constantly updated.

Ongoing change in the music industry continues to pose challenges. As in other jurisdictions, such as the United Kingdom or the European Union, China faces the problem of low remuneration for the creators of music, along with other issues arising from digitalization and artificial intelligence (AI). The Chinese market also has its own specific challenges.

For now, the administrative agencies that handle copyright in China are working together to address challenges in the modern music market.

Regulatory background and Government plans

The Copyright Law has been amended three times, in 2001, 2010 and 2020. In 2021, the Government also issued its Outline for Building a Powerful Intellectual Property Nation, in which it set forth its goals for the protection of intellectual property (IP), including copyright, up until 2035. The National Copyright Administration of the People's Republic of China (NCAC) plans to release its next five-year copyright plan in 2026. In 2023, issues relating to collective management were discussed at the ninth China International Copyright Expo.

In 2005, with the digital music business flourishing, the NCAC joined the Cyberspace Administration of China, the Ministry of Industry and Information Technology and the Ministry of Public Security to launch the "Jianwang" (Sword Net) campaign to combat online copyright infringement and piracy. At the same time, it issued a notice to online music service providers to stop the unauthorized distribution of works of music.

The campaign brought about significant progress in efforts to combat online piracy, but the shift toward licensed digital music consolidated power in the hands of streaming platforms and music companies. Therefore, in 2017, the NCAC urged major domestic and international music companies, including Universal Music Group, Warner Music Group and Sony Music, to ensure that their music licensing regimes were fair and discouraged exclusive copyright licensing.

The effort to regulate exclusive copyright licensing for music, in turn, has inadvertently reinforced the dominance of music-related platforms. Musicians often transferred their rights to recording companies, which then negotiated licensing deals with streaming services such as Tencent Music Entertainment (TME), the leading music company in China. It owns four

major streaming platforms: QQ Music, Kugou Music, Kuwo Music and WeSing.

Companies such as TME not only play a role as managers and distributors of musical works but may also own copyright interests. For instance, TME and its co-investors acquired a 20 percent equity stake in Universal Music Group in 2020 and 2021, strengthening its hold on global music assets. TME declared revenue of 7.02 billion yuan (around USD 1 billion) in the third quarter of 2024 but how much of it is distributed to musicians is unknown. Indeed, in 2021 the State Administration for Market Regulation reportedly fined TME for breaching the country's Anti-Unfair Competition Law.

Many Chinese musicians stay relevant by appearing on TV programs and variety shows

Another major player is Mango TV, which has leveraged exclusive music-related TV programs to expand its market influence. Unlike TME, Mango TV offers a broad range of variety shows, dramas and entertainment content. Its increasingly popular music programs often feature top Chinese artists, idol groups and rising stars. Its portfolio includes nine seasons of Singers from 2013 to 2024, Infinity and Beyond and Time Concert. Music fans in China must pay to access those exclusive programs on Mango TV. Following the release of Singer 2024, the stock price of Mango Super Media, the company behind Mango TV, surged by 12 percent.



The rise of new musicians in China

Before music talent shows became popular, the Chinese music market was dominated by famous singers and traditional media, offline channels and albums. The proliferation of music programs has shot non-celebrities to fame. Mao Buyi, a onetime nursing student, first appeared on the screen and won on *The Coming One* show in 2017, grabbing attention across the country. His original songs, such as "Xiao Chou" and "People Like Me", became instant hits – the former was played more than 10 million times in the 24 hours after its release.

Beyond traditional album releases, many Chinese musicians stay relevant by appearing on TV programs and variety shows. A striking example is the reappearance of a group of contestants who appeared on the *Happy Boy* show in 2007. In 2022, Chen Chusheng, Wang Zhengliang, Lu Hu, Wang Yuexin, Su Xing and Zhang Yuan reunited on a reality TV show, *Welcome to the Mushroom House*, calling themselves 0713 in reference to their rankings in the top 13 of the show in 2007. Their friendship, humor and relatability drew big audiences, leading them to perform on Mango TV's variety show *Go for Happiness*. Riding a wave of renewed popularity, 0713 released new music, drawing nostalgic fans and a new audience. Their success led to more appearances on reality TV shows, commercial endorsements and concerts, making them a remarkable "comeback" story in recent Chinese music industry history.

Looking ahead

In November 2024, the eighth National Conference on Copyright Protection and Development in Digital Environment, which was held in Guiyang, addressed emerging copyright concerns, including the impact of AI

on copyright, and concluded with a call for the development of a high-quality digital music industry. During the event, the China Audio-Video and Digital Publishing Association (CADPA), the Copyright Society of China (CSC), companies, digital music platforms and independent musicians jointly launched the Digital Music Copyright Market Fair Competition Industry Self-Discipline Convention. That initiative underscores their commitment to maintain fair competition in the digital music market, avoid exclusive copyright licensing agreements, set copyright licensing fees equitably and improve the operations of CMOs.

The growth and prosperity of the Chinese music market do not depend solely on musicians' creative output, but also on factors such as the role of streaming services, the influence of TV platforms and ongoing work to update industry regulations. Fostering a more equitable regime for musicians and a more cooperative environment among stakeholder companies and CMOs will be crucial for all. **M**



Photo: Getty Images/Asia Pacific Images Studio

Qinqing Xu is a lecturer (assistant professor) in intellectual property law at the University of Manchester, in the United Kingdom. Dr. Xu's research interests focus on copyright, including the collective management of works of music, and cover a wide range of other topics, such as IP and gaming. Her monograph, *Collective Management of Music Copyright: A Comparative Analysis of China, the United States and Australia*, was published in 2023.

A close-up portrait of Johann Christian Bach, an 18th-century German composer and organist. He is shown from the chest up, wearing a dark green velvet jacket over a white cravat and a patterned waistcoat. His hair is powdered and powdered. He has a serious, contemplative expression. The background is dark and indistinct.

GUEST ESSAY

The 18th-century legal case that changed the face of music copyright law

By Eyal Brook, Partner, Head of Artificial Intelligence, S. Horowitz & Co

When Johann Christian Bach sued unauthorized publishers in 18th-century London, he won legal recognition for musical works as intellectual property. According to Eyal Brook, his victory still echoes in today's digital music landscape.



In the hushed concert halls of 18th-century London, few could have imagined that the notes floating through the air would become the subject of one of history's most consequential legal battles. Yet it was during this period that the concept of the "musical work" as legal property was first brought before the courts.

The relationship between music and copyright law reveals profound shifts in the ways we understand creativity, authorship and the nature of musical expression. From the quill-penned musical scores of past centuries to today's algorithmically generated compositions, the question of who owns a musical creation – and, indeed, what constitutes such a creation – continues to reverberate through our legal frameworks and philosophical understanding.

The birth of the musical work

The youngest son of the legendary Johann Sebastian Bach is perhaps an unlikely protagonist in the story of music copyright law.

In 1763, Johann Christian Bach received a royal privilege giving him exclusive publishing rights to his compositions for 14 years. Initially acting as his own publisher, Bach released his trios "Op. 2" and symphonies "Op. 3" under his own label before turning his attention to other ventures, most notably the concert series he directed with his friend Carl Friedrich Abel at London's Vauxhall Gardens. Success, however, often breeds imitation. In 1773, Bach discovered that publishers Longman and Lukey had obtained copies of his musical works and were selling them without permission, reaping substantial profits from his creative labor.

Unlike many composers of his time who might have accepted this common practice, Bach possessed both the financial means and determination to challenge it through legal channels.

Through his attorney, Charles Robinson, Bach filed a formal complaint, stating that he "composed and wrote a certain musical composition for the harpsichord called a 'sonata'" and that "being desirous of publishing the said musical work or composition" he had applied for and been granted a "royal privilege."

The document described how the publishers had “by undue means obtained copies” and “without your orators license and consent printed, published and sold for a very large profit, divers copies” of his work.

What followed was a four-year legal odyssey that would reshape copyright law. Bach and his collaborator, Abel, initially filed two bills of complaint through a lawyer, but were unsuccessful.

Realizing that his royal privilege offered insufficient protection because its status would erode over time, Bach shifted his strategy and sought clarification that musical compositions were within the scope of the Statute of Anne.

With these words, the “musical work” was legally born

The case finally reached the King’s Bench in 1777, where it was heard by Lord Mansfield, a judge known for his progressive interpretation of copyright law. His ruling was nothing short of revolutionary:

“The words of the Act of Parliament are very large: ‘books and other writings.’ It is not confined to language or letters. Music is a science: it may be written; and the mode of conveying the ideas is by signs and marks. [...] We are of the opinion that a musical composition is a writing within the Statute of the 8th of Queen Anne.” (Bach v. Longman, 98 Eng. Rep. 1274 (K.B. 1777)) (Eng.).

With these words, the “musical work” was legally born. Lord Mansfield certified that music was protected by the copyright act, dispelling previous doubt on the matter and ensuring that Bach would be remembered not only for his compositions but also for changing how the law views the art of music.

The significance of Bach v. Longman cannot be overstated. It remained a leading case for more than 60 years and established a precedent for wide interpretation of copyright law that extended to anything regarded as a book or form of writing.

It preceded the British Copyright Act of 1842, which was another significant victory for composers, extending the duration of copyright ownership

from 14 to 42 years and including exclusive public performance and publishing rights to musical compositions.

The Berne Convention of 1886 advanced these protections at an international level. While it does not prescribe what qualifies as a work or not, it defines protected works as “every production in the literary, scientific and artistic domain, whatever may be the mode or form of its expression.”

Among the Berne Convention’s list of protected works are “dramatic-musical works” and “musical compositions with or without words.” These concepts still apply to operas, musicals and all kinds of musical works today.

Evolving definitions

Musical works still occupy a unique nature. “More so than any other artistic endeavors, music possesses ethereal qualities that infiltrates and permeate[s] multiple facets of our existence in a complex manner,” writes J. Michael Keyes in his 2004 essay “Musical Musings: The Case for Rethinking Music Copyright Protection.”

The complexity has led to divergent approaches across jurisdictions. In the UK, the Imperial Copyright Act 1911 implemented the standard set up by the Berne Convention but did not define the term “musical work.” The Copyright Act 1956 maintained this silence.

Only in 1988, with the Copyright, Designs and Patents Act, did British law articulate that a musical work consisted of “music, exclusive of any words or action intended to be sung, spoken or performed with the music.”

The US followed a similar pattern of gradual recognition. The first Copyright Act of 1790 did not mention musical compositions, referring only to “maps, charts and books.” US law during this period focused primarily on knowledge rather than creativity and art. It wasn’t until 1831 that melody and text received legal protection and, even then, the law remained silent on the creative process underlying musical works.

Subsequently, as David Suisman notes in his 2009 book “Selling Sounds: The Commercial Revolution in American Music,” the Copyright Act of 1909

"fixed the course of American music copyright law for most of the 20th century. But although the law named piano rolls and phonograph records as 'copies' of copyrighted music within the meaning of the law, it did not make the sounds themselves the object of copyright. [...] The music of piano rolls and phonograph records was inscribed into law not as sound but as 'text.'"

When notes became numbers

The ambiguities surrounding musical works have been dramatically amplified by technological change. One of the most significant shifts occurred in the relationship between written notation and sound itself. Since the only way to preserve music historically was through written notation, copyright ownership in musical works developed as a form of intellectual property incorporated into musical texts – namely, scores.

However, the 1971 amendment to the US Copyright Act extended protection to recorded sound itself. This distinction is also made in the Rome Convention and other civil law jurisdictions that treat producers of sound recordings as holders of related rights. Records receive copyright protection as independent works, in addition to

the protection accorded to the musical work embodied within them. This is the only field of art protected by copyright law for which a distinction exists between the work and its recorded format.

There is an added layer of complexity in the modern era: when new rights were enacted to protect recordings in the 20th century, phonographic rights were invested in the record company or agent who commissioned the recording. A new commodity form, the master recording, was enshrined, yet there was still no question of recognizing the creator.

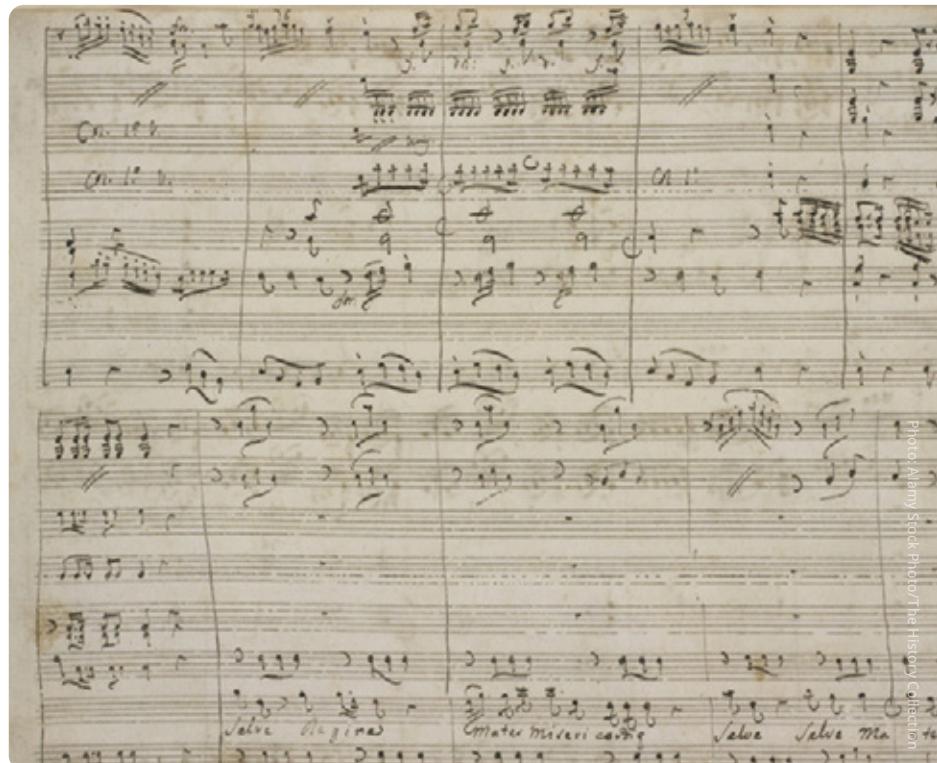
Today, as digital recording and distribution technologies have democratized music production, the discussion about whether a work generated by AI is copyrightable or can be the object of related rights is unfolding.

Digital technologies have brought together what were once separate tools – instruments, recording machines and computers – fundamentally altering both the creative process and the way we conceptualize ownership within it.

The digital age has given rise to entirely new forms of musical creativity expressed through concepts radically different from earlier periods.

When an algorithm generates a new composition, who owns the copyright to this work?

'Salve Regina' by Johann Christian Bach, a musical composition housed in the British Library as part of manuscript Add MS 29293.



AI-generated music and copyright

As we look to the future, the emergence of artificial intelligence in music composition presents perhaps the most profound challenge yet to our conception of musical authorship and copyright.

When an algorithm trained on thousands of human-created works generates a new composition that sounds indistinguishable from one created by a human composer, who, if anyone, owns the copyright to this work?

The question echoes the fundamental issues raised in *Bach v. Longman* but with new dimensions that the 18th-century courts could never have imagined.

Just as Lord Mansfield had to determine whether musical notation could be considered a “writing” under the Statute of Anne, today’s courts must grapple with whether AI-generated music constitutes a work of authorship at all.

This challenge is all the more complex because AI systems disrupt traditional notions of creativity. While humans design the algorithms and provide training data, the AI itself generates new music with increasing autonomy.

This raises profound questions about whether traditional copyright frameworks can accommodate these technological developments or whether entirely new approaches are needed.



A general prospect of Vaux Hall Gardens, London. Hand-colored watercolor engraving by John S. Müller, after Samuel Wale, circa 1751.

The unfinished symphony

The journey from Bach's landmark case to today's digital and AI challenges reveals a consistent pattern: copyright law must perpetually keep pace with technological change and evolving conceptions of creativity.

The history of music copyright is, in many ways, a history of attempts to define the indefinable – to capture in legal language the elusive essence of musical creativity.

From Lord Mansfield's ruling that music "may be written; and the mode of conveying the ideas is by signs and marks" and the Berne Convention incorporating musical works, however openly defined, to modern laws that separate composition from sound recording, each legal framework reflects the technological realities and philosophical assumptions of its time.

its forms. This will require not just legal ingenuity but also a willingness to reconsider our most basic assumptions about what music is and how it comes into being.

Bach's legacy, then, is not just the precedent that he established but the ongoing conversation he initiated – an unfinished symphony of legal thought that continues to evolve with each new technological revolution and artistic movement.

As we face the challenges of AI and whatever technologies may follow, we would do well to remember that the questions we ask today about ownership and creativity echo those first raised in a London courtroom almost 250 years ago by a composer determined to claim what he believed was rightfully his. **M**

The challenge for copyright law in the 21st century is to keep fulfilling copyright's fundamental purpose: to recognize and reward human creativity in all its forms.

As we stand at the threshold of the AI revolution in music creation, perhaps the most valuable lesson from this history is not any particular legal doctrine but rather the recognition that our conceptions of musical works and authorship are not fixed but evolving.

Imagine what would have happened had Berne negotiators decided to define the term in 1886. The "musical work" as a legal concept was born from Johann Christian Bach's determination to assert his creative rights – and it continues to transform with each new technological development and artistic innovation.

The challenge for copyright law in the 21st century is to keep fulfilling copyright's fundamental purpose: to recognize and reward human creativity in all

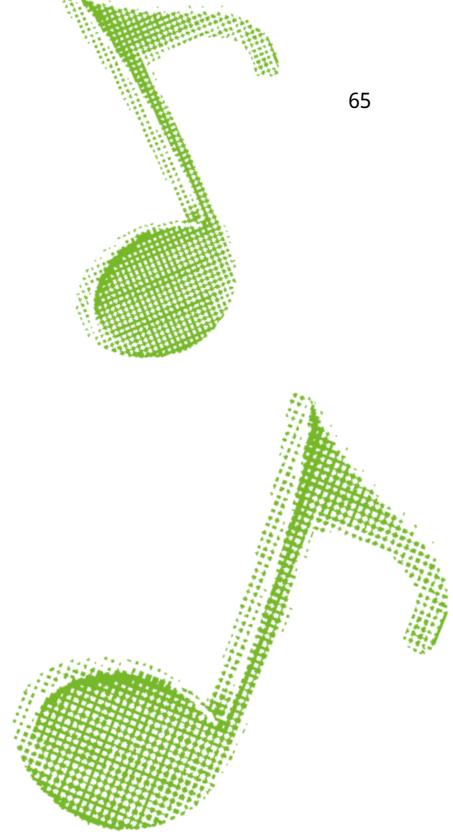
Eyal Brook heads the artificial intelligence practice at S. Horowitz & Co and has written extensively on musical authorship in the age of AI. Eyal is a senior research fellow at the Shamgar Center for Digital Law and Innovation at Tel Aviv University and an adjunct professor, teaching courses including law, music and artificial intelligence at Reichman University and the Ono Academic College.

Inside MENA's music scenes:

In conversation with Spotify's Imad Mesdoua



According to *Loud & Clear*, Spotify's annual music economics report, artists worldwide are achieving unprecedented success across diverse languages and regions. The Middle East and North Africa (MENA) region showed record growth for recorded music revenues, setting it at the top of the global music industry. WIPO Magazine speaks to Imad Mesdoua, Spotify's Government Affairs Director for the Middle East and Africa, who explains key growth factors and reveals the "secret sauce" that helps Spotify elevate local scenes and artists to global phenomena.



You're a former political analyst and a self-declared Pan-Africanist. What drew you to Spotify?

This role is a dream job because it blends so many of the things I care about. I've been a Spotify user from as far as I can remember and I've always felt a strong connection to music, the arts and policy issues around culture and identity. I come from Algeria, a country that sits at the intersection of Africa and the Arab world. Living across these two regions gave me a strong desire to bridge cultures and elevate local voices. What excites me most about this role is the opportunity to support creative industries in the regions that have shaped me.

MENA's music industry is showing record growth despite challenges. Why this sudden success?

It's very heartening to see those statistics and this growth is absolutely not a coincidence. There are a number of catalysts that have been in the background for a long time.

First, the fundamentals for this kind of explosive growth are undeniable. You have a very young population that is highly connected, digitally savvy and very much engaged with music, both locally and globally. It's a region that's absolutely bursting with creative talent and its growing domestic demand for it.

- According to IFPI Global Music Report, MENA is the world's fastest-growing music market, recording 22.8 percent growth in music revenues in 2024
- Global recorded music revenues grew 4.8 percent in 2024, reaching USD 29.6 billion
- Streaming revenues dominate in the MENA region, accounting for a staggering 99.5 percent market share
- MENA region users are among the top globally in terms of music listening time, averaging 27 hours per week, about six hours more than the global average

Second, streaming platforms have been transformational. If you dig deeper into the data you'll see that virtually all the revenue flowing back to the music industry in the MENA region comes from streaming. There's a rising tide that's lifting artists across every category and genre.

The third catalyst unique to MENA is the significant growth in government investment in the creative industries over the past few years. In markets such as Saudi Arabia and the UAE, billions of dollars are flowing from big government programs into different parts of the creative economy, including the infrastructure required for artists to grow, tour, record and showcase their music. This is helping the industry scale at breakneck speed.

The last thing I would say is the role we played in particular. Since Spotify entered the MENA markets in November 2018, we have focused heavily on what we call our curation and editorial strategy, to ensure that local artists get visibility not only domestically but also on the global stage.

— What conversations is Spotify having with officials regarding government investment?

My role involves covering a wide range of issues that affect our business, the creative industries and creators generally. My job is to ensure that we are in constructive and ongoing dialogue with governments to shape a regulatory system that allows culture to thrive.

There are many topics on the table at any given time. One of them is copyright reform. Governments across the region are beginning to update their national laws to ensure they reflect how the music industry works today and how the digital ecosystem has evolved.

We see some gaps across these regions in terms of the adoption of WIPO treaties, whether it's the WIPO Copyright Treaty or the WIPO Performances and Phonograms Treaty, which the digital music business is built on. Through our conversations with government officials, we're trying to encourage reforms that are practical, easy to apply and converge with international best practices and copyright treaties in the music sector.

We're also discussing a range of issues adjacent to or downstream from copyright reforms, including issues around metadata and better systems for transparency and reporting, which ultimately facilitates collecting and distributing royalties for music publishing and other areas. That's the first big bucket.

The second big bucket is what I would call operational issues for platforms like ours across these regions. Specifically, I'm talking about platform licensing systems, taxation issues and other tech sector regulations. We try to encourage flexibility and a better understanding of the unique business model of digital streaming platforms.

— The Spotify Loud & Clear report shows that some artists are receiving more royalties from

abroad than from their home countries. Why do you think that is?

One of Spotify's advantages is that it's a global platform. Statistically, one in every 13 people around the world use our platform, so regional artists can access a global community of users. Our first quarter 2025 earnings show 268 million paid subscribers and 678 million monthly active users, up 10 percent year-on-year.

At the same time, with so many tracks being uploaded every day, it can be difficult to break through to audiences globally. The curation element that we're employing locally plays a significant part in ensuring that artists get to see the benefits of that rising tide. That support, coupled with other initiatives, creates new opportunities for artists to grow their fanbases.

You can see it in our latest Loud & Clear numbers. If you look at the royalties that Spotify paid to the local industry in Nigeria in 2024, they reached NGN58 billion (about USD 36 million). That's double what was paid in 2023. In South Africa, we paid nearly ZAR400 million (about USD 21 million) in 2024 – again, double the 2022 figure. A considerable portion of those revenues came from listeners outside the artists' home markets, which confirms that when local talent gets global exposure, the impact can be felt economically.

— Let's discuss Spotify's curation and editorial strategy, which you mentioned.

Discovery and personalization are core to Spotify's secret sauce. No two Spotify experiences look the same and that's down to the tailored user experience. A big part of that is driven by sophisticated algorithms but a large part of it is also human curation.

We have incredibly talented music editors all over the world, who have a deep knowledge of the scenes they

“What's happening in our regions shows that music is more than entertainment. It's fueling economic growth, creating jobs and turning local industries into global forces.”

cover. They live and breathe music and understand not only the artists' back catalogues but also what's in the pipeline. Their role is central because they are connected to the local musical ecosystem by staying close to artists, their teams and the wider industry.

— Can you give an example of how this works in practice?

We're seeing genres such as Afrobeats from Nigeria and Amapiano from South Africa becoming popular globally. Our editors playlist songs from these genres across our platform, which plays a major role in spotlighting these sounds and helping artists reach new audiences around the world. Then Spotify editorial programs such as Radar Africa help up-and-coming artists through platform support and off-platform marketing. Radar Africa has featured stars like Tems, Tyla and Ayra Starr at the cusp of their careers.

In MENA, local music scenes are also booming, whether it's the rap scene in Morocco or Egypt, pop and Khaliji sounds in the Levant and Gulf regions. The rise of these genres is captured in flagship playlists like Melouk El Scene, Yalla and Abatera. Programs like Equal Arabia also spotlight women artists, including Assala Nassri, Balqees and Angham, to grow their audience at home and internationally.

This sounds like modern radio DJs but with data. How does this help artists directly?

Not quite. Unlike radio, Spotify is not about passive listening. Our users actively choose what they want to hear. That gives us a much clearer picture of what people actually connect with. That's a big difference. Spotify also provides artists with the tools to take ownership of their career development.

We have a platform called Spotify for Artists, which allows artists to upload promotional clips but, most importantly, to monitor the data behind their listenership. They can connect with their fans, see where their listeners are and how long they are tuning in, and how their songs are performing in real time. That kind of data gives artists and their teams the power to grow with intention, which isn't something radio can offer.

What's the outlook for the MENA region? And who should we listen to next?

I'm convinced that MENA and Africa will continue to shape global music culture. I can't tell you how excited I am to see artists from this region becoming global household names, whether that's Tyla and Amaarae performing at Coachella, or Mishaal Tamer, a Saudi artist, breaking into viral charts in Latin America.

This year, I went to watch Coldplay in Abu Dhabi. Elyanna, a Chilean-Palestinian artist, was the opening act for their world tour. Sometimes we need to pause and appreciate just how remarkable these moments are.

I do my best to keep a close ear on new artists from the region but if you want to discover the next wave of standout talent for yourself, start with our Radar Arabia or Radar Africa playlists. The creativity coming out of these playlists is world-class and absolutely worth your time. The future is truly bright!

What's happening in our regions shows that music is more than entertainment. It's fueling economic growth, creating jobs and turning local industries into global forces. It's also soft-power at its best, connecting people and cultures when we need it most. I'm so excited I get to contribute to that in my role, even if in a modest way. **M**



This interview has been edited and condensed from two conversations conducted by Nora Manthey, Editor, WIPO Magazine.



How artisans use IP to protect traditional instrument-making in India

By Neelima Bogadhi, IP teacher and researcher, India



The craftspeople behind this traditional Indian instrument were hit hard when demand for their work fell. Here's how they used IP to protect the product and safeguard their livelihoods.

India's rich cultural traditions have given rise to many forms of music and musical instruments. Traditionally carved from a single piece of jackwood, the Bobbili veena is a large string instrument first crafted in the 17th century in the town of Bobbili, southern India.

In 2012, the Government of India issued a geographical indication certificate for the Bobbili veena. Such certificates are used on goods, including agricultural and other products, that have a specific geographical origin and possess qualities, a reputation or other characteristics connected to the place in which they are made. Consider Italian Grana Padano cheese, Mexican Tequila and Darjeeling tea.

Objects that are handmade using natural resources and embedded in the traditions of local communities can also obtain geographical indications.

In the case of the Bobbili veena, the geographical indication safeguards the culture of the local artisans who craft it, thereby increasing its market value. That, in turn, boosts the regional economy.

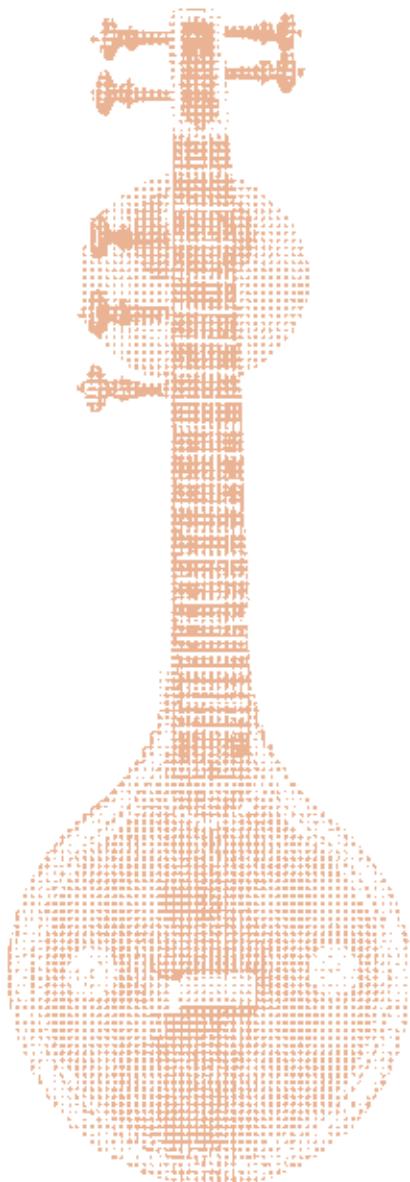
The art of the Bobbili veena

In India, music is about more than entertainment. It is about attaining spirituality. The sounds that emanate from the country's traditional instruments make that possible.

There are many types of veena, a generic term that refers to the many stringed instruments of the Indian subcontinent. The Bobbili veena is rooted in the royal patronage of Bobbili, in the modern state of Andhra Pradesh. The Bobbili kingdom was founded by King Pedarayudu in the 17th century. He adored music and ordered veenas to be produced and played at his court. The ancestors of today's artisans migrated from Vizianagaram and settled in Bobbili. Their skills have been passed down through successive generations living in the nearby village of Gollapalli.



Photo: Neeraj Boparai



How the veena is made

The essential raw material used in crafting the Bobbili veena is wood from the jackfruit tree, which is native to India. The instrument is carved from a single piece of jackwood. First comes the kunda, or bowl, which is hollowed out and later covered with a wooden plate. Then comes the dandi, or neck, which is typically 51 inches long and carved from the same log. Seven strings are attached before the decorative inlay is applied. The process requires skill and patience; it takes up to 25 days to make a Bobbili veena.

Gollapalli is a small village with minimal facilities, low literacy levels and few economic opportunities. The Bobbili veena is an integral part of Carnatic music, a form of Indian classical music associated with South India. However, with the rise of contemporary music, demand for traditional musical instruments, including the Bobbili veena, has fallen. The drop in demand for the magnificent instrument caused many artisans to give up the craft in pursuit of other work. Many even migrated from the area.

To revive the craft, senior artisans are building awareness of the importance of continuing family traditions to preserve cultural heritage and promote economic wellbeing. After forming the Sarada Veena Workers Cottage Industrial Cooperative Society in the 1950s, the artisans began crafting miniature veenas as souvenirs. Also made of jackwood, these fun miniatures generated demand of their own.

Issuing a geographical indication certificate in India

As it battled in the 1990s to protect such products as Basmati rice internationally, India passed the Geographical Indications of Goods (Registration & Protection) Act in 1999. The Act com-



Photo: Neelima Bogadhi

plies with the World Trade Organization (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which contains a section on geographical indications.

In India, the Controller General of Patents, Designs and Trade Marks oversees the Geographical Indication Registry. The registration process is rigorous and requires, for example, that the origin of the proposed good be proven and supported by historical evidence and local unity and coordination.

Handicraft societies and government authorities often help local communities to register geographical indications. For the Bobbili veena, the initial application was made through the Andhra Pradesh Handicrafts Development Corporation (APHDC), which identified the instrument as a product of the state potentially deserving of a geographical indication. Later, the APHDC and the Andhra Pradesh Technology

Development & Promotion Centre established a crafts development center in the village and helped the artisans to market their products. In 2012, a geographical indication was granted for the Bobbili veena under the musical instruments class and for miniature veenas under the handicrafts class.

The geographical indication tag has revived the instrument's reputation, especially among the younger generations. India has also launched initiatives to better harness it: artisans have been honored with awards for their skills; jackfruit trees have been planted to improve the supply of quality wood; and the Bobbili veena was added to the One Village One Product (OVOP) initiative list.

Yet, success depends not only on artisans and policies – the public also has a part to play, by being aware of and creating demand for sustainably handcrafted instruments. ■

Neelima Bogadhi holds a PhD from Andhra University, India, for her thesis on Indian law and geographical indications. She is assistant editor of the Journal of the Academy of Juridical Studies and of the *Bonafide Voices* online magazine, and a faculty member at the Damodaram Sanjivayya National Law University in Andhra Pradesh. Neelima came second in the 2023 WIPO Youth Video Competition.



Photo: Alamy Stock Photo/Mat Gossick

IN THE COURTS

Brazilian judges consider applying Berne Convention in Adele case

By Carla Frede, copyright lawyer and researcher

When a Brazilian composer claimed Adele plagiarized his samba classic, the resulting court case raised fundamental questions about musical similarity and international copyright enforcement.

In early 2024, after attempts to reach an amicable solution failed, Brazilian composer Toninho Geraes filed a lawsuit alleging that "Million Years Ago", a song released by British singer Adele in 2015, plagiarized his track "Mulheres". Geraes' song, considered a samba classic, reached national fame in Brazil in 1995 through the voice of Martinho da Vila.

The composer filed the lawsuit against singer-composer Adele, co-composer and producer Greg Kurstin, publisher Universal Music and record labels Sony Music and Beggars Group. Aside from damages, Geraes primarily seeks to be credited as a co-author of the song, which could result in him receiving a share of its royalties. It could also affect Adele.

Asserting a plagiarism claim

A 1998 federal law grants copyright protection in Brazil to intellectual works fixed in tangible or intangible mediums. For musical works, copyright protection covers a song's composition (the musical notes that make up its melody) and songwriting (the lyrics), while performance (the specific way musicians and singers interpret it) is protected by related rights. Geraes' plagiarism claim refers only to the song's composition.

How to judge whether two songs sound alike

Said law in Brazil, however, does not define nor mention plagiarism, its meaning being derived from case law and scholarly commentary. According to these sources, plagiarism can be defined as the unauthorized reproduction of copyrightable elements of a work, presented as the plagiarizer's own. To prevail on such a claim, a judge must find that the defendant

had access to the plaintiff's work and that the amount appropriated is substantial enough to be recognized within the infringing work. In this case, that means determining whether the two works are similar.

But how do courts judge whether two songs or compositions are alike? The similarity of musical works is a central and highly technical question in plagiarism cases and requires expert analysis. Judith Finell, a forensic musicologist, who served as an expert witness for the prevailing Marvin Gaye party in the landmark "Blurred Lines" case, tells WIPO Magazine that her role in copyright disputes is "to educate the judge and jury" and to provide an "objective opinion on the musical similarities and differences [between the two songs], as well as [similarities to] possible prior art". To illustrate her opinion in court, Finell often plays an instrument to help the jury understand her analysis.

Both sides of the dispute called for an analysis of the songs' similarity to support their claims in Brazil. Geraes presented expert and lay opinions that the melodies are similar. He also observed that Adele's co-composer, Kurstin, likely had access to his composition since he studied and publicly promoted Brazilian music.

Universal, Adele, Kurstin and Beggars contended that there was no intentional or illegal copying, attributing the similar melodies to the use of a musical cliché. They argued that the circle-of-fifths chord progression in both compositions is not protected by copyright, and that other musical characteristics differentiate them. They also sought to discredit the experts hired by Geraes by questioning their credentials and methodology.

Sony Music defended on procedural grounds, claiming it was incorrectly included as a party to the lawsuit and that the case was time-barred.

The matter has since been referred to a court-appointed musical expert, who issued a preliminary opinion in May 2025. It points to relevant similarities as to melody and to substantial similarities as to harmony but does not provide an opinion as to whether plagiarism occurred.

Once all parties have had the chance to present their comments and final pleadings, the judge will decide the case. Contrary to, for example, US proceedings, copyright disputes are not subject to jury determination in Brazil.

National ruling, global implications

While a final decision is pending, a look at prior proceedings proves illuminating. In December 2024, finding the plagiarism claim plausible, a Rio de Janeiro judge issued a preliminary injunction ordering the defendants to stop using and distributing "Million Years Ago" worldwide. The decision even required streaming platforms like Spotify and YouTube to remove the song globally, though this was later suspended due to settlement efforts.

The judge's authority to issue such a sweeping order rested on two key legal principles. The first is the Berne Convention for the Protection of Literary and Artistic Works, a WIPO-administered treaty that affords international protection for copyrighted works. Signed in 1886, it has more than 180 signatory countries, including Brazil, the United States and the United Kingdom.

The Berne Convention's national treatment provision requires that works from any signatory country receive the same copyright protection in other member states as domestic works. Second, a 2024 National High Court (STJ in its Brazilian acronym) precedent establishing that Brazilian courts can order global content removal when Brazilian interests are affected, given the interconnected



Photo: Alamy Stock Photo/PA Images

While the injunction has been revoked following an appeal, the case continues through Brazilian courts

nature of the internet. The Rio de Janeiro Court of Justice (TJRJ, in its Brazilian acronym) later disagreed with the state judge's recourse to the STJ precedent.

While the injunction has been revoked following an interlocutory appeal, the case continues through Brazilian courts, with a final decision on the plagiarism claim expected by early 2026. Whatever the outcome, it will likely influence how copyright disputes with international implications are handled in the digital age, particularly regarding the extent of national courts' jurisdiction over global digital platforms. **M**

Carla Frade is a copyright lawyer and researcher. She recently completed a Master of Laws from New York University, USA, and a fellowship at the Center for Art Law. Before moving to the US, she obtained degrees in law, international relations and intellectual property from the University of Brasilia, Brazil. Carla's previous roles included negotiating IP treaties as part of the Brazilian Delegation to WIPO and co-heading the Brasil Music Exchange, which promotes Brazilian music abroad.

'In the Courts' articles typically report on current court cases and rulings and are circulated in a timely manner for discussion and comment.



Saudi producer Ahmed Alsallal uses music to promote intellectual property

By Nora Manthey, Editor, WIPO Magazine

Meet Ahmed Alsallal, music producer, poet and IP professional bringing Saudi tradition into modern music. Learn about his national songs and how he promotes intellectual property across the Gulf.

Ahmed Alsallal is as much artist as entrepreneur and finely attuned to the creative possibilities and commercial opportunities connected with intellectual property (IP). As a producer and poet, he creates songs for large organizations in Saudi Arabia and across the Gulf Cooperation Council region. Some of his productions for professional artists have reached over 500 million views on YouTube and other platforms.

Alsallal also works for the Saudi Authority for Intellectual Property (SAIP). In November 2024, he gave the Diplomatic Conference to Conclude and Adopt a Design Law Treaty, which was held in Riyadh, Saudi Arabia, an artistic flourish by composing a sonic signature aligned with the event's visual identity. "I always compose here in my head," he says. "I saw the palm tree. I saw the heritage, the designs, the tradition." And so, he was inspired to merge traditional Saudi elements – including ardah rhythms and the distinctive sound of the oud – with contemporary orchestration, working with an arranger to complete the composition and incorporating a "flavor of the Saudi national anthem".

The music became the soundtrack for the 11-day conference, which resulted in the adoption of the Riyadh Design Law Treaty (RDLT). The aim of the Treaty is to help designers to protect their work in markets at home and abroad.

AI will take music to new levels of precision, but it is the human heart that gives it soul.

As a music producer, Alsallal specializes in what he calls "national songs" – patriotic promotional music. "I have done more than 60 national songs with private and public companies and organizations," he says. They often express "our ambition and dreams for this country".

He has also served as a judge with MBC, the largest media company in the Middle East and North Africa, "to evaluate and nurture talent across the Kingdom of Saudi Arabia," he says.

Despite the advance of artificial intelligence (AI) in the creative industries, Alsallal believes in working with human performers.

"Let's keep this ethical rule," he urges. "Yes, we can use AI as a tool to help us to develop and increase our creativity, but we should not rely on machines. Artists still have their feelings to draw on, and they have families to support, regardless of what technology can achieve."

Asked about IP promotion in Saudi Arabia and his work for SAIP, Alsallal points to a recent campaign, *Feel the Creativity*, and emphasizes that music transcends cultural boundaries: "No matter what language you speak, you'll understand the language of music because it speaks to the soul and resonates in the heart. **M**



Alsallal during the final round of the Creative National Roadshow by MBC Academy.

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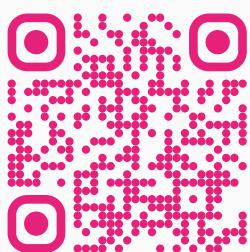
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