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**From:** Kris Keymolen  
**Sent:** Friday, 14 February 2020 2:03 PM  
**To:** ai2ip  
**Subject:** Comments on document on the impact of AI on IP |Alg. BMM|

Dear Sir, dear Madam,

The BMM association thanks you for your invitation to provide comments on the draft document on the impact of AI on IP.

We have one comment regarding issue 8 points 14 and 15 on deep fakes.

According to BMM's understanding, deep fakes (being "fake) are never created with the consent of a person. BMM is therefore of the opinion that granting any kind of IP protection to something made without the consent of the person portrayed is not ethical and should therefore under no circumstances be possible.

On the other hand however, the use of someone's image after his decease, (e.g. the posthumous hologram performances of rapper Tupac) with permission of his heirs should in our opinion be possible and such use should simply fall under the portrait right of the (heirs of the) person being portrayed. But we don't consider this as deep fake.

To conclude, we are of the opinion that the meaning of deep fakes should be clarified or that this part of the document should be deleted.

As to the last question under point 15, it is in our view self-evident that the person whose likenesses and "performances" are used should receive an equitable remuneration since this situation does not seem to be different in the case of deep fakes than in the case of 'real' portraits

Kind regards,

Kris Keymolen

