

THE MUSIC MANAGER'S INTERIM GUIDE TO AI



**DISSECTING THE
DIGITAL DOLLAR**

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GENERATIVE AI

In the context of the music industry – and the wider creative industries – of particular interest is generative AI, a specific kind of artificial intelligence. This term refers to AI models that are able to generate original content, whether that is text, image, audio or video, and, of course, music

Again, generative AI is not particularly new, but it has become a much bigger talking point this year because certain generative AI models have become a lot more sophisticated, especially in the text and image domain.

Meanwhile, a number of high-profile generative AI platforms have become widely and easily accessible, meaning many more people are now interacting with generative AI models and seeing what they can achieve.

As with artificial intelligence at large, how you choose to define generative AI will have an impact on what tools and platforms fall under that banner. There may be some tools and platforms commonly referred to as generative AI which don't strictly meet the definition.

In terms of generative AI and music, it is also worth distinguishing between...

- Those AI tools that can assist human beings in the music-making process.
- Those AI tools – or similar – that generate music by stitching together pre-existing musical segments or stems based on criteria set by a user.
- Those AI tools – or similar – which help people to generate tracks that imitate the style, sound or voice of specific artists.
- Those AI models that actually compose and produce original music.

As of summer 2023, the latter group of AI models – which would include Meta's MusicGen and Google's Music LM – are still quite restricted in terms of the length and quality of the music they can generate.

It's not yet clear how long it will take to overcome these restrictions. Though given the speed with which image generation AI has evolved in the last year, it could happen relatively quickly.

This is a template letter provided by Council Of Music Makers that music-makers and their managers can tailor and send to any labels, distributors and publishers they work with, making it clear that advance permissions must be sought before any of their music is used to train an AI model.

Dear X

I am currently reading about the potential impact of artificial intelligence – and especially generative AI – on the music community and the wider creative industries.

It's good to see that so many UK music companies and organisations are embracing the Human Artistry Campaign. I agree that “copyright protection exists to help incentivise and reward human creativity, skill, labour and judgement”, and that “creators and copyright owners must retain exclusive control over determining how their content is used” to ensure “that human creators are paid for their work”.

It is important we acknowledge the potential positive impact of AI on the music business, while also stressing that AI companies and their business partners must respect copyright, and other creator and personality rights, and secure consent from music-makers before making use of their music.

For this to occur it is essential that tech companies are fully transparent about how they train and utilise any AI models for music and, in turn, that rights-holders are transparent about licensing deals covering these models and the income generated from them.

For the record, I do not currently consent for any [recordings that I performed on / songs I wrote or co-wrote] (delete as appropriate) to be used to train any AI models. I also consider that the use of my works in the context of the production of any derivative works to be an unauthorised adaptation and an infringement of my moral rights.

I look forward to hearing about any opportunities in the music AI domain that you identify and discussing how we might collaborate on pursuing those opportunities together.

Many thanks
[INSERT NAME]

You can also access this template at councilmusicmakers.org/ai-letter

Section Six: Next steps

Campaign with the music industry for clarity on rights-holder consent and transparency

Music-makers and their managers should work with the wider music industry – and the wider copyright industries – for example via the Human Artistry Campaign, to ensure that:

- copyright obligations of AI companies are clarified and that no new copyright exceptions are introduced that can be exploited to circumvent these obligations.
- clear transparency obligations are applied to generative AI models, so that AI-generated works are clearly labelled, and a detailed record is kept and made available on what works have been used to train any one model.

Campaign within the music industry on music-maker consent and deal transparency

Music-makers and their managers should campaign within the music industry – via organisations like the Council Of Music Makers – in order to seek:

- A commitment from rights-holders that specific consent should be sought from each music-maker before any music is licensed to and used by AI companies.
- Clarity on how AI licensing deals will be structured, how monies will

be allocated to individual works, and what royalty rates will be applied to AI income.

- A discussion on the role of collecting societies, including where complexities around licensing and royalty distribution might be best dealt with via a collective licensing approach.

Review and campaign for stronger music-maker rights

The music-maker and management communities should review the general legal requirements regarding music-maker consent – including in copyright law, but also as a result of publicity rights and data protection law. This may require more clarity in law and/or an extension of rights, including the introduction of publicity rights in UK law.

Confirm position with existing business partners

Music-makers and their managers should confirm to any labels and publishers they work with that they have not provided their consent for their music to be used to train generative AI models. While there may remain some debate as to what consent is required – if any – by a label or publisher, it is good to be clear that no consent should be assumed or implied.

Consider AI in all new deals

When music-makers and their managers are negotiating new deals with labels and publishers, they

should ensure that music-maker consent is required before their music is licensed for the purposes of training AI models, and also seek transparency obligations from each rights-holder regarding any use of the music-maker's music by AI.

They should also be careful when granting business partners any rights beyond copyright, such as publicity rights, and by very clear what the business partner's involvement will be in these areas.

This is an interim guide for music managers on how artificial intelligence is impacting on the music industry. It has been produced by music consultancy CMU for the Music Managers Forum.

ABOUT THE MMF

MMF is the world's largest professional community of music managers in the world. Since our inception in 1992 we have worked hard to educate, inform and represent our managers as well as offering a network through which managers can share experiences, opportunities and information.

We are a community of over 1500 managers based in the UK with global businesses and a wider network of over 2700 managers globally. We engage, advise and lobby industry associates and provide a professional voice for wider industry issues relevant to managers.

The MMF runs training programmes, courses and events designed to educate and inform artist managers as well as regular seminars, open meetings, roundtables, discounts, workshops and the Artist & Manager Awards.

themmf.net

ABOUT CMU

CMU helps people navigate and understand the music business through media, training, consultancy and events.

Our media includes the CMU Daily bulletin, Setlist podcast and online CMU Library.

We offer our own music business training programme and deliver training courses for music companies and organisations.

Our consultancy work sees us provide strategic support, intelligence and expertise to a wide range of clients in the UK, EU and around the world.

We also regularly produce and publish research reports and white papers on the very latest trends in the music business.

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