

Legal Aspects of Moral Rights and Economic Rights in Music Creation Using AI Music Generators

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	ABSTRAK
Kata kunci:	The advancement of artificial intelligence (AI) technology has had
Copyright, AI Music	a significant impact across various sectors, including the music
Generator, Moral Rights,	industry. One of the latest innovations is the AI Music Generator,
Economic Rights, Legality,	which is capable of automatically creating musical compositions
Artificial Intelligence.	without direct human involvement as the creator. However, this
	development raises various legal issues, particularly concerning
	moral rights and economic rights in the context of copyright
	protection for music works produced by AI. This study aims to
	analyze the legal aspects related to moral and economic rights in
	the creation of music generated by AI Music Generators. The
	study also compares copyright regulations in several countries,
	including Indonesia, the United States, and the European Union,
	to understand how international and national laws accommodate
	AI advancements in the music industry. The findings show that, to
	date, there are no specific regulations governing copyright
	ownership of AI-created works. This results in legal uncertainty
	in the distribution of moral and economic rights over AI-
	generated music. Therefore, legal policy reforms are needed to
	accommodate AI developments in the music sector while ensuring
	fairness for creators, AI owners, and music users.

INTRODUCTION

The rapid advancement of artificial intelligence (AI) has transformed the landscape of the creative industry, particularly in the field of music, with algorithms now capable of generating compositions that resemble human-made works, raising critical questions about authenticity and copyright (Cope, 2017; Egger et al., 2020). AI systems such as Experiments in Musical Intelligence (EMI) and Emily Howell demonstrate the potential of machines to mimic and even develop unique musical styles, prompting further exploration into the boundaries of algorithmic creativity (Hoffman, 2019). Nevertheless, legal issues surrounding the copyright protection of AI-generated works remain a heated debate, as traditional legal frameworks often do not explicitly recognize AI as a copyright holder (Guadamuz, 2017; Pasquale, 2020). Amid these innovations, the role of human artists and producers remains central in imparting authenticity, emotion,

and meaning to musical works, indicating that AI serves more as a collaborative tool rather than a full replacement (Prior, 2021; Williams, 2023).

The ability of artificial intelligence (AI) to imitate and produce creative works, including music through generators such as AIVA and Google MusicLM, has shifted the paradigm of originality and ownership of works (Benhamou, 2018; Gervais, 2020). Although AI enables individuals without musical backgrounds to create instant compositions, it raises fundamental questions about who holds the copyright to such works, given that traditional Copyright Law emphasizes human creativity (Liu & Chen, 2021). Debate arises because AI often generates works by analyzing and sampling data from pre-existing material, blurring the line between inspiration and copyright infringement (Ramirez-Arellano & Adame-Arellano, 2019). Therefore, the urgency to update regulations and legal frameworks becomes crucial to protect creative industry players from the risks posed by AI—an issue that has drawn serious attention in various jurisdictions, including Indonesia (Rizvi, 2022; Waelde & Mezei, 2019).

Legal reform that can redefine and reconceptualize copyright is urgently needed so that the protection of moral and economic rights remains relevant in the digital era (Huraerah, 2022). More modern and adaptive regulations are required for copyright law to accommodate the ever-evolving technological advancements. Copyright itself consists of moral rights and economic rights (Ningsih et al., 2025). Moral rights are inherent and non-transferable, ensuring recognition of the creator of a work, while economic rights are transferable and can be commercially exploited. In the context of AI, it is unclear who should be recognized as the creator and who is entitled to derive economic benefits. Copyright law has yet to explicitly answer this question. In fact, in some cases, AIgenerated works have even received recognition from international copyright offices.

Another challenge is the misuse of AI to replicate the voice or style of particular musicians without permission, such as in the cases of fake recordings using the voices of Frank Ocean or BTS's Jungkook and Ariana Grande singing Indonesian songs. These cases constitute violations of the original creators' moral and economic rights. Even Google and YouTube have started implementing restrictions on AI-generated content that mimics human voices to prevent copyright infringement. These restrictions apply not only to new content but also to the removal of existing content on the platform. However, law enforcement in Indonesia still lacks specific regulation regarding the protection of AI-generated works, leaving the current legal protection insufficient.

On the other hand, AI music generators like Google MusicLM open up broad creative inclusion opportunities. Anyone can create music based on text descriptions, and the AI will generate corresponding compositions. This advantage accelerates the production process and provides access to a wider audience. However, this is where regulation needs to play a role: ensuring that technology is used ethically without compromising human creators' rights. Ideally, a mechanism for transparency is needed—such as documentation of training data and contribution ownership—that is traceable and accountable.

The issue of copyright for AI-generated works is not unique to Indonesia but is also a global concern. Many international artists oppose the use of predatory AI that mimics their vocals and appearances without consent. They view this practice as a threat to the music ecosystem and human creativity. Legal actions against AI music developers like Suno and Udio serve as important precedents in discussions on the legality and ethics of using AI in artistic production.

Since the 1950s, various algorithms and computing capabilities have been developed to support AI's ability to create music compositions. Therefore, copyright law reform has become crucial and urgent. Existing regulations must be able to respond to technological dynamics and align human interests with the role of technology. A more specific legal approach is needed to address the uncertainty in intellectual property protection related to AI. In the context of AI, IP protection must clarify the line between inspiration and reproduction and define ownership rights over AI-generated works. International collaboration is also necessary so that copyright protection is not limited to national jurisdictions, considering that digital works easily cross borders.

Ultimately, the presence of AI should not be seen as a threat but as a tool that broadens the horizons of human creativity. However, to ensure this potential does not backfire, the law must serve as a fair, adaptive, and responsive foundation for technological progress. Protecting creators' moral and economic rights is not merely a matter of recognition but also an affirmation of justice, originality, and human dignity in the realm of creativity.

Previous research by Isnaini Yusran (2009), which discussed copyright in the cyber era, did not anticipate the development of AI in music creation. Similarly, although Rahmadi Indra Tektona et al. compared the general concept of AI-generated works in various countries, this study goes further by emphasizing that there is still no specific regulation governing the ownership and distribution of copyright for AI-generated music and highlights the ambiguity in the distribution of moral and economic rights. The objective of this study is to analyze the legality of moral and economic rights in AI-generated music, compare copyright regulations in Indonesia, the United States, and the European Union, and demonstrate the need for legal policy reform to accommodate AI developments in the music sector to ensure justice for creators, AI owners, and users.

RESEARCH AND METHODS

This study employs a normative juridical approach, which is a legal research method based on literature review and the analysis of secondary legal materials. The object analyzed in this research is examined through a qualitative approach, meaning that the study focuses on interpreting legal norms contained in statutory regulations. The main focus is to understand and examine legal norms found in legislation, legal doctrines, and relevant court decisions. This method does not rely on field data, but rather on a conceptual understanding of written legal sources.

The research utilizes a deductive reasoning method, which draws conclusions from general legal principles to specific cases. This approach is useful for explaining

the application of legal principles, such as copyright protection, in particular contexts. Additionally, a qualitative approach is used to interpret legal norms, assess their implementation, and highlight potential gaps between written law and its practical application. Besides the study of legal norms, this research also adopts a case approach to examine the dynamics of law in practice. By analyzing real-life cases, the study evaluates the effectiveness of legal norms in resolving concrete issues and assesses the extent to which existing regulations are capable of addressing legal challenges in society.

The data used in this study are secondary data collected through a literature review. The legal materials consist of primary materials (laws, court decisions), secondary materials (books, legal journals), and tertiary materials (legal dictionaries, encyclopedias). Data collection was carried out by organizing and analyzing these materials to build an analytical framework relevant to the research topic. Data analysis was conducted qualitatively using descriptive, logical, and systematic methods. The findings are based on the literature review and are processed to formulate conclusions through an inductive approach, namely drawing general conclusions from specific data. The results are presented in a narrative form to provide a comprehensive understanding of the legal issues being examined.

RESULT AND DISCUSSION

Legal Status of Music Generated by AI Music Generators in Relation to Copyright

The development of artificial intelligence (AI) technology has brought significant impacts across various fields, including the music industry. AI is no longer limited to a technical support tool but is now capable of independently creating musical works through systems known as AI Music Generators. With this advancement, profound legal questions arise regarding the legal status of music generated by such systems, particularly in the context of copyright.

Copyright is a form of legal protection for intellectual creations, including musical works. This protection consists of two main rights: moral rights and economic rights. Moral rights are inherent to the creator as a form of recognition, while economic rights pertain to financial gains from the use of the work. However, this concept becomes blurred when the work is not produced by a human but by an AI system. Music generated by AI typically originates from a learning process involving existing musical works. AI analyzes, mimics, and combines elements of those works to create a new composition. This raises the issue of originality. In copyright law, originality is a primary condition for a work to receive legal protection.

According to Law Number 28 of 2014 on Copyright (UUHC) in Indonesia, a work is considered original if it is created based on the creator's abilities, thoughts, and creativity, and is personal in nature. AI, which operates based on programming and training data, lacks intellectual capacity and creative intent like a human. This raises doubts about whether AI-generated works can meet the originality requirement as defined in the UUHC. Another issue is determining who should be recognized as the creator or copyright holder of music produced by AI. If AI cannot be considered a legal subject, then the question becomes whether it is the system developer, the AI user, or another party who is entitled to the rights over the work. This legal ambiguity has the potential to create complex disputes.

In international practice, some jurisdictions have begun to explore the possibility of recognizing copyright in AI-generated works. For instance, in the United Kingdom, the legal system still states that only humans can be considered authors. However, there are also approaches suggesting that the system developer or AI user may be considered the copyright holder. This shows that there is still no global consensus on the issue. In Indonesia, current legislation does not explicitly regulate the status of AI-generated works within the copyright framework. The UUHC remains oriented toward human creators. Therefore, a contextual legal interpretation of the definition of "creator" and "created work" is necessary to address this issue within the national legal framework.

Beyond the issue of creation, the use of training data by AI to generate music also raises legal concerns. If the data used consists of copyrighted works, using it without permission could be deemed copyright infringement. This is particularly relevant if AI creates music that closely resembles the works it was trained on. In such cases, original copyright holders may claim infringement, especially if the AI-generated music is used commercially. Therefore, licensing and permission to use creative data become critical in the development of AI systems based on such datasets.

Such violations are already emerging in various countries. One prominent example involves the forgery of famous singers' voices using AI to create new songs that are then illegally sold. This raises major concerns about the violation of both moral and economic rights of the original creators. In Indonesia, protection of moral rights is regulated under Article 5 of the UUHC, which includes the creator's right to be named or not named on their work, as well as the right to alter it. AI has no identity or moral rights. Therefore, AI cannot claim such rights. However, AI-generated works have the potential to violate the moral rights of other creators if they imitate or replicate style and voice without authorization.

Economic rights, as regulated under Article 8 of the UUHC, are also at risk in the context of AI-generated works. If music produced by AI incorporates elements of protected works and is then used commercially without permission, this could financially harm the original rights holders. Unfortunately, there is no specific legal mechanism in Indonesia that addresses this condition. A reformulation of copyright regulation is needed to respond to this challenge. The current legislation is not sufficiently responsive to digital technological advancements, particularly concerning AI. Legal reform is necessary so that copyright law can fairly protect all parties, including preventing illegal exploitation by AI developers or users.

New regulations also need to clarify who can be considered the rightful owner of AI-generated works. One approach that could be considered is assigning copyright to the AI user who actively directs the creative process. Alternatively, rights could be granted to the system developer, depending on the usage model. However, these approaches must

still consider the principles of fairness and the rights of original creators whose works were used in AI training. Without clear regulation, potential conflicts and abuse will continue to grow, especially in a digital world where content spreads rapidly.

As part of the legal system, the protection of Intellectual Property Rights (IPR) must adapt to technological developments. IPR not only safeguards economic interests but also serves as a tool to promote innovation, creativity, and the sustainability of the creative industry. A multilateral approach is also essential. Given that digital music spreads across national borders, international cooperation in copyright protection is crucial. Organizations such as the World Intellectual Property Organization (WIPO) can serve as a foundation for harmonizing global copyright protection.

The presence of AI also triggers philosophical debates regarding the meaning of creativity and authorship. Can AI be considered creative if it merely recombines patterns from existing data? Does creativity require consciousness and intention? These questions remain hotly debated within academic and legal communities. Moreover, it is essential to develop audit systems and transparency mechanisms for AI's creative processes. The data trail used to train the AI, the creative process involved, and human intervention must be well documented. This will aid in evidence gathering in case of disputes.

In the short term, the development of ethical guidelines and technical standards can be an initial step before formal regulations are established. These guidelines can promote responsible AI usage while protecting the rights of human creators. Furthermore, the role of digital music distribution platforms should be emphasized. Platforms such as YouTube and Spotify must adopt policies that support transparency regarding AIgenerated works and ensure that human creators' rights are respected.

Another important approach is the development of open license systems or special licensing mechanisms for training data usage. Through such systems, original creators can explicitly authorize the use of their works for AI training and receive fair compensation. Without proper regulation, legal uncertainty will become a major barrier to healthy growth in the digital music industry. The great opportunities offered by AI could turn into threats to the continuity of copyright and the recognition of human creative labor.

In the Indonesian context, this challenge presents an opportunity to reform IPR policies to be more adaptive and progressive. New regulations must protect creators' rights, encourage technological innovation, and strike a balance between human and machine interests. By developing equitable and ethically based policies, AI can be positioned as a creative partner—not a replacement for humans. This relationship must be built on respect for legal values, morality, and humanity.

Therefore, the legal status of music generated by AI Music Generators needs to be firmly established in national law. Legal certainty will create a safe space for technological development while protecting the rights of original creators from irresponsible exploitation. Ultimately, the recognition of the human role as creator, user, and overseer of technology remains the foundation in addressing the evolution of AI in the music industry. Adaptive and inclusive regulation is key to ensuring that technological advancement supports—rather than replaces—human creativity.

Phenomenon of Violations of Moral and Economic Rights of Original Creators of Reference Works

Visual and audio content have been transformed by artificial intelligence (AI) technology. AI enables the creation of highly complex and realistic content, such as deepfakes or voice cloning, which can mimic a person's voice and face with remarkable accuracy. While this technology offers new opportunities in the creative domain, its use also raises significant ethical and privacy concerns. It is important for users to consider moral and legal implications before employing such technology in their works.

Protection of moral and economic rights varies depending on each country's legal system. Two main systems influence these approaches: the Common Law System and the Civil Law System. Countries following Common Law—such as the United States, Canada, the United Kingdom, and Japan—tend to emphasize economic rights over moral rights. While moral rights are acknowledged, their enforcement is less emphasized, as they are seen to potentially hinder scientific and creative progress.

In contrast, Civil Law countries—such as Germany, France, and the Netherlands—provide balanced protection for both economic and moral rights. Under this system, moral rights are viewed as recognition of the creator's personal effort and value, and thus merit legal safeguarding.

The phenomenon of economic rights violations in the digital creative world has become increasingly complex and widespread. With rapid technological development and easy access to digital content, violations of creators' economic rights are becoming more frequent. This includes unauthorized use of works and monetization of derivative content without fair compensation to the original creator.

Economic rights violations impact not only individual creators but also the creative industry as a whole. When creators do not receive proper compensation, they may lose motivation to produce new works, which ultimately can stifle growth and innovation in the creative sector.

In Indonesia, Law No. 28 of 2014 on Copyright (UUHC) protects creators' economic rights. Article 9(1) states that creators have exclusive rights to publish, reproduce, and distribute their works. Violations of these rights may result in criminal and/or civil sanctions, including fines and damages.

However, law enforcement against economic rights violations still faces challenges, especially in the digital context. Difficulties in tracking violations, lack of public legal awareness, and limited law enforcement resources hinder the protection of creators' economic rights.

To address these issues, a comprehensive approach is needed, including public education on the importance of respecting copyright, enhancing law enforcement capacity, and developing technology to detect violations automatically. Digital platforms must also take responsibility to prevent and address economic rights infringements on their services. Collaboration among government, industry, and civil society is essential in creating an ecosystem that supports the protection of creators' economic rights. This can be achieved through effective collective management organizations, accessible licensing mechanisms, and incentives for platforms that comply with copyright regulations.

Policy reforms are also needed to adapt to technological developments and the evolving creative industry. For instance, copyright legislation should be updated to include protection for works generated by artificial intelligence, and clear rules should be set regarding revenue sharing from derivative content. On a global level, international cooperation is important to address cross-border economic rights infringements. Treaties and harmonized copyright standards can help create a conducive environment for protecting creators' economic rights in the digital era.

Public awareness and understanding of the importance of respecting creators' economic rights must also be increased. Campaigns and socialization about copyright can help change public behavior toward legal and ethical usage and sharing of creative works. It is equally important to develop efficient and accessible reporting and dispute resolution systems for creators facing violations. Such systems can offer better protection and encourage creators to continue their work without fear of misuse.

In the long term, effective protection of economic rights will stimulate growth of the creative industry, improve creator welfare, and enrich cultural innovations in society. Therefore, all stakeholders must actively contribute to creating a fair and sustainable ecosystem for creators. A notable case is The Weeknd's lawsuit, where three British songwriters—Scott McCullouch, Brian Clover, and Billy Smith—alleged that his song "A Lonely Night" contained significant elements taken without permission from their 2004 song "I Need to Love," recorded under the band Sonic Religion.

Legal protection for moral and economic rights is a crucial aspect of Indonesia's copyright system. Law No. 28 of 2014 on Copyright explicitly protects both types of rights, providing strong legal grounds for creators to safeguard their works against unauthorized use and exploitation. Moral rights are perpetual and apply to the creator, including the right to be named or not and to preserve the integrity of their work. These rights cannot be transferred while the creator is alive, ensuring their identity and dignity remain protected. For example, if a work is altered without permission in a way that damages its original meaning, the creator has the right to claim violation of moral rights.

On the other hand, economic rights grant creators exclusive rights to benefit financially from their works. This includes reproduction, distribution, and public performance. Economic rights can be transferred via licenses or agreements, enabling creators to receive royalties or financial compensation for use of their work.

The UUHC also stipulates the term of copyright protection: the life of the creator plus 70 years after their death. For works owned by legal entities, protection lasts 50 years from first publication. These provisions provide long-term legal certainty for creators and copyright holders.

Violations of moral and economic rights carry legal penalties. The UUHC provides criminal and civil sanctions for infringers, including fines and imprisonment.

Additionally, creators can seek damages for losses incurred due to infringement. Law enforcement aims to deter violations and promote respect for copyright.

The government supports copyright protection through the establishment of Collective Management Organizations (LMK), which manage creators' economic rights. LMKs collect and distribute royalties and educate the public on the importance of respecting copyright. With their assistance, creators can more easily manage and secure economic benefits from their works.

Tracking copyright violations in the digital world is a major challenge that hampers protection of both moral and economic rights. In an era where content can be shared instantly with billions of users, infringements often occur en masse but remain nearly invisible. This is due to user anonymity online and lack of control mechanisms over content distribution and replication by individuals or platforms. Technology allows anyone to download, edit, and re-upload others' works without the creator's knowledge. Many such cases cross national boundaries, making jurisdictional enforcement ineffective. Law enforcement becomes increasingly complex as infringers can conceal their identities or use fake accounts on various platforms. The lack of a global identification system for copyrighted works further exacerbates tracking difficulties.

Another exacerbating issue is the absence of automated attribution and licensing systems in digital content. Many platforms and AI generators do not include default attribution links to original creators. Therefore, infringing content can spread widely without source attribution, disconnecting the recognition chain from the original creator to their moral and economic rights. For example, AI-based image or music generators trained on copyrighted data sets may produce new content substantially similar to others' works. Without automatic attribution, users remain unaware of the original source, and creators lose both moral and economic rights.

Social media algorithms prioritize popularity-driven dissemination rather than copyright compliance. Viral content often uses third-party works without detection mechanisms before upload, leading to widespread infringement before detection. Many viral videos incorporate popular music without licenses, generating substantial ad revenue for creators while rights holders receive none. Some content creators even secure endorsements or ad contracts from such videos—despite technically infringing copyright.

Meanwhile, original creators are in a vulnerable position, facing difficulties tracing infringements and enforcing rights. Without automated monitoring and attribution, enforcement of moral and economic rights becomes severely limited. Manual reporting of each case cannot match the rapid spread of digital content. The need for unremovable digital metadata for each work has become a crucial discourse. Such systems could enable more accurate tracking of original sources and creators. Unfortunately, implementation is not yet standard across many popular platforms.

Digital platforms have so far remained neutral, acting only upon receiving infringement reports. However, this reactive approach is insufficient amid exponential content growth. Proactive mechanisms are needed to prevent violations before publication. Governments and regulators play important roles in promoting global standards for automatic attribution systems, collaborating with digital platforms, AI developers, and creative communities to design systems that balance openness with respect for copyright.

The future digital ecosystem will depend on how well copyright protection adapts to the rapid innovation of technology. Without early regulation, infringement may become habitual, continuing to disadvantage creators. This issue is not only technological, but also ethical and cultural: users must become aware that behind every content piece lies someone's effort and legal rights. Public education through social media campaigns, digital communities, and educational settings is crucial. Cultivating respect for creative works should be integrated early in formal curricula. Children should learn about originality and value recognition of others' creations, fostering a legally and ethically aware digital generation.

At the creative community level, education can occur through training, seminars, or collaboration with digital platforms. Such initiatives can introduce copyright registration, licensing mechanisms, and legal uses of others' works, empowering creators not just to create but to protect and manage their works. Digital platforms must also proactively support this education by providing copyright information centers, sending educational notifications during uploads, and incorporating features that instruct users against infringing content. Such efforts will strengthen platform integrity and social responsibility.

Campaigns should be creatively packaged and aligned with digital culture trends—such as infographics, short videos, interactive stories, and viral campaigns involving influential creative figures among youth. Moral rights, often underemphasized, should be foregrounded in narratives as a part of creators' human rights. The public must understand that copyright violations are not only legal issues, but also assaults on a creator's identity, reputation, and dignity. Economic rights, meanwhile, must be communicated as recognition for creators' time, labor, and intellectual investment. Campaigns should stress that paying for licenses or royalties is not a burden, but a contribution to the sustainability of the creative industry. Governments can partner with the private sector and communities in joint campaigns on the importance of copyright protection. Synergy between state, industry, academia, and civil society can build collective strength toward a culture that values creativity.

In the future, copyright challenges will grow more complex alongside technological and cultural digital evolution. Therefore, strengthening automated licensing systems, regulations on AI, and educational campaigns on creators' moral and economic rights are three inseparable components for balancing innovation and justice. They must become key pillars in national and international policy strategies aimed at establishing an ethical, fair, and sustainable digital world. Once society recognizes that every click, upload, and distribution implicates others' rights, we will have created a solid foundation for the future creative ecosystem.

CONCLUSSION

The advancement of artificial intelligence technology, particularly in the form of AI Music Generators, has introduced new legal challenges related to copyright, especially concerning originality, ownership, and the protection of human creators' moral and economic rights. Within the framework of Law Number 28 of 2014 on Copyright, AI is not yet recognized as a legal subject or creator, leading to ambiguity over who holds the rights to AI-generated works-whether it is the developer, the user, or another entity. This uncertainty is compounded by potential copyright violations, such as the use of copyrighted works as training data without permission, voice impersonation of artists, and the dissemination of works that resemble original creations without attribution or compensation. Therefore, adaptive and progressive legal reform is needed through the establishment of norms that explicitly regulate the legal status of AI-generated works, licensing mechanisms for training data, and the protection of original creators' rights. The government and stakeholders must also promote collaboration among regulators, industry players, and digital platforms to enhance transparency, oversight, and law enforcement in order to create a fair, ethical, and sustainable creative ecosystem in the digital era.

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