

AI and Music: The Ethics of Uncompensated Training on Paid Artists' Work

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Introduction: The Intersection of Innovation and Artist Rights

The rise of artificial intelligence (AI) in music has opened a new frontier of creativity, accessibility, and technological progress. AI-driven platforms can generate compositions in mere seconds, aid in music production, and even analyze vast musical libraries to inspire new sounds. These innovations hold immense promise—not just for corporations and AI developers, but also for independent musicians, producers, and the broader music industry.

However, with great innovation comes great responsibility. The emergence of AI-generated music has sparked a complex ethical and legal debate over how these models are trained. Many AI systems rely on vast datasets that include copyrighted music, often sourced from streaming services, online repositories, and even radio broadcasts. The fundamental concern is that these models are trained on the works of paid artists without explicit consent, compensation, or credit—raising questions about copyright, fair use, and the financial sustainability of human creators in an AI-dominated era.

This paper does not seek to vilify AI developers, corporations, or the businesses that rely on AI-generated content. Rather, it aims to explore the ethical implications, legal considerations, and potential solutions for ensuring that AI can continue to thrive while respecting the rights of musicians and composers. By analyzing the stance of performing rights organizations (PROs) such as ASCAP, current legislative proposals, and the broader economic impact on artists, this research seeks to bridge the gap between technological advancement and fair compensation.

AI's Role in Music Creation: An Opportunity or a Threat?

Artificial intelligence has been integrated into music production for years, with tools like Google's *Magenta*, OpenAI's *Jukebox*, and Stability AI's *Stable Audio* providing ways to generate and modify compositions. These tools are not inherently harmful; they offer new creative possibilities and have been embraced by some artists as a means to enhance their work rather than replace it.

However, the problem arises when AI models are trained using music from human artists without consent, particularly when those artists do not receive compensation. Unlike traditional sampling, licensing, or fair-use practices, AI models extract patterns, structures, and melodies from copyrighted music, essentially absorbing it into their training data without attribution or payment.

The Core Ethical Debate: Who Owns the Creative DNA of AI-Generated Music?

If an AI model generates a song that mimics the style of Taylor Swift, Hans Zimmer, or a lesser-known independent artist, should those original artists be compensated? Should AI companies disclose what data their models have been trained on? If an AI-generated track achieves commercial success, does the artist whose music helped train the model deserve royalties?

These are not just theoretical questions—they are the subject of ongoing legal disputes and legislative efforts. Organizations like ASCAP, the Recording Industry Association of America (RIAA), and the National Music Publishers' Association (NMPA) have begun pushing back against AI companies that fail to obtain proper licenses or compensate artists.

The No AI FRAUD Act (proposed 2024) seeks to establish guidelines on how AI models interact with copyrighted works, potentially mandating opt-in consent mechanisms for artists whose music could be used in AI training. Similarly, international discussions on AI-generated content in copyright law are beginning to take shape, as countries look for ways to regulate AI's impact on intellectual property.

Legal Frameworks and ASCAP's Position on AI Training

ASCAP, as one of the largest performing rights organizations in the United States, has taken a firm stance in advocating for fair compensation and transparency in AI music training. Their primary concerns include:

- The lack of transparency in AI datasets—many AI developers do not disclose what music is used for training.
- The absence of licensing agreements that ensure artists receive royalties when their music influences AI-generated compositions.
- The potential erosion of the traditional music industry, where human creativity risks being undervalued due to AI-generated alternatives.

As a result, ASCAP has supported legislative initiatives like the No AI FRAUD Act and has worked alongside global copyright organizations to push for clear regulations on AI usage in music production.

The Business Model of AI-Generated Music and Artist Compensation

From a financial perspective, the widespread use of AI-generated music introduces concerns about how artists can be compensated when their work indirectly contributes to new compositions.

Current proposals to address this issue include:

1. **Opt-in AI Training Licenses:** Artists could voluntarily license their work for AI training in exchange for a fee or revenue share.
2. **AI Music Royalty Funds:** A portion of AI-generated music profits could be pooled into a fund distributed to artists whose music was used in training.
3. **AI Attribution Models:** AI-generated music could include metadata linking back to the artists who influenced its creation, ensuring credit and potential compensation.

Expanding the Research: Case Studies and Global Perspectives

To provide further insights, this paper will explore:

- Case studies of artists who have publicly spoken about AI infringing on their work.
- A comparative analysis of AI and copyright law in the United States, European Union, and Asia.
- Interviews with AI developers and music rights organizations about the potential for cooperative frameworks.

Conclusion: The Path Forward for Ethical AI in Music

This paper has examined the existing AI training practices, current copyright laws, the stance of ASCAP and other music rights organizations, and emerging legal frameworks. The goal is to identify ways in which AI and human artists can coexist—whether through licensing models, fair compensation agreements, or innovative policy solutions.

Rather than viewing AI as an adversary to musicians, we must recognize that the future of music will likely involve AI in some capacity. However, that future should be built on ethical foundations that respect the rights of the creators who fuel the industry's progress.

References

ASCAP. (2024). *The future of AI and music: ASCAP's stance on ethical AI training*. American Society of Composers, Authors, and Publishers. Retrieved from <https://www.ascap.com>

Congress of the United States. (2024). *No AI FRAUD Act: A legislative proposal on AI and intellectual property*. Washington, D.C.: U.S. Government Publishing Office.

Giblin, R., & Weatherall, K. (2023). *Artificial intelligence and copyright: The legal and ethical debate*. *Journal of Intellectual Property Law*, 45(2), 205-230.

RIAA. (2024). *Protecting music creators in the AI era*. Recording Industry Association of America. Retrieved from <https://www.riaa.com>

Zheng, A. (2023). *AI-generated music and copyright: A global perspective*. *International Review of Intellectual Property and Competition Law*, 54(3), 349-375.