



To the attention of Honorable Members of the European Parliament

Copy: Executive Vice-President Henna Virkkunen Cabinet, DG CNECT, AI Office, DG EAC

3 July 2025

Statement on copyright and generative AI

We, the undersigned, represent the leading media and creative businesses and industry associations working in Europe. Ranging from audiovisual, press, music, scientific publishing and literature, our goal is to reaffirm and support the central role our industries play within the European Union.

We have always embraced technological advancements and evolved with them, continually innovating to deliver high quality content that cater for the requirements and demands of the audiences we serve.

While each sector has its specificities, there are fundamental principles that unite us. Enshrined in EU treaties, these include journalistic and artistic freedom, the freedom to conduct business, and the freedom of contract. Equally vital is a robust legal framework for the protection of intellectual property rights, which is essential for the prosperity of our sectors and a recoupment of and return on our investments. Developing and deploying Artificial Intelligence (AI), boosting innovation and complying with international and national copyright laws are not mutually exclusive; they can and should work together.

The creative ecosystem encompasses a diverse array of stakeholders, each playing a key role in the value chain by creating, financing, publishing, producing, and distributing of original works and other subject matter protected by copyright (“works”). Authors, performers, publishers of all types of copyright works, technicians, producers, and broadcasters – all collaborate and deploy their artistic, ingenious, and entrepreneurial skills to develop an original work into a book, a screenplay into a film or audiovisual work, or indeed a musical work into a sound recording. The creation of works implies significant risk taking from the side of the investors, who are in most instances publishers of all types of copyright works, producers and broadcasters. The cost of one unsuccessful project may have significant consequences for the company or individual involved, regardless of size.

In today’s high-risk environment marked by intense competition, valuable copyright works are core assets that enable entrepreneurs to distribute them across all distribution channels, including online services, which may involve generative AI applications. The EU’s copyright acquis, anchored in strong exclusive rights and contractual freedom, is essential for the creative industries to continue shouldering the risk of investing in original works. Exclusive rights, which allow rightsholders to authorize or prohibit the use of their works, are a cornerstone for making Europe a global hub for leading creative media companies and/or individuals. Undermining this statutory regime, whether through new exceptions, forced collectivization of rights, or constraints on contractual freedom—would erode the competitiveness of Europe’s creative media sector.

To ensure the continuation of a competitive creative sector, the EU copyright acquis must continue to provide a robust framework of protection for rightsholders irrespective of technological developments, including generative AI and allow the market to develop flexible and innovative licensing solutions based on **voluntary** negotiations.

The European Union has played a leading role in adapting the IP legal framework to technological developments, as well as enacting legislation, such as the AI Act, which aims to help rightsholders exercise or enforce their rights in the context of generative AI. It must now make sure that the copyright framework is correctly and effectively implemented in the AI context. Only the meaningful implementation of the current EU acquis, including copyright legislation and the AI Act, will ensure that technological progress serves the entire creative ecosystem and helps the creative industries at large to fully embrace AI.

To allow this development while respecting existing copyright, meaningful transparency over training data by GPAI models providers is essential for the cultural and creative sectors. Without it the enforcement of copyright is stifled. Such transparency is appropriate and proportionate and balances the need of rightsholders with the objectives of encouraging AI innovation. Without making it possible to identify the potential use of copyright protected works, rightsholders would not be able to take the actions required to effectively enforce their rights.

Signatories:

Association of Commercial television and Video on Demand Services in Europe (ACT)

Bertelsmann SE & Co. KGaA

CANAL+

European Magazine Media Association (EMMA)

European Newspaper Publishers Association (ENPA)

European Publishers Council (EPC)

Federation of European Publishers (FEP)

International Federation of the Phonographic Industry (IFPI)

International Video Federation (IVF)

MFE - MediaforEurope

Motion Picture Association (MPA)

RELX

About CMBA

The Creative and Media Business Alliance (CMBA) is an informal grouping that gathers some of Europe's top media and creative businesses and industry associations. CMBA calls upon the European Commission, the European Parliament and the 27 EU Member States to maintain a steady focus on policies supportive of the creative and media businesses in their joint efforts to foster innovation, growth and employment in the digital landscape.