When Machines Write, Humans Create Meaning

Authorship and Copyright in the AI Era

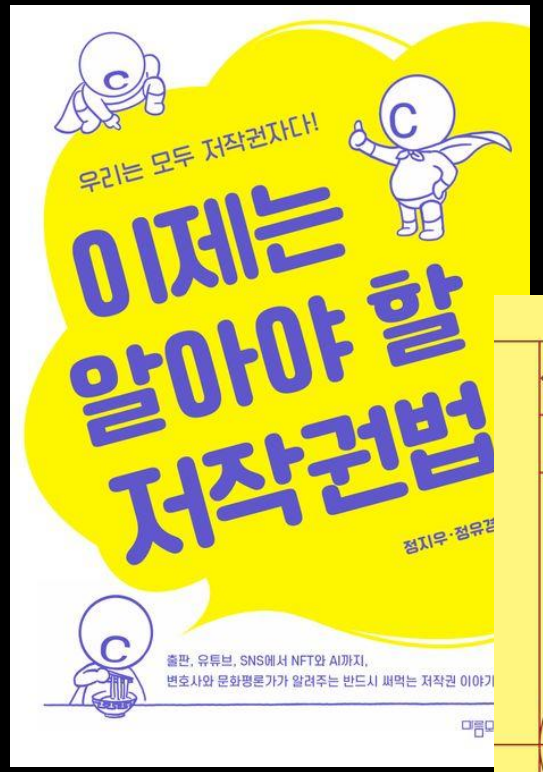
— Jung Ji-woo (Writer and Attorney)

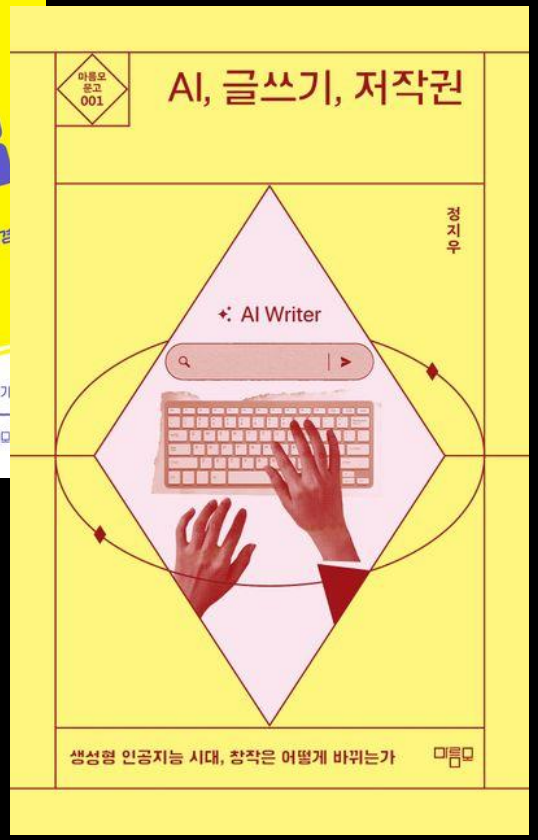
About the Speaker

Jung Ji-woo

Attorney, cultural critic, and writer

- Appraiser for the Korea Copyright Commission
- Author of more than 20 books, including The Age of Anger, There Is No Despair on Instagram, Nevertheless, Parenting, What Do You Have Besides Money?, Writing Your Way to Independence, and Copyright Law for Publishers
- Featured on CBS's 15 Minutes to Change the World, JTBC's Viewers' Council, MBC's Tempting TV, and the YouTube channel ChimChakMan





The Importance of Copyright

Copyright Issues in AI-Era Creative Work

- ✓ Can AI-generated content be protected by copyright?
- ✓ How much human creativity is needed, and who owns the rights?
- ✓ Is collecting training data lawful or fair use?
- ✓ Do original creators have the right to opt out?
- ✓ What about imitating artistic styles and unfair competition?
- ✓ When does AI output infringe another work (similarity and copying)?
- ✓ Should AI-generated content carry labels or watermarks?

Copyright Basics: What You Need to Know

What Is a Copyrighted Work?

A creative work that expresses human thoughts or emotions

- ✓ British photographer David Slater’s trip to an Indonesian island
- ✓ Naruto the macaque’s selfie
- ✓ A minimum degree of creativity



Copyright Basics: What You Need to Know

Human

A creative work that expresses human thoughts or emotions

- ✓ Human = AI?



Copyright Basics: What You Need to Know

Thoughts or Feelings

A creative work that expresses human thoughts or emotions

✓ Thoughts or feelings = Facts?



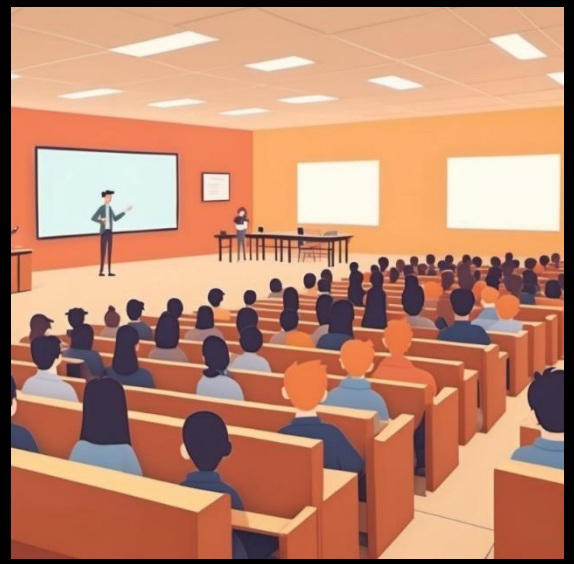
The Korea Economic Daily / Hangyoreh

Copyright Basics: What You Need to Know

Expression

A creative work that expresses human thoughts or emotions

✓ Expression = Idea?



Prompt ⓘ

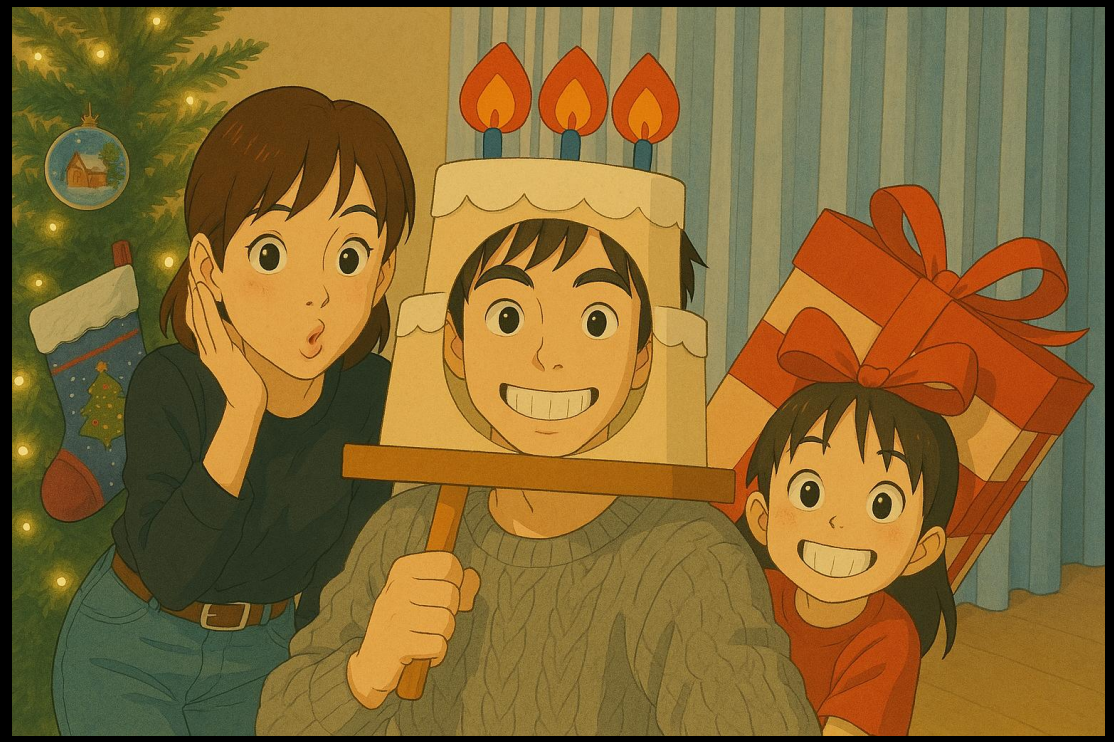
copyright lecture in high school in fall animation style

Copyright Basics: What You Need to Know

Expression

A creative work that expresses human thoughts or emotions

- ✓ Idea = Style?



Copyright Basics: AI and Copyright

Substantial similarity to a specific work may infringe copyright



Image: Studio Ghibli, Porco Rosso

“Draw a pig pilot flying a red airplane in Studio Ghibli’s style.”

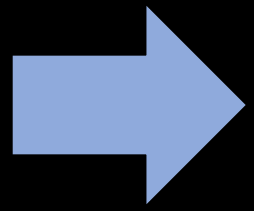
▶ Before publishing an AI-generated image, check its substantial similarity to existing works.

Note: Unfair Competition Prevention Act

Copyright Basics: AI and Copyright

What if a person revises an AI-generated draft?

The AI era may seem to be a story of machines replacing human work. But it is more like a mirror reflecting human desires and anxieties. As we entrust more decisions to algorithms, we feel relieved of the burden of choice, yet our sense of control over our own lives grows weaker. Convenience dulls our thinking, and speed makes us lose our direction. What ultimately matters is not how far technology advances, but how we preserve ourselves as human beings amid that progress.



The AI era may look like a world in which machines replace people. Yet it is really a mirror reflecting our desires and anxieties. As we hand more decisions to AI algorithms, we feel freed from the burden of choice, but also grow distant from a sense of agency over our lives. Convenience erodes our ability to think for ourselves, and we lose our own direction and perspective. In the end, what matters is not how far technology advances but whether we can preserve an independent mind within it.

Copyright Basics: AI and Copyright

AI and Copyright

Human revisions and creative editing may qualify for copyright protection.

Korea Copyright Commission
Guide to Copyright Registration of Works Using Generative AI (June 2025)

4. ONE MORE PUMPKIN, ㈜스튜디오프리윌루전 / 한국저작권위원회, C-2024-034221(2024)



- 특 징: 인간이 기획한 시나리오에 맞춰 인물의 감정표현, 분위기 조성, 의미 전달 등을 하기 위해 GAI 기술을 활용하여 영상(GAI 산출물)을 생성 후, 선택 · 배치하고 속도 조절 등의 편집을 하여 최종 영상을 제작함

- 제작 과정:

1) 기획한 시나리오에 맞춰 프롬프트를 입력하여 카메라 촬영 대신 장면들을 생성함
2) GAI 산출물을 취사선택하여 배치하고 편집 과정을 통해 영상을 제작함









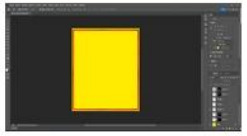
5 국내 생성형 인공지능 활용 저작물의 등록 사례

1. 符(부), 강보현 / 한국저작권위원회, C-2024-010508(2024)



- 특 징: GAI 기술을 활용하여 이미지(GAI 산출물)를 생성 후, 작가의 스케치와 일치하는 요소를 가진 GAI 이미지를 선별 · 배열하고 작품의 전체적 조화를 위해 세부적 부분을 수정하여 최종 이미지 제작함

- 제작 과정:



1) 간략한 스케치와 이미지의 배경을 직접 창작함



2) GAI를 이용하여 이미지를 생성함



3) GAI 산출물의 배경 제거 및 세부적인 조정을 진행 후, 이를 구성 · 배치함

Types of Copyrighted Works: What You Need to Know

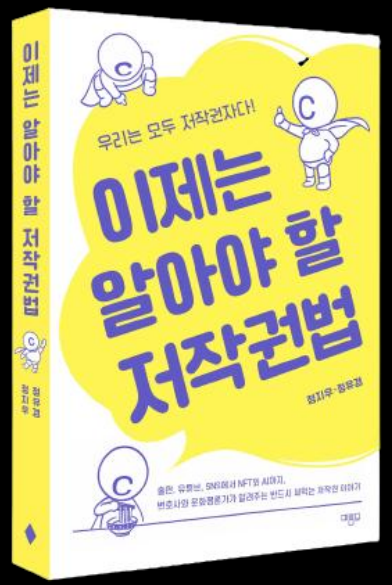
Types of Copyrighted Works

Literary works, musical works, dramatic works, artistic works, architectural works,

Photographic works, audiovisual works, graphic works, computer programs,

Compilations, derivative works, joint works, and works made for hire

p. 27



Types of Copyrighted Works: What You Need to Know

Compilation Works

AI + Editing

News Front Page

Website

Exam Prep Book



Image source: YouTube, Simtongbot — https://youtu.be/6iJkm-hMD3k

Types of Copyrighted Works: AI and Copyright

Derivative Works

Using AI to revise, restyle, expand, or modify someone else's work without permission

▶ May infringe the right to create derivative works





Types of Copyright Rights: What You Need to Know

Economic rights (author) — Reproduction · Performance · Public Transmission · Exhibition · Distribution · Rental · Derivative work right

Moral rights (author) — Right of Disclosure · Attribution · Integrity

Related rights (performer)

p.74



Types of Copyright Rights: What You Need to Know

Moral Rights

Right of Integrity

▶ Degree of editing

Right of Disclosure▶

Timing of publication

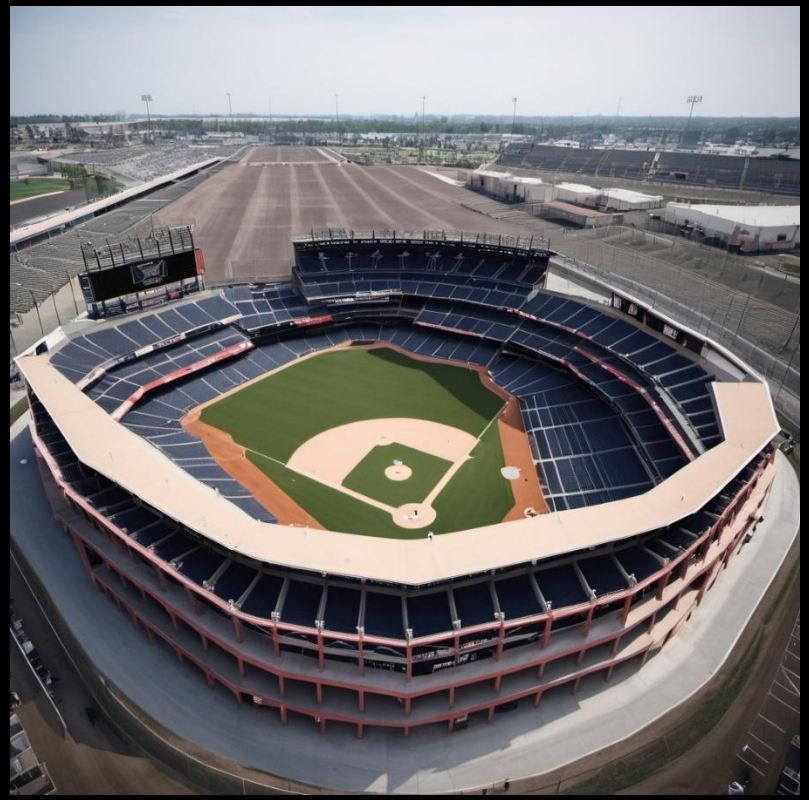


Types of Copyright Rights: What You Need to Know

Moral Rights

Right of Attribution

- **Joint authorship**
- **Translators**
- **Transfer of copyright**

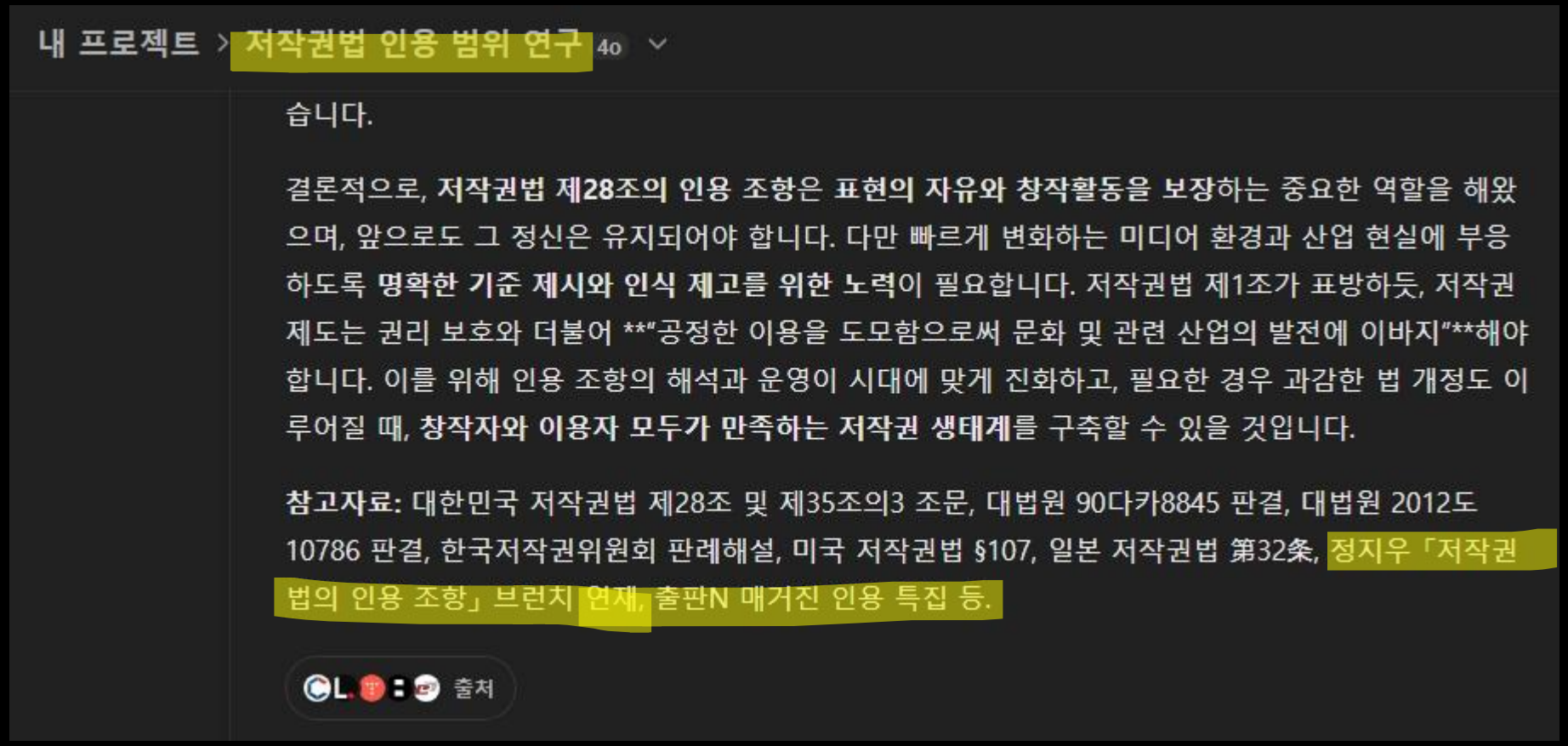


- ✓ Illegal to use a song at a baseball stadium?
- ✓ Music → Used as originally composed
- ✓ Lyrics → Completely rewritten
- ✓ Composer's name → Not credited

Limitations on Copyright

Fair Use of Copyrighted Works

Deep Research = Quotation?



Limitations on Copyright

Is unauthorized AI training on copyrighted works “fair use”?

- ✓ Germany: Copyright infringement was found where ChatGPT stored copyrighted song lyrics and reproduced them in its responses.
- ✓ United States: Anthropic agreed to a large class-action settlement of approximately USD 1.5 billion with authors and publishers.
- ✓ A U.S. federal district court in Delaware ruled that Ross’s use of Westlaw legal database documents for AI training was “not fair use” because it was insufficiently transformative.
- ✓ The New York Times v. OpenAI: No final judgment on the merits had been issued at the time of these slides. In 2024–2025, the court examined OpenAI’s fair-use position closely in procedural decisions.

→ **Check whether AI companies and models were trained on datasets collected and used lawfully.**

Limitations on Copyright

Using Copyrighted Works Safely

- Korea Open Government License (KOGL.OR.KR)
- Unsplash.com
- Generative AI tools, such as ChatGPT
- News Store (newstore.or.kr) — News content

Other Considerations

Legal Issues Beyond Copyright

Portrait rights and rights of publicity — Separate from copyright; check whether AI videos or images infringe these rights.

Personal information and trade secrets — Reported risks of unintended memorization.
— Consent and de-identification when using datasets.

Framework Act on AI — Notice obligations when offering generative-AI products or services (Jan. 2026).

Establish Internal AI Processes

Keep records showing human involvement from the drafting stage onward.

Be transparent about AI use from initial drafting through final approval.

AI, Copyright, and the Human Role

The Age of Editing

In the AI era, human judgment and perspective are essential for final editing — choosing, arranging, and revising content.

AI excels at instrumental efficiency; reflective reasoning remains a human task.

Human Role in AI Writing

The ability to exercise judgment and understand context.

Responsibility as the final creator, including legal rights and duties.

Q & A

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