

European Parliament publishes study on generative AI and copyright

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On 9 July 2025, the European Parliament published a study, requested by the JURI Committee, examining how generative AI challenges core principles of EU copyright law.

The study highlights the legal mismatch between AI training practices and current text and data mining exceptions, and the uncertain status of AI-generated content. These developments pose structural risks for the future of creativity in Europe, where a rich and diverse cultural heritage depends on the continued protection and fair remuneration of authors. The report calls for clear rules on input and output distinctions, harmonised opt-out mechanisms, transparency obligations, and equitable licensing models. Furthermore, the author of the report indicates that the European Parliament is expected to lead reforms that reflect the evolving realities of creativity, authorship and machine-generated expression, to balance innovation and authors' rights.

The recommendations made in the study are based on four key ideas to achieve a future-proof legal framework. First, they aim to close regulatory gaps, particularly around transparency, remuneration and traceability. Second, they aim at clarifying normative boundaries, including authorship standards, liability attribution and the distinction between data analysis and content reproduction. Third, the recommendations aim to reinforce safeguards and procedural protections, through interpretative guidance, technical standards, and interoperable disclosure mechanisms. Lastly, they aim at fostering inclusive governance, through structured dialogue, educational resources, and investments in lawful training datasets.

The study also provides illustrative trajectories, provisions based on the full or partial implementation of this study's recommendation or on continued inaction. The first, it is estimated, would lead to legal certainty, remuneration and robust EU participation model development. The second would lead to a litigious status quo, yielding case-by-case ruling, weak incentives and market marginalisation. The third option would lead to creative erosion, with regulation inaction allowing for unchecked AI use, market extraction, and collapse of sustainable creative industries.

Generative AI and Copyright - Training, Creation, Regulation

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