

AI-Generated Content and Copyright Ownership: Toward a Post-Authorship Legal Model

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Abstract

The rapid advancement of artificial intelligence technologies has fundamentally transformed the processes of creative production across industries including literature, music, visual arts, and software development. AI systems are increasingly capable of generating original content with minimal human intervention, raising significant legal and philosophical questions regarding copyright ownership and authorship. Traditional copyright frameworks are built upon the assumption that creative works originate from identifiable human authors, yet AI-generated outputs challenge this premise. This paper explores the legal ambiguities surrounding AI-generated content and examines the limitations of current copyright doctrines in addressing machine-created works. It proposes the concept of a post-authorship legal model, where copyright ownership is reconceptualized to reflect collaborative relationships between humans, machines, and data ecosystems. By analyzing emerging legal debates, policy responses, and theoretical frameworks, this study highlights the need for adaptive intellectual property regimes that balance innovation, creator incentives, and public access. The paper concludes that future copyright systems must evolve beyond the traditional author-centric paradigm to accommodate the realities of algorithmic creativity.

Keywords: Artificial Intelligence, AI-Generated Content, Copyright Law, Intellectual Property, Post-Authorship, Algorithmic Creativity, Digital Ownership

I. Introduction

Artificial intelligence has emerged as a transformative force in the creative economy, reshaping how content is produced, distributed, and consumed. Advanced generative models are now capable of producing sophisticated text, artwork, music, and code that can rival or even surpass human-generated outputs in certain contexts. These developments have created new opportunities for creativity and productivity but have also introduced complex legal questions regarding intellectual property rights. At the center of this debate lies the concept of authorship, which has historically served as the foundation of copyright protection. Traditional copyright frameworks are built upon the principle that a human author must be responsible for the creation of a work. The legal recognition of authorship ensures that creators receive exclusive rights to reproduce, distribute, and monetize their works[1]. However, when content is produced autonomously or semi-autonomously by artificial intelligence systems, identifying a clear author becomes problematic. Should copyright belong to the developer of the AI system, the user who prompted the system, the organization that owns the infrastructure, or should such works remain unprotected in the public domain?

This challenge has sparked intense debate among policymakers, legal scholars, and technology developers. Some argue that AI-generated works should not qualify for copyright protection due to the absence of human creativity. Others suggest that new legal frameworks must be developed to account for collaborative human-machine creativity. In this context, the concept of post-authorship emerges as a potential solution that moves beyond the traditional individual-author model toward a more distributed and ecosystem-based understanding of creative ownership.

II. The Evolution of Authorship in Copyright Law

The concept of authorship has undergone significant transformations throughout the history of copyright law. In early copyright regimes, authorship was closely tied to individual creators such as writers, artists, and composers who produced original works through personal intellectual labor. The law recognized these individuals as the primary beneficiaries of copyright protection, granting them exclusive rights as an incentive for creative production.

However, technological developments have repeatedly challenged the boundaries of authorship. The emergence of photography, film production, and digital media introduced collaborative and technologically mediated forms of creativity. In such cases, determining authorship often required legal reinterpretation, recognizing the roles of producers, editors, and corporate entities in the creative process[2]. These shifts demonstrated that copyright law is capable of evolving in response to technological innovation.

Artificial intelligence represents the latest and perhaps most radical disruption to traditional authorship models. Unlike previous technologies, AI systems can generate content that appears original without direct human control over every element of the creative output[3]. This raises fundamental questions about whether creativity must necessarily originate from human consciousness or whether algorithmic processes can also be considered legitimate sources of creative expression.

III. Legal Challenges in AI-Generated Content Ownership

The proliferation of AI-generated content has exposed significant gaps in existing copyright legislation. Many jurisdictions explicitly require human authorship as a condition for copyright protection. As a result, works generated solely by AI systems often fall into a legal gray area where ownership rights remain unclear[4].

One major challenge concerns the attribution of creative contribution. AI systems are typically trained on vast datasets consisting of existing copyrighted materials, raising concerns about derivative works and potential infringement. If an AI-generated output incorporates stylistic or structural elements from training data, it becomes difficult to determine whether the resulting content is genuinely original or merely a recombination of prior works. Another challenge arises from the multiplicity of stakeholders involved in AI-generated creativity[5]. Developers design the algorithms, companies provide computational infrastructure, and users supply prompts or instructions that guide content generation. Each participant contributes in different ways to the

final output, complicating the process of assigning exclusive ownership rights. This multi-layered creative process challenges the conventional notion of a single identifiable author.

Furthermore, the absence of clear ownership rules may discourage investment in creative AI technologies. Without legal certainty regarding intellectual property rights, businesses and innovators may face difficulties monetizing AI-generated outputs. Therefore, resolving these legal ambiguities is essential for fostering sustainable innovation within the rapidly expanding AI-driven creative economy.

IV. Toward a Post-Authorship Legal Framework

The concept of a post-authorship legal model seeks to address the limitations of traditional copyright frameworks by rethinking the role of authorship in the age of artificial intelligence. Rather than focusing exclusively on individual creators, this model recognizes that modern creative processes often involve networks of humans, machines, and data sources.

Under a post-authorship framework, copyright ownership could be distributed among multiple stakeholders based on their respective contributions to the creative process. For example, AI developers might hold rights related to the underlying algorithms, while users may retain rights over specific prompts or curated outputs. Alternatively, certain AI-generated works could be categorized under new forms of intellectual property protection that differ from traditional copyright regimes[6].

Another possible approach involves the creation of data stewardship and licensing models, where training datasets are treated as valuable intellectual assets that contribute to AI creativity[7]. In this model, copyright law would recognize the importance of data ecosystems rather than focusing solely on the final output[8]. This shift would encourage fair compensation for data contributors while maintaining incentives for technological innovation. Moreover, policymakers may consider hybrid frameworks that combine elements of copyright, licensing agreements, and collective rights management systems. Such models would allow AI-generated content to be shared and commercialized while ensuring that stakeholders across the creative ecosystem receive appropriate recognition and compensation.

V. Ethical and Policy Implications of Post-Authorship

Beyond legal considerations, the transition toward a post-authorship model raises important ethical and policy questions. The increasing automation of creative production challenges traditional assumptions about the role of human creativity in cultural development. Some critics fear that widespread AI-generated content could diminish the value of human artistic expression, while others argue that AI should be viewed as a collaborative tool that expands human creativity rather than replacing it.

From a policy perspective, governments must balance competing interests including technological innovation, economic growth, cultural preservation, and individual rights. Overly restrictive copyright policies may stifle AI innovation, whereas overly permissive frameworks

could undermine the livelihoods of human creators whose works contribute to AI training datasets[9]. Another ethical issue concerns transparency and accountability in AI-generated content. As generative systems become more sophisticated, distinguishing between human-created and machine-generated works may become increasingly difficult[10]. Implementing disclosure mechanisms or labeling requirements could help maintain trust in digital content ecosystems while ensuring responsible deployment of generative technologies.

Ultimately, the evolution of copyright law in the age of artificial intelligence will require interdisciplinary collaboration among legal scholars, technologists, policymakers, and creative professionals[11]. Such cooperation is essential to developing balanced regulatory frameworks that reflect the complex realities of algorithmic creativity.

Conclusion

Artificial intelligence has introduced unprecedented challenges to the traditional foundations of copyright law, particularly the concept of human authorship. As AI systems increasingly generate original content across multiple domains, existing legal frameworks struggle to determine ownership, responsibility, and rights allocation. The emergence of these challenges highlights the need for innovative legal approaches that move beyond conventional author-centric models. The post-authorship legal model offers a promising pathway for addressing the complexities of AI-driven creativity. By recognizing the distributed nature of creative production involving humans, algorithms, and data ecosystems, this model provides a more realistic framework for governing intellectual property in the digital age. Future copyright regimes must adapt to technological realities while preserving incentives for creativity and innovation. As artificial intelligence continues to evolve, policymakers must proactively design legal structures that encourage responsible technological development while protecting the interests of creators and society. The transition toward post-authorship frameworks may ultimately redefine how creativity, ownership, and intellectual property are understood in the twenty-first century.

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