

## LEGAL PERSPECTIVE ON THE RISK OF COPYRIGHT INFRINGEMENT BY AI-GENERATED CONTENTS IN CHINA

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### ABSTRACT

*The swift progress of Artificial Intelligence (AI) technology is driving advancements in the internet and cultural sectors, but it also poses challenges to traditional laws, especially copyright law. This article examines the legal complexities associated with AI-generated products and copyright infringement risks in the Chinese internet context. By combining the Copyright Law of the People's Republic of China and analyzing relevant judicial dispute cases in China, this study explores generative artificial intelligence models for generating creative content such as text, images, and music, and introduces their basic technical mechanisms. Focusing on how AI uses existing copyrighted material to generate new works, discuss the issue of attribution of authorship of AI-generated works and its impact on traditional copyright principles. Generative AI is at risk of copyright infringement through the use of machine learning and deep learning technologies to capture data on the Internet for a wide range of creative training. Although China does not have clear legal provisions on copyright ownership and authorship of generative AI, the legal definition of 'work' adds a new protective interpretation of generative AI. The study suggests that the loopholes in copyright infringement risks can be closed by improving and reforming China's copyright law, or judicial interpretation of AI, to promote the development of AI technology and keep the law up to date. The comprehensive legal framework not only protects the rights of copyright owners and encourages technological innovation, but also improves China's competitiveness in the global digital economy.*

*Keywords: Artificial Intelligence; Copyright Infringement; AI-Generated Content; Internet Development; Chinese Legal Framework*

### INTRODUCTION

The current state of artificial intelligence technology indicates that it will undoubtedly have a profound impact on numerous fields. In particular, the field of literature and art is witnessing a transformation in the role of AI, which is moving from a tool assisting humans in their creative endeavours to an independent creative entity.

China has been engaged in research and development of AI technology since the 1950s, and has made notable progress in deep learning, generative modelling and neural networks. AI is now widely used in China's Internet platforms. While the development of AI technology has contributed to the advancement of productivity in China, it has also impacted the traditional social order and posed significant legal challenges, particularly in the area of copyright law. In China, the specific application of AI-

Generated content and copyright law raises complex social issues that require in-depth legal analysis. The question thus arises as to whether AI-Generated content can be considered a work in the sense of copyright law. The question of authorship of AI-Generated content is of great importance. Does the utilisation of generative AI, which is reliant upon information repositories and original materials to generate content such as text, images, music, etc., infringe upon the rights of the original authors? The question thus arises as to whether AI-Generated content should be afforded protection under copyright law. This article examines these issues, focusing on the ownership disputes and infringement risks posed by AI-Generated content under China's existing copyright law framework.

Generative AI is capable of generating creative content, including text, images and music, through the use of machine learning algorithms and neural networks. Such generative models are capable of processing a substantial quantity of existing copyrighted material to generate new works, which may result in a blurring of the line between original and derivative works. As a product of the Big Data era, this ability of generative AI has important implications for the application of copyright law. China's current traditional copyright law may not be able to adequately discern the nuances between AI-Generated content and original works and perfectly define the division of rights.

The central aim of this research paper is to examine the impact and legal implications of AI-Generated content on China's current internet platforms and social and cultural life, with particular reference to the context of Chinese copyright law. This entails a detailed examination of specific provisions in the Copyright Law of the People's Republic of China, with a particular

focus on those pertaining to the definition of works and authorship. The current PRC Copyright Law is designed to reinforce copyright protection in the domains of literature, art and science. It serves as a legal foundation for the safeguarding of authors' and copyright owners' rights. Nevertheless, the legislation does not explicitly address the applicability of AI-Generated content. This ambiguity also affects fundamental issues of copyright law, such as the attribution of authorship of AI-Generated content and the definition of the attributes of AI-Generated works under the existing legal framework. The absence of clear guidelines on these matters represents a significant risk of copyright infringement in the cultural marketplace and affects the application and development of intellectual property rights in the digital age.

This paper will provide a brief overview of the current state of AI development and the technical mechanisms of generative AI models, as well as a concise description of the process by which generative AI creates new content. It is of the utmost importance to gain an understanding of the development history and working principles of AI models in order to analyse the subsequent copyright legal issues. In light of the current state of Internet development in China, this paper will analyse whether AI-Generated content can be regarded as a work in the legal sense. It will also discuss AI-Generated content in terms of the subject's personality, the object's attributes, and the value of rights. In addition, this article will examine the legal analysis of AI-Generated content in the context of judicial cases in China. AI-Generated content, which has become a focus of disputes in several cases, has attracted the attention of all sectors of society and the courts' attitudes towards AI-Generated content have not been entirely consistent. The verdicts of these cases demonstrate the difficulties and limitations

of applying traditional copyright law to AI-Generated works, and highlight the necessity for legal reform.

Furthermore, the conflict between AI-Generated content and copyright law is a significant issue in Chinese jurisprudence. A review of the literature of scholars reveals that one of the main points of contention is the attribution of authorship of AI-Generated content. The traditional concept of copyright law is based on the notion of human authorship, which is not applicable to AI-Generated content. This prompts the question of whether AI itself can be considered an author, or whether authorship should be attributed to the developer or user of the AI system. The absence of a clear legal definition and standard for authorship of AI-Generated works in China increases the risk of copyright infringement. In light of the legal challenges posed by AI-Generated content, this paper proposes several legal reforms to adapt the principles and scope of copyright law to the specificities of AI-Generated content. In addition, it is necessary to implement regulatory measures to oversee the training of AIs that utilise copyrighted materials. This could facilitate the adaptation of China's copyright law to the advances of the information age and provide more explicit guidance on the protection of intellectual property rights.

## METHODOLOGY

This study aims to explore the copyright infringement risks that generative AI content may pose in the development of the Chinese internet. The study adopts a qualitative research method and systematically analyses the current copyright legal framework in China and the legal status and copyright ownership of AI-generated content through literature review, case law analysis and doctrinal analysis.

The qualitative methodology of this study aims to explore and understand the complexity of copyright infringement risks posed by AI-generated content under the current legal framework in China. In-depth analysis of legal texts, judicial practice and academic literature will be conducted to gain a comprehensive understanding of the issues under study. One of the key methods of this study is a literature review. By systematically collecting and analysing relevant academic papers and legal texts, the study examines the infringement risks and copyright protection of AI-generated content under the current legal framework in China. Specifically, this paper uses legal databases and academic journals to obtain the latest research on the copyright issues of AI-generated content and analyses it in conjunction with existing legal provisions. Historical research methods are used to review and analyse the development of copyright law, in particular the response to copyright issues raised by new technologies. Through historical research, it is possible to better understand the evolution of current copyright law and its shortcomings in addressing the issue of AI-generated content. Case analysis is an important part of the qualitative analysis methodology. By analysing the copyright infringement cases of AI-generated content in China, this study provides a basis for practice and legal reference by studying the handling and adjudication results of AI-generated content in actual legal practice, considering the social background of China.

This study adopts the doctrinal analysis method, which systematically interprets and analyses existing legal provisions to clarify the status and ownership of AI-generated content in copyright law. The doctrinal analysis method involves the interpretation of legal provisions, the analysis of case law, and the application of legal theory. Through a detailed interpretation of the Copyright Law of the

People's Republic of China and related laws and regulations, it clarifies whether AI-generated content meets the definition of “work” under existing laws and discusses the issue of authorship.

This study mainly uses legal databases (such as CNKI, Google Scholar, etc.), academic journals and case databases (such as China Judgments Online) as research tools. By searching legal databases, we can obtain the latest legal provisions; by consulting academic journals, we can obtain the latest research results on the copyright issues of AI-generated content; and by analysing the case database, we can analyse the judgment results of relevant cases in China.

#### BASIC PRINCIPLES OF GENERATIVE AI AND THE CURRENT DEVELOPMENT OF GENERATIVE AI IN CHINA

This chapter discusses in detail the basic principles of generative AI and the current development status of generative AI in China. By reviewing the historical development of artificial intelligence, understanding the technical mechanism of generative AI, and discussing the progress made by China in the field of generative AI and its future development direction, it aims to lay the foundation for discussing the copyright infringement risks of generative AI in subsequent chapters.

##### BASIC PRINCIPLES OF GENERATIVE AI

The 1956 Dartmouth Conference is considered to be the official birth of artificial intelligence as an independent field of study. The conference was organised by John McCarthy, Marvin Minsky, Claude Shannon and Nathan Rochester, and the term “artificial intelligence” was proposed. The aim was to explore how to make machines

behave like humans, and it stimulated the development of early artificial intelligence research. The concept of artificial intelligence as expressed at the conference can be divided into narrow artificial intelligence, also known as weak AI, which refers to an artificial intelligence system that is specifically designed for a particular task or domain and does not produce autonomous consciousness. In contrast, general AI, also known as strong AI, refers to an AI system that can think independently, has self-awareness, and can understand, learn and solve problems like humans. It should be stressed that the artificial intelligence mentioned in this article is weak artificial intelligence, i.e. a system that relies on machine learning and deep learning techniques and can only process data based on pre-programming or model training.

To better understand how AI-generated content poses a risk of copyright infringement, it is necessary to have a basic understanding of the technical mechanisms of generative AI-generated content. Generative AI is a set of machine learning and deep learning technologies that automatically generate text, images and music through algorithms based on user needs. The working principle of generative AI includes building neural networks through transformers, generative adversarial networks (GANs) and variational autoencoders (VAEs), pre-training with a large amount of Internet text data, learning a wide range of language patterns, and collecting dialogue data with users for language fine-tuning. This step requires the model to be trained on a supervised or unsupervised task-specific dataset to achieve text continuity and plausibility. It is worth noting that unsupervised machine learning training samples are not labelled, while supervised machine learning samples are artificially labelled, which can be influenced by human annotations when learning

language and accessing data (Yin Ruigang et al., 2016). After that, generative AI needs to be linked to the context of the input or prompt words to complete the task of automatically generating text, images and music for specific tasks. In summary, generative AI requires a neural network architecture, pre-training and fine-tuning of data collection, content generation, and model optimisation to achieve automatic generation of text, images, audio, etc.

#### THE CURRENT DEVELOPMENT OF GENERATIVE AI IN CHINA

Since OpenAI officially launched Chat GPT based on the GPT-3 model in 2022, the excellent capabilities and potential of generative AI in language models, intelligent dialogue and text generation have attracted much attention. Influenced by Chat GPT, Chinese research institutions and technology companies have also accelerated the development of generative AI. Chinese research achievements in pre-trained language models, such as Chinese Mind, Pangu and M6, have demonstrated excellent performance in text generation, image synthesis, music composition and dialogue translation. China has also made significant progress in natural language processing (NLP), especially in Chinese text processing and machine translation. Several companies and research institutions have developed efficient Chinese natural language understanding and generation models, such as Baidu's ERNIE and Huawei's HiAI. China's AI technology development has gone through the stages of early exploration, technology accumulation and application, accelerated development, and now comprehensive promotion. With strong support from national policies and the active participation of enterprises, universities and research institutions, China has made significant progress in the research and application of AI technology, promoting the

development of the Internet and the renewal of Internet platforms. In the future, AI will have an even greater impact in China.

#### LEGAL CHALLENGES TO CHINA'S COPYRIGHT LAW POSED BY AI-GENERATED CONTENT

The widespread use of generative AI in the fields of text, images and music has challenged China's traditional copyright system. The large-scale use of AI-generated content has exposed China's current copyright legal framework to multiple risks and uncertainties. This article will specifically discuss China's current legal provisions on authors and works, analyse the copyright risks that AI-generated content may pose, and highlight the shortcomings of China's current legal framework with respect to copyright protection.

#### CURRENT CHINESE LEGISLATION ON AUTHORS AND WORKS

China's current laws on authorship and works are mainly contained in the Copyright Law of the People's Republic of China (hereinafter referred to as the "Copyright Law") and related judicial interpretations and administrative regulations. China's current copyright law mainly protects original works in the fields of literature, art and science, and clearly defines the definition of a work and the meaning and rights of authorship. However, the emergence of AI-generated content has blurred the boundaries between traditional works and authors. Generative AI can generate new content from a large number of existing copyrighted works through deep learning. This semi-automatic content generation process raises new legal questions: Does AI-generated content meet the requirement of "originality" and can it be protected as a "work"? If so, how should copyright ownership of AI-generated content be determined? These are gaps in China's

current copyright law that have yet to be filled.

According to Article 3 of the Copyright Law, a work refers to an intellectual creation in the fields of literature, art or science that is original and capable of being reproduced in a tangible form. It is worth noting that the amended Copyright Law of the People's Republic of China in 2020 added a clause that other intellectual creations that meet the characteristics of a work may also be recognised as works. This can be seen as a catch-all clause and legal premise for the recognition of AI-generated content as works.

Regarding the identification of authorship, Articles 11 and 12 of the Copyright Law stipulate that authors are natural persons, legal persons or unincorporated entities who create or sign their works. Authors enjoy a number of rights, including the right to publish, the right to sign and the right to reproduce. Current legal tradition attributes authorship to human creators, and the legal status of AI authors is not yet clear.

#### COPYRIGHT RISKS OF AI-GENERATED CONTENT

AI-generated content challenges traditional notions of authorship and originality. Because the content is generated by an AI system rather than a human, and because AI generates content such as text, images and music based on human instructions, the question arises as to who should own the copyright.

The key issue is that AI-generated content may infringe the copyright of the original work because AI requires a large amount of training data in the creative process, and this data often contains copyrighted material. However, generative

AI may use this material without permission, thereby infringing the copyright of the original author. ChatGPT and other generative AI generate content by collecting and processing large amounts of data from the Internet. The generated content relies on the integration, deletion and re-creation of raw materials, and the data used may also contain unauthorised copyrighted material, resulting in potential infringement of the rights of reproduction, adaptation and compilation by generative AI content. The distribution of generative AI-generated content also carries the risk of infringing the right to communication over information networks. AI-generated content is rapidly disseminated over the Internet. If such content is used without the author's permission, it may infringe the author's right to communication over information networks.

The originality and uniqueness of AI-generated content is also controversial. Because generative AI uses a large amount of existing material to generate content, AI-generated content may be very similar to existing works, which can easily lead to copyright disputes.

#### SHORTCOMINGS OF THE CURRENT LEGAL FRAMEWORK FOR COPYRIGHT PROTECTION IN CHINA

Although China's current copyright law was amended for the third time in 2020, the legal framework still has shortcomings in dealing with AI-generated content.

The current Copyright Law lacks clear definitions and provisions on authorship and copyright ownership of AI-generated works. Current law lacks specific regulatory measures for AI-generated content and cannot effectively address copyright infringement issues raised by AI-generated content. Traditional copyright law

does not adequately address the nuances of AI-generated content, such as the degree of human involvement required to protect a work, and the lack of clear standards for the originality of AI-generated content in judicial interpretations and enforcement mechanisms when dealing with disputes involving AI-generated works, resulting in inconsistent outcomes in judicial practice. For example, in the “Feilin v. Baidu” case heard by the Beijing Internet Court in 2018, the court ruled that the AI-generated content in the case could not be considered a work, even if it demonstrated originality. In the “Tencent v. Yingxun” case heard by the Nanshan District Court in Shenzhen, Guangdong Province in 2019, the court ruled that the AI-generated content in the case was a work protected by China's Copyright Law.

#### COPYRIGHT OWNERSHIP OF AI-GENERATED CONTENT

As a weak artificial intelligence, generative AI does not have self-awareness, and the current Chinese copyright law does not have clear legal provisions for it. Therefore, as a product of the new era, the legal status and authorship of AI-generated content has always been a focus of debate in the Chinese legal community.

#### RECOGNITION OF AI-GENERATED CONTENT AS A WORK

Determining whether AI-generated content meets the definition of “work” under current Chinese copyright law is a complex issue. The current legal definition of a work in China is derived from Article 3 of the Copyright Law of the People's Republic of China, which states that a work is a tangible form of intellectual creation.

For a work to be protected by copyright, it must meet two key criteria: originality, legality and reproducibility. AI-

generated content generally meets the reproducibility requirement because it can be recorded in a tangible form, such as text, images or music, and has economic value. The legality criterion can also be considered as the ability to be legally recognised as a work after the revision of China's Copyright Law in 2020. Therefore, the key criterion for determining whether AI-generated content is a work is originality, which is also the focus of controversy among scholars. Although generative AI is created under the guidance of human authors, it is still considered to be created by algorithms rather than human authors. The traditional view of Chinese copyright law emphasises human creativity and intellectual work, which AI-generated content by definition lacks. This has led to a debate about whether such content can be considered original and meet the requirements of a protected work under copyright law.

The debate about whether AI-generated content qualifies as a work typically revolves around two perspectives: anthropocentrism and labour-centrism. Anthropocentrism, which is the basis of traditional copyright law, emphasises the human being at the centre of the creative process and asserts that only humans can be authors because only humans can express intention, creativity and intellectual labour. Work-centrism, on the other hand, focuses more on the result of the creative process - the work itself. Proponents of this view argue that if the resulting work meets the criteria of originality and reproducibility, it should be protected by copyright, regardless of whether it was created by humans or AI. This view supports the idea that AI-generated content should be considered a copyrightable work, provided that it exhibits originality, i.e. unique creativity.

The aforementioned Shenzhen Nanshan District People's Court recognised

in the “Dreamwriter” case that although the article was generated by AI software, the creative process involved a lot of human intervention, so the company that owned the software was considered the author. This case highlights a pragmatic approach and shows more of the adaptation of China's copyright law to the new era, i.e. human participation in the creative process can meet the originality requirement, so that AI-generated content is protected under the current copyright law.

The human-centred view may no longer be appropriate in the context of the rapid development of the Internet in China. In the future, AI-generated content will only increase as technology advances. Therefore, it is urgent to include AI-generated content in the scope of copyright law, and to promote a work-centred perspective and recognise the important human contribution in the creative process as a feasible direction for legal reform. By recognising the contributions of generative AI and human creators, copyright law can protect AI-generated works and thus strike a balance between promoting innovation and protecting intellectual property rights.

#### IDENTIFICATION OF AUTHORS OF AI-GENERATED CONTENT

According to the current Copyright Law of the People's Republic of China, an author is a natural person, legal person or unincorporated entity who creates or signs a work. This provision aims to protect the rights of human creators and emphasises the subjective position of human beings. However, AI-generated content relies mainly on algorithms and data rather than direct human creation, which makes identifying the author of AI-generated content a complex issue.

Some scholars believe that the generative AI system itself should be given the status of “machine author” in order to clarify copyright ownership of AI-generated content in law. According to this view, the autonomy and creativity demonstrated by the AI system in the creative process is sufficient for it to be considered the author of the work. However, this view does not conform to the basic principles of determining authorship in China's current copyright law, because the AI system is not sufficient to exist as a responsible subject that can independently enjoy rights and assume obligations. The reason why a human being is a human being is because it has unique thoughts, subjective consciousness and the ability to think for itself. Even a legal person, which is a fictitious person, is an independent subject that enjoys rights and assumes obligations. A legal person can also make a declaration of intent. Generative AI has no self-awareness. As a collection of data and code, it does not have the ability to express its own intent and produces content by processing large amounts of data according to the instructions entered by humans.

Based on this, the authorship of AI-generated content should belong to humans, but whether it belongs to the developer or owner of the generative AI or to the user is also an important legal issue. Developers design generative AI models and algorithms independently or with the support of companies, institutions, etc., so generative AI should be attributed to the developer or the owner of the company or institution. However, most generative AI is promoted for commercial purposes on various platforms on the Internet. Internet users can use different types of generative AI to create content according to their own needs in order to get the content they want. In other words, AI-generated content is produced according to the user's instructions, and the developer or owner only provides data, algorithms and



models. The data used by generative AI comes from various licensed and even unlicensed materials, as well as from dialogue training with users. Therefore, the author of AI-generated content should belong to the user, who provides a certain amount of creative cost.

Specifically, the process of creating AI-generated content involves three main subjects: the developer, the owner and the user. The developer is the designer of the generative AI and the creator of the algorithmic model. The owner is usually the company or institution that owns the generative AI system. They may work with the developer to provide users with an internet platform and resources for using generative AI. The user is the most important and indispensable step in the creative process. They are the ones who ultimately use generative AI and enter creative instructions to generate content. They have direct control and influence over the generated content.

In this case, the copyright of the AI-generated content is more likely to be attributed to the user, as they have actual control and creative input over the generated content. The user directs the AI to generate specific content by entering specific instructions, and this process involves human creativity and intellectual contribution. Although the developer and owner provide technology and platform support, the actual creative act is performed by the user. Therefore, from the perspective of understanding the legislative intent of China's current copyright law, the authorship of AI-generated content should be attributed to the user who has provided the actual creative input.

In summary, although the issue of attribution of authorship of AI-generated content is complex and controversial, based

on the current legal framework and judicial practice, the authorship of AI-generated content should be attributed to human users rather than the generative AI system itself or its developers and owners.

#### SUGGESTIONS FOR IMPROVING CHINA'S COPYRIGHT LAW REFORM

With the rapid development of the Internet and the continuous advancement of technology in China, the application of generative AI in the field of content creation has become more widespread, posing new challenges to the existing copyright protection framework. China's copyright law needs to adapt to the new reality of large-scale production of AI-generated content. In order to better protect copyright and promote the development of the knowledge economy, this article puts forward several legal reform proposals to improve the legal framework for copyright protection in China.

Clarify the legal status of AI-generated content. The first step in reforming China's copyright law is to clarify the legal status of AI-generated content and fill the gaps in the current copyright law. The current copyright law mainly protects works that are clearly defined in the law. Although a catch-all clause has been added, it does not clearly specify whether AI-generated works meet the criteria for protected works. It is recommended that the copyright law or judicial interpretations clearly define AI-generated content as works that can be protected by copyright if they meet the criteria of originality and reproducibility.

Adjust the criteria for determining authorship. At present, there are no clear provisions on authorship and copyright ownership of AI-generated content, leading to many disputes in legal practice. The current definition of authorship in China's Copyright Law is limited to natural persons,

legal persons and unincorporated organisations. This definition should be expanded to cover situations where generative AI plays an important role in the creative process, including recognising the creator as the person who has invested a certain amount of creative costs in the AI-generated content, thereby ensuring that human creativity and the emotions invested in generative AI are recognised.

Improve the liability regime for infringement of AI-generated content. Generative AI has the potential to infringe copyright in use because its data sources are materials that have not been confirmed to be authorised. With the widespread use of AI-generated content, copyright infringement is also on the rise. In order to prevent copyright risks related to AI-generated content, it is necessary to strengthen Internet supervision measures, such as judicial authorities establishing cooperative relationships with Internet platforms to control the use of generative AI. It is also necessary to add provisions on liability for AI-generated content to China's current laws, clarifying the subject of liability for generative AI and the scope of liability.

Encourage international exchanges and cooperation. As a late adopter of the Internet, China should strengthen international cooperation and exchanges and learn from advanced international experiences to improve China's copyright protection system. AI-generated content often involves cross-border data and intellectual property rights, and copyright protection issues are also becoming increasingly international. China should actively participate in international discussions and cooperation on copyright protection, learn from other countries' advanced experiences and practices in copyright protection of AI-generated content, and improve the legal framework in

light of China's own social background. At the same time, negotiating international agreements on AI content creation will help resolve the issue of jurisdiction over AI-generated content and ensure the protection of intellectual property rights on a global scale.

## CONCLUSION

The rapid development of artificial intelligence technology, especially the widespread application of generative AI in content creation, has had an impact on China's current copyright law. The traditional definitions of works, authorship and copyright protection concepts are not suitable for China's current social situation. This article discusses the potential copyright infringement risks of AI-generated content, assesses its impact on current copyright law from a legal perspective, and proposes relevant legal reform recommendations to meet the needs of Internet development and knowledge-based economic growth.

Clarifying the legal status of AI-generated content is crucial. As a country governed by law, China needs to establish a legal basis for regulating AI-generated content. The current Copyright Law does not clearly state whether AI-generated content is a work protected by copyright. Therefore, AI-generated content can be defined as a copyrightable work if it meets the criteria of originality and reproducibility.

Identifying the author of AI-generated content is also a controversial issue. The traditional definition of an author as a natural person, legal person or unincorporated organisation is difficult to apply to works generated by generative AI. This article advocates the choice of interpreting legislative intent under the basic principles of copyright law to maintain legal stability as much as possible, and to recognise the identity of the creator of AI-

generated content as the author of AI-generated content within the scope of legal interpretation, ensuring that human creativity and input are recognised and protected.

This study explores generative AI models that generate creative content such as text, images and music, and introduces their basic technical mechanisms by combining the Copyright Law of the People's Republic of China and analysing relevant legal disputes in China. It focuses on the potential infringement risks of generative AI, which uses advanced technologies such as web crawlers to generate new works using Internet data and user language training, and discusses the attribution of authorship of AI-generated content and its implications for copyright law. The study recommends that the loopholes in the copyright infringement risks of AI-generated content should be addressed by improving and reforming China's copyright law or related judicial interpretations, so as to promote the healthy development of the Internet and the advancement of the law. A sound legal framework not only protects the rights of copyright holders and promotes technological innovation, but also promotes the development of China's knowledge economy and ensures that generative AI can flourish in a sound legal environment and provide a good cultural environment for creators.

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#### AUTHORS' CONTRIBUTION

The first author conceptualised and wrote the article. The second author provided valuable feedback and revisions.

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