



# A Legal Guide for Emerging Artists: Navigating Copyright, Contracts, and Artificial Intelligence

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## COPYRIGHT

**Copyright** is a type of intellectual property that protects **original** works of **human authorship** as soon as they are **fixed** in a **tangible** form of expression. I.e. paintings, sculptures, illustrations, graphic designs, and more.

### KEY REQUIREMENTS:

- Originality
- Creativity
- Fixed Medium

### DURATION

Artist's Life + 70  
Years

### Exclusive Rights of Copyright Owners (17 U.S.C. §106):

Reproduce the work, create derivative works, distribute copies, publicly perform or display the work, and control digital transmission (for sound recordings).

### IS REGISTRATION REQUIRED?

- No, copyright is automatic upon creation.
- However, registration provides legal advantages

### AVOID INFRINGEMENT:

- Do not reproduce or distribute. copyrighted works without permission.
- Understand Fair Use (case-specific).
- Consider licensing agreements for commercial use.

## LEGAL & ETHICAL ISSUES

- **Accessibility of legal resources**
- Copyright disputes & unauthorized use
- **Unfair contracts & agreement drafting**
- AI-generated art & ownership concerns
- **Lack of legal literacy**
- Developments in law & technology

## INTRODUCTION

Many **emerging artists lack legal literacy**, leaving them vulnerable to **ownership** issues, **fair use** concerns and **exploitation** in transactions. Understanding **copyright**, **contract** terms, and the implications of **artificial intelligence** is essential for protecting creatives as emerging professionals. This research **identifies key challenges** artists face and offers solutions through an **understandable legal guide** designed to empower them in creative industries.

## ARTIFICIAL INTELLIGENCE

**AI uses datasets of internet-scraped images to create new ones.**

Issues arise from scraping content **without consent**.

- AI-generated art **is not copyrightable** due to lack of human authorship.
- **Human input** in AI art can make it copyrightable (as of January 2025).

## CONTRACTS

1. **Protects artists from disputes.**
2. **Establishes clear terms (payment, timeline, rights).**
3. **Professionalism in client transactions.**

### WHAT MAKES A CONTRACT?

- **Offer & Acceptance:** Clear agreement on project terms.
- **Consideration:** Exchange of work for payment.
- **Capacity & Legality:** Both parties must be legally capable.

### IMPORTANT SECTIONS:

- Project Scope
- Timeline
- Payment
- Expenses
- Termination
- Usage & Copyright
- Credit & Copies
- Other jurisdiction-specific clauses

## REFERENCES

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