



Authorship (AI's Version?)

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Abstract This paper examines, who owns authorship rights, humans or AI? based on theoretical prospective and on legal cases studies, by reading between the legal's lines of authorship in this digital age. The last few years, we've stepped into a brand-new era, which called "Artificial Intelligence" this new term that we can name "the nonhuman intelligence" has taken over mostly everywhere in our daily basic life, and to be more factual, the right term to use is "the age of hybrid creativity", and that's because the huge rapid capacity of AI in producing, diverse creative content, such as generate literary, artistic and even scientific works, and so many other creative works. making a global impact that scripted into our minds. This brand-new thing created a new conventional, fragmented legal issue, in international landscape in re-defining authorship, by rewriting the whole concept of it. If we look into the meaning of this one, we will find that AI challenges the foundation of original work, and copyrightability because the traditional idea of an author and human intellectual as the natural person who create it, but with AI this led to various perspectives on who should be credited.

Keywords: Artificial Intelligence, Authorship, Intellectual Property, Originality, Copyrights Law, collaborative creativity.

1 Introduction

The foundational idea of authorship, in the classical framework is about the morale and legal ownership concept of one's work. In the other hand "the author" as the one whose personal intellectual product a creative work, with his own personal thoughts and ideas, considered as the original producer of the content, linking both with an ethical and law-governed 's line.

Whoever, the swift advancement progress of AI in generating texts, and other forms of output by data- driven autonomously which means in humans' terms language "self-taught" has made this long-standing standard edition's meaning into a new conventional understanding's version from "Human's version" to "AI's version" generating a new question which is "AI authorship?"

This unconscious creativity has taken the spotlight while its place is behind the scene, creating every type of content from, texts, images, arts, and even scientific researches, "Authorship" this long-associated term with humans' creativity is facing a new threat in the re-definition that could lead into an ethical and juridical case about who's the author?

This tension in between has been exposed by so many legal cases about the allocation of rights of intellectual property, opening a legal's blank spaces in copyrights and intellectual propriety's law, making a conventional international issue that need a re-defining of "an author" in this paradigm shift that we are witnessing in this driven AI era, when AI's systems has this significant ability in producing contents, the very definition of an author in current IP law remains that an author must be a natural person. Leaving AI authorship in legal grey era but that's' not all furthermore there are so many questions marks surrounding "AI" about who is the real author? Should authorship be attributed to the developer of algorithm? The entity who owns AI systems? or the user responsible for configuring the initial inputs? So many "who" in one distributing entity.

This "Authorship paradox" emerges from AI systems capacity in producing contents mimicking and challenging at the same time the human's capacity in creative works and changing the norms of Authorship concept that rooted in intent and originality of a work. At this point some blurred lines meeting at some points, of who and what considered as an author. Philosophers' prospectives are crucial for the use of AI and its impact in this context. While ethical guidelines in scholarly publishing like international committee of medical journal Editors (ICMJE) and the committee of on Publication Ethics (COPE) define authorship by human contribution and accountability. But these guidelines don't explicitly clarify if prompting or editing AI output qualifies as authorial. Not only this but this transparency in defining authorship extends to legal questions marks and leave blank spaces between the lines of credit and copyrights or in another term ownership.

This invites to rethink about what is truly means to create, to own, we wonder can AI be called an author, this hidden tool behind the stage of creativity of human being, as a ghostwriter, these lines give a conventional question about who actually holds the pen, and who's actually works. and the main question is who's the author? who owns the authorship? humans, or AI or Both? this complex problem needs a legal and ethical consideration.

Therefore, the importance of this study became from supporting this huge advisement in technology at the same time ensuring legal protection for the original creators. And to read between the lines of this conflict in defining authorship in current legal lines with aim to address legislatures at the first place in rewriting the statutes of authorship and distribute rights in the right way. While the overarching goal is to use AI by humans as a tool in many practices like academic researches or literature and to ensure that the human accountability remains central guiding the tool to create and write and generate contents the upper hand remains for the user as the original producer whose ideas led to the final manuscript of the work even with the adaption of AI. Thus, this research aims for a deeper and more comprehensive examination of the legal statues of AI addressing the legal agency because it's a matter of rights more than just a re-definition, as well the general audience whom intersected in modern technologies, trying to tie between the two.

2 Literature Review/conceptual background

The significant advancement of artificial intelligence has already taken the spotlight as the new headline as the latest news in so many discussions about re-defining Authorship, after the technical capacity of these technologies of these system in generating every kind of creative concept. This point of transformation led to re-define the classic Authorship criteria in the aim of encouraging originality in intellectual's production, and hers some important studies about this subject:

One recent study, dated in September 23, 2025 titled in "AI and The Evolution of literary practice, Reconstructing Creation, Authorship, and Interpretation". This study explores how AI influencing English literary creation, reshaping the literature landscape altering traditional notions of authorship, creativity and narrative structures, it also examines AI's utility in literary analyses and education context, considering both potential enhancement and limitation.

Another study in august 5, 2025 "AI as a Research Partner: Advocating for Co-authorship in Academic Publications" examining the evolving role of AI in scholarly authorship such as academic researches, drawing from cases studies and authorship policies. The article calling for proactive redefinition of authorship standards urging scholarly institutions to adapt hybrid human-AI's knowledge production.

The Third study was in August 19, 2025 "The authorship Paradox: How AI Collaboration Is Redefining Creativity in The Digital Age" highlighting the contemporary institutions crisis in regulating AI-assisted creativity, revealing the variation in collaborative creativity between humans and AI systems, pointing toward future where AI used as tools rather than threaten human creative capacity, developing AI quantum authorship framework that recognizes creative works.

These studies were chosen in accordance to the main theme of the research, with the main aim of put shade the light on the swift advancement of AI with the legal tension surround it.

3 Methodology

This research adopts a comparative and analytical methodology, the comparative approach examines legal framework in different jurisdictions, identifying similarities and differences in authorship rules. the analytically, approach critically evaluates legal principals, such as originality and human authorship, support by case law analysis.

4 Analyses, Results and Discussion

4.1 How Big is AI Market to catch a legal attention?

Before we get into the legal frameworks of Authorship, we need to speak about "how big is the AI market?" in the globe to catch this international legal attention. AI in the

modern technologies industry has already reached outlines numbers and projected to be substantial figures in the future.

According to Gartner AI spending worldwide 1.5 trillion in 2025, and this spending is expected to reach 2.5 trillion by the end of the 2026 year. And the investments continue to increase, along with AI adaption and integration into devices, this growth is expected to reach 29% over the 2024-2028 which means about 632 billion and that's a double growth rate. And by 2030 the AI projected to grow to 2 trillion dollars comparable for 2016 which it was about 190.8 million of economic benefits and in international economic effect that's 70% of the global economy [1].

In generative AI creativity economy in 2024 the numbers are growing rapidly with over 78% of organization reported adopting AI systems, comparable to the last years which was 50%. Estimated 23.9 billion. Adding trillions of dollars at the world economy with an equivalent of 2.6 trillion dollars to 4.4 trillion. The last researches predict that AI creative works will have a huge impact in all industry sectors, especially at sciences and knowledge and educational work more than any others kind of activity [2].and that's only the beginning where new challenges are already generated or on the way to come addressing us to rethink about determining things.

Beyond AI economic significant, which trillions of dollars are enough to catch a legal attention with its remarkable growth of market that not Merly reflects this technological advancement but also exposes critical uncertainties particularly incomes of "Authorship" raising legal questions as AI systems generating literature, artistic, and even scientific creations. Surpassing the norms of traditional idea of an author that historically deep-rooted underground to humans. This AI development need an urgent legal line to determine who is the author of such works created by a minimal or no direct human intervention, As AI increasingly generating economic incomes, the lingering questions is who is legally entitled to receive such revenues? Beside the human mind's dignity, making authorship more than a conceptual matter of recognition but also royalties and copyrights incomes arising from AI co-works but no matter how much big it's wouldn't be at the price of your work be recognizable and own it. And that's the set line of legal frameworks.

4.1.1 what's Authorship Requirement in Current International Legal Statues?

Before we claim for a re-definition of authorship, we need first to determine some necessary terms and make a clear view of what's the meaning of each to avoid any misinterpretation. "an author" in classic and standard definitions, which called Human authorship across all jurisdiction that AI generated work without Human input is not copyrightable [3]. And that's a clear, reasoning criteria to end up with a fair legal line about human authorship requirement and that's the general international anthem in current legal systems such as U.S Copyright office state that "The U.S Copyright Office will register an original work of authorship, provided that the work was created by human being"[4]. Compared to the U.S the U.K adopted more inclusive position explicitly defining AI generated work, stating in its copyright law " in the case of a literary, dramatic musical or artistic which is computer-generated, the author shall be taken to be

the person by whom the arrangement necessary for the creation of the work are undertaken"[5]. This approach under this line differs international copyrights practice such as common law countries like Ireland and Malta and New Zealand where an author is defined as the individual who made the necessary arrangement of the work in generated AI works and that's a clear requirement for human creativity for authorship [6].

In the other hand in Asia, the Technology logo's country "China" that witnesses a huge advancement in technology specially at AI, the requirement for a work to be copyrightable it must fall within under of one of these filed: literature, art, or science, possess originality and involve an intellectual contribution providing a basis for copyright protection based on agreements in determining copyrights ownership. And that means when parties have entered into agreements regarding the ownership of AI generated work, the court uphold those agreements [7]. So, the authorship attributes in China for such works to the person who undertakes the necessary arrangements for their creation and that's the same thing in India copyright law where it doesn't give explicitly a define for an author but "the human author" is still considering the driving force behind the creative work even with the AI role in the processes and that's the similar requirement in countries like Singapore, Australia and Thailand[8]. And that's going with the historical prospective that still linked with the human author.

For EU the main legal framework for authorship currently is attributes to the natural person who considered the creator of the work, going with the most international legal flow, but in 2019 the EU published a report about "intellectual property rights for the development of AI" making an exception in the intellectual property rights requirement a conditional statute about the AI generated work that would allow for the attribution of copyrights to a non-natural person [7]. And in July 12, 2024 the EU published aims to establish a consistent legal framework for AI systems, such as protecting the maker investment in obtaining, verifying or presenting the database content, this right could add some important value to the database although not focused on copyright but seeking to promote trustworthy and human-centric AI while safeguarding health and democracy to encourage innovation and ensure the free cross of AI [9].

The national's approaches about taking AI in credit stood on restrictive ground, despite the AI's nose in the shoe of Authorship, stating that natural person requirement to attribute authorship as their main legal flow direction, but could this "AI's Authorship wave" change that for authorship is no longer associated to humans only? Maybe legal system saw that this is the only way to stand and defend on humans' creativity. But could this front legal line can stand for so long?

4.1.2 Could the WIPO Change the Direction of The Current Legal Flow?

The World Intellectual Property Organization known as WIPO the speaker off international law has respond to this by recognizing an international guideline on various aspects, including Authorship, ownership of AI generative contents [10]. In the AI'm of balancing between the protection of creators' work with the foresting of innovation the WIPO has confirmed on its official website that the organization has actively making efforts on the matter bringing together experts, policymakers, stakeholders, to deliberate on critical issues. On the 10th WIPO conversation on intellectual property, and frontier technology in November, 2024 the session focused on generated AI emphasizing

the revolution of copyright standards, transparency tools and ethical consideration, where the top topic is whether works generated by AI should be legitimate for copyright under IP law, starting from an economic prospective, by comparing the nature of generated work, and invention, by considering only the impact of human output balancing on productivity, restricting and economic growth [11].

This event highlighted the need of a legal framework for AI generated work, including the hybrid AI-human collaboration, suggesting a unified set guiding the use of AI in such works but the WIPO treatment for AI generated work concept, is still an idea more than a real application on the real ground but this session could be the first step for international community to take a step back and reload its historical, legal lines or is it better to keep it that way? In the aim to protect humans' minds more than machines legally.

4.1.3 AI In Court!

Yes! AI in court! A new generated term for cases that include AI generated work, the factual term is that AI has shaken the courts around the world with several cases. In the U.S, at the D.C circuit court has witnessed such cases in 2025 when a computer scientist named Dr.Stephen Thaler, sought to register a copyright for an artwork titled "A Recent Entrance to Paradise" which was generated by his AI system that called Creativity Machine [12]. But his application has been denied, the court made it decision based on the legal framework of copyright office that requires a human author to ask for authorship rights. empathizing that the copyright act does not define the term "author" and machines can't own property and other provisions related to ownership such as inheritance, and duration, based on an author life span, which require human authorship [13]. Another case called "butterfly chairs" showed up in China's courts in 2025 as well where an AI generated pictures created by Ms.Feng sharing them on social media platforms, the court determined that if content is AI generated, it is not copyrightable, the court stated that the users must provide documentation to prove their original intellectual, such aesthetic choices and personal judgment during the process of generating the work, and that's something Ms. Feng failed to do [14]. Leading the court to make its decision with a clear requirement for copyrights which is human being condition standing along with U.S cases.

A significant case also showed in China in Mars, 2025 at Changshu people Court, which it was a parallel case to the last one, where an AI generated images were eligible for copyright. And that's because the conditions that weren't founded in the first case were founded in this one, including the user active role in generating and editing, the images as sufficient for copyright [15].

***Comment**

in the US case the court denied the registration for copyright autonomously generated by AI based on the legal foundation of 1976 Copyright Act and the Copyright Clause of U.S Constitution, where the Copyrights provisions were not applicable to AI as an author. And that's a distractive decision comparable to the Chinese cases where we see some legal development, like the Changshu Court decision that was made based on other criteria such as the human creator role in guiding the AI to achieve original artistic expression and that's a balancing factor for recognizing copyright.

4.1.4 Who Own the Work Generated by AI?

Three perspectives has approached about this:

- **The restrictive Approach:** representing the traditional definition of an author, it mAIIntAIns that copyright protection should be only granted for human authors. Which requires a direct human intellectual in the process of making the work [16]. And that means any works generated by AI autonomously without human input it is not eligible for copyright. And it's a clear rejection for AI to be considered as an author, defining authorship as an "entirely human" and work must be products of human authorship and courts has affirmed this requirements stating that an author must be a person who created the original work through intellectual invention[17].
 - **The objective of the approach:**
 - ✓ It ensures that copyright incentivize human creative activity.
 - ✓ Recognizing author personal connection to their work.
 - ✓ Ensuring that legal protection is granted for human creativity [18].
- **The progressive approach:** this approach take in consider the challenges posted by AI generated work and seek to create a new legal framework, recognizing AI creativity and seek to balance human creators rights with it, by proposing a new category for such work [19]. This also include the collaboration model of AI and human where AI consider as co-creation and both AI and human creative work are recognized and share credits at the same time [20].
 - **The objective of the approach:**
 - ✓ It aims to create flexible and forward-looking legal framework that can adapt the swift advancement in AI technology systems.
 - ✓ Promoting innovation.
 - ✓ Balancing adaptive AI copyright[21].
- **The permissive approach:** this one tends to focus on the human involvement in the process such as the person who initiated the AI system, provided prompts or made arrangements for the work's creation[22]. This one considers the human user or operator or selects and refines the AI's outputs is consider the author [23]. Considering AI just a tool as camera where the human leads the direction.
 - **The objective of the approach:**
 - This one aim to both creators and developers receive legal protection.
 - Law serves as a tool to innovation and economy.
 - Encouraging creators to use advanced tools.
 - Promoting a richer creative ecosystem[15].

4.2 The Originality standard to determine an "author"

4.2.1 Originality in Bern Convention

“Originality” as a term it means that the work originated directly from the author, and it’s not a copy. In the case of AI to name a work as original work it must include independent creation which means the work come from one source author, and it must include a minimal level of creativity in the process of making the work[24]. In the Bern Convention the word originality is more clear than it is in legal statements, even though it’s not mentioned explicitly, it’s mentioned that “translations, adaptations, musical arrangement, and other alteration, of a literary or artistic work should be protected as original works.” [8]. This means these collections of works considers as intellectual due to their process making such as selection and arrangement that they require, because they demonstrated from intellectual creativity and effort. And to decide originality in a work it depend on jurisdiction under the Bern Convention and the best AI generated example for that is the Chinese previous case “butterfly chairs”.

4.2.2 Originality standard in international legal systems

In the U.S, originality in copyright requires human authorship and that’s a clear statement that a work without any human creative input considered a lack of “originality”. And for a work to be original it must be an independent creation and include a modicum level of creativity however works created by AI as a tool where human contribute original expression still qualify for protection.[25]. And it’s the same requirements in common law countries as the EU, where originality requires that the work to be the author own intellectual creation and reflect the creator own mark like human creative control[7].

In the other hand the Delima of AI generated work in China, the concept of originality that it takes for a work to be original consist a conceived work by the author, and is not reproduction, imitation, or plagiarism, of another work [25]. And in recent juridical cases the AI generated work, with a substantial human intellectual input with a minimal human involvement may not qualify.

***Comment**

Global legal framework, like United State and EU strongly, assisting on human creative input to give the legal protection to it. And deny the cases where AI as a solo creative of a work to get that Right. However, countries like China that witnessed many cases in this concept is adding something to current legal issue where AI as an assisted tool with a human contribution is evident. Beside that the legal statements must include explicitly a clear definition for originality.

5 Conclusion

In this research we’ve tried to give a comprehensive and comparative review on the legal grounds. Such as in the United States where the Copyrights Office affirms that creativity is inherently human attribute. similarly, to the EU, in its author standard, mandating that a work must reflect the author personality through the control of the arrangements and choices; focusing on human creative input in AI assisted work if its present then it’s copyrightable. While in China has showed an evolving in granting copyrights for such work involved with AI systems, demanding the human control over the process of the created work.

In conclusion the set tone of these legal frameworks, whether they were old or new they must re-examine the idea of creation itself, even with the give priority to human input, this ensures that AI remains as assisted tool in the process of creation, and the essence of “Authorship” and originality reside to humans’ authors. While this legal dispute continues in showing in new cases legal frameworks are navigating this evolving landscape.

Recommendations

- **Define Originality:** researches and legislatures should make a clear defining of “Originality” for AI generated work. To avoid any misunderstanding in legal statements.
- **Separate between AI-assisted work and AI full solo work:** this includes distinguishing between fully automated and assisted AI in creative work.
- **Enhance the public awareness:** this is an essential to inform the users, creators and the general public about the implications of AI generated work and their rights.
- **Promote one global legal framework:** making the WIPO in the front line to do so, with collaborations with national legal and expert community and this ensures development of AI in creative fields.
- **Engage multi stakeholders:** and this include to call out experts of the AI industry and legal personalities and policy makers for accepted solutions

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