



THE STATE OF AI & U.S. COPYRIGHT LAW

What you need to know about artificial intelligence (AI), copyright law and innovation.

THE STATE OF PLAY: Thanks to U.S. copyright law, our nation leads the global race in AI. By balancing intellectual property protections with the freedom to innovate, copyright law ensures developers have access to the resources needed to drive advances in AI.

AI Progress urges policymakers to preserve the flexibility of U.S. copyright law, including the doctrine of fair use, to sustain this momentum. Time and time again, courts have applied fair use to permit copying and other uses of materials to prevent copyright from exceeding its lawful bounds and obstructing the development and distribution of new and innovative technologies. By maintaining the current framework, Congress can ensure the U.S. harnesses the power of AI to drive innovation, boost the economy, strengthen national security, and remain at the forefront of global technology leadership.

THE STATE OF AI TODAY: Artificial intelligence is revolutionizing countless industries, including health care, education, and public safety. From diagnosing diseases and developing life-saving treatments to broadening access to educational tools and helping natural disaster response, these innovations rely on AI models that are trained on copyrighted materials.

As a result, the centuries-old doctrine of fair use serves as the foundation that's enabling AI to solve societal challenges, spark scientific discovery, and drive economic opportunity.

The nation's founders designed U.S. copyright law to foster innovation and protect intellectual property rights across centuries of technological change. AI is no exception.

THE STATE OF U.S. COPYRIGHT LAW: U.S. copyright law protects intellectual property rights and promotes innovation, enabling creativity and technology to flourish together. Today, this durable yet adaptable legal framework enables access to the broad, varied data needed to train accurate, responsible, and unbiased AI systems. Ensuring this balance remains intact is vital to avoid stifling innovation, which could delay advances that greatly benefit society or allow the U.S. to cede ground to global competitors.

Policymakers play a vital role in ensuring copyright law continues to drive innovation and supports the development of new technologies, keeping the U.S. at the forefront in the age of AI. The courts are already well-equipped to handle questions around AI, and proposals to limit fair use or impose restrictive mandates on how AI models access data could hinder innovation.

WHAT'S NEXT IN 2025: As new members of the administration and Congress settle into their roles, debates on U.S. copyright law and AI are likely to resurface.

Any new legislation that risks undermining existing U.S. copyright law would install barriers to innovation, dampen economic growth, threaten U.S. global leadership in AI, and impede the many societal benefits stemming from this transformational technology.

Policymakers must focus on preserving the flexibility and balance that have made U.S. copyright law a driver of innovation — one that has stood the test of time since the nation's founders embedded it in our Constitution nearly 250 years ago.

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