

Abstract**Disclosure of AI Training Data and Its Key Issues for Legislation in Korea**

Dae-Hee Lee*

This paper examines the legal and policy implications of training data disclosure in artificial intelligence(AI). While such disclosure has been promoted as a means to enhance transparency, explainability, and accountability, its implementation raises significant tensions involving copyright enforcement, trade secret protection, and innovation incentives. By analyzing California's AB 2013 and the EU AI Act's framework for general-purpose AI models, the paper argues that training data disclosure functions not as a direct enforcement mechanism but as an indirect tool providing structural information to rights holders.

This paper argues that excessive disclosure requirements may impose substantial compliance costs and risk exposing commercially sensitive information, thereby weakening innovation incentives. Given Korea's fair use framework and distinct copyright structure, importing foreign models without adaptation may create doctrinal and economic conflicts. This paper proposes that Korean legislation should adopt a purpose-driven, summary-based disclosure model that balances transparency with trade secret protection and avoids imposing disproportionate burdens on developers.

Keywords

AI(artificial intelligence), training data disclosure, transparency, copyright, fair use, trade secrets, GPAI, EU AI Act, AB 2013

* Professor of Law, Korea University School of Law