

Abstract

A Study on the Introduction of a New Licensing Framework for the Coexistence of the Music Industry in the Generative AI Environment

Park Keun Ik*•Jeong Jin Keun**

The rapid advancement of generative AI technology has brought transformative changes across the music industry. AI systems now compose, arrange, and even perform vocals, producing output increasingly indistinguishable from human-created music. However, the unauthorized mass reproduction and transmission of existing musical works through text and data mining (TDM) for AI training and in the output stage has given rise to copyright disputes worldwide. This study examines two major disputes as of April 2026 — UMG Recordings v. Suno & Udio in the United States and GEMA v. OpenAI in Germany — and finds that AI developers will find it increasingly difficult to invoke a "fair use" defense for TDM-based training, with the industry shifting toward licensing models that provide rightful compensation to music rights holders.

The current music copyright licensing framework is ill-suited to AI development's comprehensive data needs, as rights holders are fragmented and licensing procedures are complex. This study examines two alternatives — a compulsory license model and an extended collective licensing (ECL) model — as means of reconciling AI innovation with fair remuneration. Finding the compulsory license model structurally problematic due to the impossibility of

* Business Team 2 Leader, Federation of Korean Music Performers. Ph.D. Candidate, Department of Data and Intellectual Property Convergence, Kangwon National University

** Faculty of Law School, Kangwon National University; Corresponding Author, jkjeong@kangwon.ac.kr

measuring per-work usage at the training stage and incompatibility with international treaty obligations, this study proposes an ECL model tailored to AI training data licensing. The Minister of Culture, Sports and Tourism would designate collective management organizations as dedicated licensing bodies, with streamlined opt-out rights guaranteed to non-member rights holders. The study further proposes a Copyright Royalty Determination Committee within the Korea Copyright Commission to deliberate and set usage fee standards for AI training data by category of works.

Keywords

Generative AI, AI Music, Music Industry, Music Copyright Infringement, Suno, Universal Music Group, Text and Data Mining (TDM), Compulsory License, Extended Collective Licensing (ECL)