



10 RECOMMENDATIONS

THE EWC'S AI TOOL KIT FOR AN ETHICAL, LEGALLY COMPLIANT AND RESPONSIBLE APPROACH TO GENERATIVE AI IN THE BOOK SECTOR

1

AUTHORISATION

Consent by authors, artists and performers is the basis for respecting their intellectual property rights for any use of their text, visual or audio works for (a) Text and Data Mining, for (b) scraping, and (c) to develop generative AI.

2

REMUNERATION

Authors, artists, and performers who permit their works informed and unforced to be exploited in text and data mining or programming of generative AI shall be remunerated appropriately and proportionately in line with time and scope limited licensing.

3

TRANSPARENCY ON INPUT

Scrapers, crawlers, as well as corpora builders and AI developers, are required through the AI Act to provide sufficiently detailed summary about legally accessed titles, authors, sources, acquisition methods of protected works incl. their IP data. For this purpose, the book sector could develop and implement suitable and harmonised standards.

4

TRANSPARENCY ON OUTPUT

Every automated text, machine translation, AI generated visual product, as well as synthetic audio product published should be labelled as AI-generated output.

5

INTEGRITY

Publishers and contractual counterparts shall seek author's approval before using generative AI in relation to their works and establish a mutual understanding on the utilisation of advanced informatics, such as to synthetic voices in audio books, machine translation, generative cover, and any other adaptation by generative AI.

6

FREEDOM

Authors, translators, performers, or illustrators should not be forced to use any generative AI or to work from AI-generated text incl. machine translation or GAI images.

7

LIABILITY

Publishers need to declare to third parties including platforms, aggregators, libraries, or trade distributors, whether they have the right(s) to sublicense or to reproduce and/or otherwise use the work in any manner for purposes of text and data mining or for programming of generating technologies, or not.

8

PROTECTION

Websites of authors, artists, and performers could, and official websites of publishers and retailers should declare the text and data mining reservation right under Art 4, CDSM Directive 2019/790 (EU) and make clear to not grant permission for text and data mining, scraping and usage for machine learning or programming of generative AI.

9

INSPECTION

Check the terms and conditions of the software within a publishing or aggregators' company as well as agents, editors or translators, and make sure, that their software does not claim within its T&C to be allowed to scrape, use, copy, store the content(s) for AI incl. generative AI.

10

RESPONSIBILITY

Everyone should be aware of their ethical responsibilities. Working together for an "AI and IP traffic code" and regulations for a fair, ethical, and regulated future with generative AI protects the power of innovation and prevents the disruption of culture and human creativity.

