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Copyright of Generative AI Music on Digital Music Platforms in Indonesia

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Abstract: At present, music is readily accessible through various streaming platforms. Even digital technology has revolutionized the concept of music creation by enabling the use of generative *Artificial Intelligence* (AI), marking a new phase in the evolution of contemporary music. Currently, the use of generative AI is one of the issues being debated, particularly concerning copyright ownership of AI generated works. This study aims to investigate the regulation of copyright and the commercialization of music generated through generative AI in Indonesia. The research adopts a normative juridical method with a literature based approach, focusing on the analysis of secondary legal materials. The Indonesian Copyright Law (ICL) does not explicitly regulate copyrighted works generated through generative AI. However, the ICL does contain provisions that accommodate the assistance of other parties or the use of aids in producing a copyrighted work, as stated in Article 34 of the ICL. Referring to the provisions of Article 34, a person who creates music using generative AI and has their music included on a digital music platform is entitled to royalties as a creator. However, the absence of specific rules related to the use of generative AI in music in the ICL should have received serious attention from the government to regulate this matter.

Keywords: Copyright, Music, Generative AI

INTRODUCTION

Music in human life has become an inseparable part of it, as music is deeply embedded in people's daily lives, regardless of economic and social status. The presence of music is not merely for entertainment purposes, but also as an integral part of life. Music is connected to various aspects such as emotions, culture, communication, and health, and has the influence to heal, unite, and inspire.

The development of music over time exhibits dynamics that reflect the evolution of artistic expression in tandem with the advancement of culture, technology, and human history. Initially, music took a simple form primarily through vocals and traditional musical instruments, which were used as a means of ritual in prehistoric societies. As time progressed, music became increasingly complex, especially during the classical era where harmony and orchestras flourished. Entering the 20th century, musical innovations began to

emerge through experiments that ultimately led to the creation of various new genres. Modern technology then began to play a significant role in the process of music creation and distribution.

The advent of the digital era has brought a major revolution in the music industry, where production tools have become more sophisticated and affordable. Today, music is instantly accessible via various streaming platforms such as Spotify, Apple Music, and Youtube Music. Moreover, advancement in digital technology have transformed the concept of music creation by enabling the use of generative AI, signifying a new phase in the evolution of modern music.

The use of generative AI in music composition is currently experiencing significant growth. AI techniques such as Recurrent Neural Networks (RNN), Generative Adversarial Networks (GAN), and Variational Autoencoders (VAE) have become the dominant models in contemporary music generation. Several examples of systems, such as MuseGAN, MusicVAE, Magenta Transformer, and Suno, are capable of producing music in various styles depending on the dataset used (Siddiq, 2025). There is even a growing trend of AI-created music on digital music platforms such as Spotify, including the account The Velvet Sundown, which is an AI band and has been verified. The Velvet Sundown itself has recorded more than one million monthly listeners on Spotify, a significant figure for a work created by AI. Deezer's CEO, Aurelien Herault, stated that currently, 18% of the music uploaded to its platform is generated by AI, equivalent to more than 20,000 tracks per day, and this figure continues to rise exponentially (Deezer, 2025).

Music is a creative work protected by copyright, where copyright as individual ownership is immaterial in nature and constitutes a property right. A creation is the product of an author's original work in the fields of science, art, and literature. Copyright, as an intangible intellectual property right, grants its holder exclusive protection to utilize their work and pursue legal action concerning its ownership.

This proves that copyright is a right that can be owned by an individual and is legally subject to the conditions of ownership, both in terms of its use and the transfer of rights (Susilowati, 2013). Indonesia has enacted regulations regarding copyright and related rights under Indonesian Copyright Law Number 24 of 2014 (ICL). ICL protects creative works in the fields of art and literature and also serves as a legal umbrella, ensuring legal protection certainty for copyright holders.

Although technology is designed to make human life easier, its development has instead created complexities, particularly in the legal context. One of the issues currently being debated concerns copyright for works produced by AI. With AI, humans can create works that resemble human thought without needing specialized skills. This innovation has two sides: technology can make significant contributions in various fields, but it also has the potential to be used in ways that violate the law (Inakyora Nalya Arimbi et al., 2024).

The development of AI as an algorithm capable of generating song and/or music compositions poses a greater challenge regarding the benchmarks for limitations or exceptions of works that can be generally used to create a song and/or music. Furthermore, the lack of precise regulation in AI strongly encourages the examination of what constitutes a violation in songs and/or music successfully created by AI (Sari et al., 2023). The creation of music through AI has also sparked an increasing debate, raising the question of who holds the rights to such works: the person using AI, the AI developer company, or the AI itself. This remains a legal gray area and requires serious attention (Lee, 2019). Subsequently, based on copyright law, the question arises whether AI-generated works can be considered original works eligible for exclusive rights under copyright law.

Based on the explanation above, the research problem can be formulated as follows: How is copyright regulated for music created through generative AI? And how is the

commercialization of music created through generative AI managed on digital music platforms?

METHOD

This research applied a normative juridical research method, which involves examining library resources and secondary data, including books, as well as legal norms derived from legislation, legal principles, rules, and the systematics structure of law. The method includes a review statutory provisions and other relevant legal materials. Legal materials were collected by tracing sources relevant to the research subject, then recorded, cited, classified, documented, summarized, and analyzed using a qualitative approach. This qualitative approach employs evaluative procedures and generates descriptive data in the form of written or spoken narratives, as well as observable behaviors. Once all the legal materials were gathered, they were subsequently reviewed and interpreted in light of the research objectives.

RESULT AND DISCUSSION

A. Copyright Regulations on Music Created Through Generative AI

Songs and/or Music and law are two distinct domains, where one may be considered a zone free of rules and the other represents the rules themselves. However, it cannot be denied that overlaps between the two can occur. Music is an object of copyright according to the property theory proposed by John Locke, who introduced the concept of a natural state where goods are commonly owned as gifts from God, but these goods cannot be enjoyed as they are in their natural state; instead, they must be converted into private property by each individual through the application of their labor. Labor adds value to goods by making them available for human enjoyment. Therefore, Music, as a product of labor and creative thought, can be considered an object of copyright (Karina, 2022).

The advancement of AI, which has been increasing, has sparked debates across various circles about whether AI constitutes an original work that can be regarded as a legal subject or not. Many support the statement that AI can be considered a legitimate creator and argue that it is better to grant exclusivity and economic benefits from AI-generated works to someone rather than to no one at all. This is potentially beneficial for contributing more to the economy, industry, and the nation. Meanwhile, many also disagree with works created using AI. They argue that the use of AI can reduce creativity, threaten artists, and also create existing legal uncertainties. Based on this, legal experts refuse to recognize AI as a creator of artworks and contend that the idea of recognizing AI generated works would only create more uncertainty rather than certainty (Inakyora Nalya Arimbi et al., 2024). Nevertheless, we cannot dismiss the existing technology. Today, we live in the digital era where all aspects of life are inevitably intertwined with the role of technology. Ultimately, humans face a situation where they can no longer reject technology but must adapt to it, and the same applies to the presence of AI in the music industry.

Copyright has substantive requirements, namely originality, creativity, and fixation. A work possesses elements of originality and creativity if it is the result of one's own creation, even if the work of others inspires it. Meanwhile, fixation means that a work has the right to obtain copyright once it has taken a tangible form and is not merely an idea (Djubaedillah, 2012). Originality is of significant importance in copyright; without originality, a work cannot receive legal protection. Merriam-Webster defines originality as the power of independent thought or constructive imagination, meaning that originality refers to something that purely originates from a person's thought or imagination (Webster, 2025). According to Cotter, Ivcevic, & Moeller, originality is an individual's capacity to find new ways or expressions that others have never discovered (Permata Azmi, 2024). Originality is one of the

fundamental principles, so a creation must have authenticity (be original) to enjoy the rights granted by law, as authenticity is closely related to the form of manifestation of a creation (Damian, 2002).

According to Article 1, point 2 of the ICL, a creator is defined as an individual or a group of individuals who, independently or collaboratively, produce a creation that is unique and personal in nature. The provision clearly indicates that only human beings, who are recognized as legal subjects, can qualify as creators. Consequently, generative AI, as a technological tool, cannot be regarded as a creator (Gema, 2024). The ICL, in Article 1, point 3, defines a creation as the result of intellectual work in the fields of science, art, and literature, produced through inspiration, ability, thought, imagination, dexterity, skill, or expertise, and expressed in a tangible form. This definition raises question regarding its application to individuals who create music using generative AI by inputting their ideas and thought through prompts, and whether such individuals are entitled to ownership of the resulting work.

The ICL does not explicitly regulate works generated through generative AI. However, it includes provisions that allow for the involvement of others or the use of tools in the creation of a work, as outlined in Article 34. This article states that if a creation is designed by one person and executed by another under the direction and supervision of the designer, the person who conceived the design is considered the author. The term “under the direction and supervision”, as defined by the ICL, refers to the provision of guidance, instruc

To facilitate an understanding of Article 34, we can illustrate it as follows: A is an individual who wishes to create a clothing design but cannot draw. Therefore, A instructs another person, B, who has drawing skills, to draw the clothing design according to A's wishes. A provides guidance by giving instructions to B. Then B executes the design following the directions given by A. Throughout the design process, A supervises the creation of the design to provide guidance and corrections whenever something appears inaccurate, until the work is completed perfectly in accordance with A's intentions.

Referring to the provisions of Article 34 of the Intellectual Property Law, A, who instructs B to design clothing, is considered the creator of that clothing design. This is based on the fact that B carries out the design under the direction and supervision of A, drawing and undergoing a correction process until the design is complete according to A's specifications. In this context, B can be likened to a generative AI application in music creation, where the generative AI is programmed with a series of computer codes and algorithms by the AI software developer to produce music according to the given instructions.

Therefore, Article 34 of the Copyright Law can be applied to determine whether a person who produces music through generative AI can be considered a creator. This is because the person using the generative AI is seeking assistance from the AI developers to produce music with generative AI as a tool, where the person creates clear prompts or instructions so that the resulting music aligns with their intentions. These prompts or instructions can be regarded as a design of a creation as referred to in Article 34 of the ICL.

Ari Julianto Gema proposed a four-step test in assessing the originality of generative AI works, namely (Gema, 2024) :

1. The creation of a design or invention is carried out, which can be seen from the formulation of clear prompts or instructions to ensure that the results align with the intended objectives.
2. The process of correcting or revising the work produced with the assistance of generative AI. This can be observed from the extent to which the individual who owns the design or invention actively participates in correcting or revising the work generated with the help of generative AI.

3. Works produced with the assistance of generative AI fall under the category of works protected by copyright. Not all creations can be protected; there are several exceptions where a work cannot be protected. This is stipulated in Article 41 of the Copyright Law (UUHC), which includes works in the form of ideas, systems, procedures, principles, methods, concepts, discoveries, or data, even if they have been expressed, explained, illustrated, stated, or combined in a Creation.
4. Possess distinctive and personal characteristics of the individual using the generative AI. In this context, a creation exhibiting distinctive and personal characteristics becomes a prerequisite for a Creator to assert a claim over a work as their own. Indeed, the Copyright Law does not provide an explanation regarding distinctive and personal characteristics; however, based on jurisprudence, the distinctive and personal characteristics of a creator can be assessed from their reasons for creating a work, or the ability of a creator to explain the method of creation and/or the functioning of a creation in the form of a computer program.

Although Article 34 of the ICL can be used as a legal basis for the ownership status of copyrights related to music created through generative AI, the author believes that this is still insufficient to accommodate the legal positions between the parties, namely, AI users and AI developers. Further regulations are needed regarding the criteria of generative AI instructions that can qualify for the creation of a musical work, so that elements of originality can be fulfilled. In addition, regulations are also necessary to establish limits on corrections or revisions made by individuals in creating music through generative AI, so that a person can be recognized as the creator. Furthermore, regulations are needed to clarify the positions between AI users and AI developers, because in producing a musical work through generative AI, the creator does not work alone; in fact, the creator's position tends to be passive, as they merely write prompts and make corrections, and often the prompts themselves are the result of other AI systems such as ChatGPT. The legal standing among these parties is clearly important to avoid potential issues that may arise in the future.

B. Commercialization of Music Created Through Generative AI on Digital Music Platforms

The rapid advancement of technology has had a significant impact on various aspects of human life, one of which is Intellectual Property (IP). With the increasingly modern era, IP is also affected, particularly in aspects such as Copyright of Songs/Music on existing digital platforms. The proliferation of digital platforms in society, which is one of the factors influencing the Copyright of Songs/Music, has developed significantly in the current digital era. (Millaudy et al., 2023).

The phenomenon of digital music platforms began to spread in 2020, following the Covid-19 pandemic, as lockdown policies at least brought changes in people's habits, one of which was increased listening to music. The lockdown policy at that time forced people to remain active at home for an extended period. With limited outdoor activities, many people eventually turned to digital music platforms for entertainment. Digital music platforms make it easier for people to listen to music anywhere and at any time, thereby increasing the frequency of music listening. Spotify is one of the largest digital music platforms in the world, a Swedish digital music platform founded in 2006. Through Spotify, music can be easily accessed via smartphones, tablets, or PC's.

The presence of digital music platforms not only provides space for well-known musicians but also offers significant opportunities for emerging artists to introduce their works to a broader audience. It has been proven that many smaller musicians have gained the spotlight and risen to fame thanks to digital music platforms. For instance, Tones and I, an Australian singer, saw her name soar after her song "Dance Monkey" went viral on YouTube

and Spotify. Additionally, Indonesian singer Rich Brian attracted attention after uploading his music video titled "Dat \$tick" on YouTube, eventually securing a contract with the American label 88rising. Both cases exemplify how digital music platforms make it easier for anyone to create and share their work.

The convenience offered by digital music platforms not only provides the opportunity to be recognized by a wider audience but also the chance to earn income. When musicians upload their music to digital music platforms, they are entitled to receive royalties for their works. Adi Adrian, President Director of Wahana Musik Indonesia, stated that digital platforms are the primary source of royalty income for songwriters affiliated with their organization. (Wijaya, 2025). Economic rights are rights held by creators so that they can obtain benefits from their creations. Economic rights also allow creators to grant or refuse permission to others to announce and/or reproduce their work (Dwi Atmoko, 2023).

Royalty refers to compensation granted by a party seeking to commercialize a copyrighted work and/or related rights in order to economically utilize or benefit from the work. (Sinaga, 2020). In summary, royalty is defined as compensation for the use of copyright and/or related rights to gain economic benefit, which must be granted to the creator and/or related rights holder. The amount of royalty is determined by mutual agreement between the party seeking to commercialize or utilize the copyright and the creator, taking into account the specific terms outlined in the contract (Ginting, 2019). According to the article 1, point 21 of the ICL, royalties are defined as compensations for the utilizations of the economic rights of creation or related right product, received by the creator or the holder of the related rights.

Royalties embody the economic rights inherent in copyright. These economic rights grant creators the entitlement to derive benefits from their creations. The scope of economic rights varies across different copyright laws, encompassing variations in terminology, types of rights covered, and the extent of each type of economic right. The scope of economic rights consists of (Djubaedillah, 2012) :

1. Reproduction Right;
2. Adaptation Right;
3. Distribution Right;
4. Public Performance Right;
5. Broadcasting Right;
6. Cablecasting Right;
7. Droite de suite;
8. Public Landing Right.

In the context of digital music platforms, royalties are a form of compensation granted to copyright holders and related rights holders for the use of their works on streaming or digital download services. This system plays a crucial role in supporting the sustainability of musicians' careers and the music industry as a whole. Digital music platforms have different royalty distribution mechanisms, some of which can be observed in the table below (Otakotor, 2025) :

Table 1. Comparison of Digital Music Platform Royalty Amounts

Digital Music Platform	Royalty
Spotify	Royalty payments range from approximately \$0.003 to \$0.005 per stream.
Youtube	Royalty payments range from approximately \$0.003 to \$0.005 per music video.
Apple Music	The royalty payments received by artists on Apple Music can range from \$0.007 to \$0.01 per stream.
Tidal	The average royalty payment is approximately \$0.012 per stream.

Source : Otakotor Media

By looking at the comparison table above, it can be observed that Tidal is the digital music platform with the highest royalty payments among the three other platforms, with an average royalty payment of \$0.012 per stream. Apple Music ranks second, with royalty payments ranging from approximately \$0.007 to \$0.01 per stream. Meanwhile, Spotify and YouTube are the platforms with the lowest royalties, at around \$0.003 to \$0.005 per stream.

Basically, royalty calculations on digital platforms focus on two main factors: the number of plays and the platform's revenue model. For example, on Spotify, the primary revenue is generated from premium subscriptions and advertisements. Royalties are distributed among the parties involved in music production, including musicians, songwriters, producers, and record labels. Payments are typically allocated based on the contracts between musicians and distributors or record labels (Otakotor, 2025).

In an era of rapidly advancing technology, especially with the advent of generative AI in music creation, a new chapter in the industrialization of global music is marked. The presence of generative AI has made copyright less straightforward than before, making it increasingly complex. Generative AI has sparked numerous debates, one of which concerns commercialization, whether music created through generative AI is entitled to royalties on digital music platforms.

Based on the previous discussion outlined above, referring to the provisions of Article 34 of the ICL, it can serve as the legal basis for the ownership status of copyrights related to music created through generative AI. Therefore, the creator of generative AI music is the person who uses the generative AI application by providing instructions and corrections through prompts. Consequently, when the music is uploaded to digital music platforms, the creator is entitled to royalties.

YouTube, one of the world's largest digital music platforms, is actively embracing the evolution of music with the advent of AI. YouTube announced its collaboration with global music labels, including Universal Music Group, to develop a Music AI Incubator featuring artists such as Frank Sinatra and Rosanne Cash. This collaboration reflects the music industry's adaptation in the era of AI usage. YouTube's existing Content ID system is likely to be expanded, and the company aims to strengthen its content policies and security measures in response to the growing presence of AI (Erlan, 2023).

However, the next issue that will arise is whether the developers of generative AI have royalty rights as parties involved in the music production process. It is known that composers using generative AI do not produce music entirely on their own; in fact, the music generated is primarily created by the generative AI, while the composer appears to play a more passive role by merely providing instructions through prompts or corrections. These prompts are sometimes even created using other AI systems, such as ChatGPT.

In Indonesia, regulations regarding this matter are not included in the ICL or other legislative regulations. Issues such as generative AI in the field of copyright are indeed still relatively new; however, considering the increasing use of generative AI in producing musical works, it certainly deserves serious attention from the government. The government needs to review regulations related to the use of generative AI in the realm of intellectual property, particularly copyright, given that we currently live in a technological era and inevitably must follow its developments. Law is not static, which means it must be able to adapt to the times by accommodating the various interests of society as they exist today.

CONCLUSION

The advancement of AI, which has been on the rise, has sparked debates in various circles about whether AI can be considered an original work that qualifies as a legal subject. The Indonesian Copyright Law (ICL) does not explicitly regulate works created through generative AI; however, it contains provisions that accommodate assistance from other

parties or the use of tools in creating a work, as stipulated in Article 34 of the ICL. In cases where a work is designed by one person but realized and executed by another under the direction and supervision of the designer, the person who designed the work is considered the Author. Article 34 of the ICL can be applied to determine whether a person who produces music through generative AI can be recognized as the Author. This is because individuals using generative AI are seeking the assistance of developers to produce music, with generative AI serving as a tool for this purpose. In this process, individuals provide clear prompts or instructions to ensure that the generated music aligns with their intentions. However, the Author believes that this is still insufficient to accommodate the legal position between the parties, namely the AI users and AI developers. Further regulations are needed regarding the criteria for instructions, setting limits on corrections or revisions, and rules to clarify the positions between AI users and developers. These regulations are crucial for defining the legal standing among the parties to prevent potential issues that may arise in the future, particularly in their capacity as creators.

The presence of digital music platforms provides opportunities to earn income. When musicians upload their music to a digital music platform, they are entitled to receive royalties for their work, which represent the economic rights attached to their copyright. The calculation of royalties on digital platforms centers on two primary factors: the number of plays and the platform's revenue model. The provisions of Article 34 of the ICL can serve as the legal basis for copyright ownership related to music created through generative AI. Thus, the creator of generative AI music is the person who uses the generative AI application by providing instructions and corrections through prompts. Thus, when the music is uploaded to a digital music platform, the creator is entitled to royalties. However, the subsequent issue is whether the developers of generative AI have the right to royalties as parties involved in the music production. In Indonesia, regulations regarding this matter are not stipulated in the ICL or any other legislation. Issues such as generative AI in the field of copyright are indeed relatively new; however, considering the increasingly widespread use of generative AI in producing musical works, this matter deserves serious attention from the government to regulate it.

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