Abstract

Copyright Infringement Judgment in Machine Learning

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The development of artificial intelligence technology is increasing a number of problems under the current copyright law. It is doubtful whether machine learning, a field of artificial intelligence, is exempt from the use of other people's works or dating. In other words, creating new works faster than humans using machine learning technology without the same work is a question of process requirement or copyright infringement responsibility.

This study first organizes each theory about current artificial intelligence and machine learning, and distinguishes artificial intelligence concepts from machine learning concepts. It will also review three types of machine learning, and examine whether four elements of machine learning are applied or not applied. In the process of machine learning, expressive contents were divided into two categories: non-expressive machine learning and expressive machine learning based on whether or not to export them. The text further distinguishes "expressive machine learning" from "general-expressive machine learning" and "specific-expressive machine learning" based on whether the work of machine learning is attributable to a specific author. In addition, depending on the type of machine learning, it is discussed whether it corresponds to the use of the process or whether it violates copyright.

The bottom line is that non-expression machine learning does

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not use works under copyright law, so it is not responsible for infringement. General expressive machine learning is not responsible for copyright infringement because it is judged to be used as a process using works under the Copyright Act. Machine learning using specific expressive machine learning corresponds to the use of works under the Copyright Act, and cannot be recognized as a fair use, so it is responsible for copyright infringement. This type of machine learning requires permission from the copyright holder or payment of copyright fees.

Keywords

Machine learning, non-expressive machine learning, general-expressive machine learning, specific-expressive machine learning, artificial intelligence, process use, copyright infringement