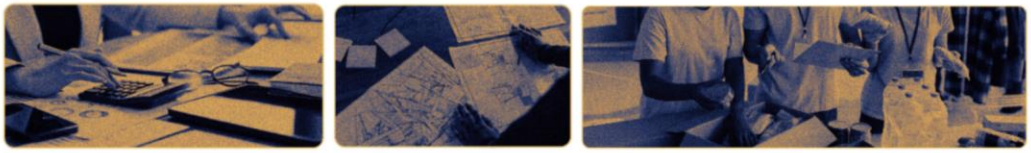

IMPACTO CIENTÍFICO
EDITORA

PROTECTION OF WORKS CREATED BY ARTIFICIAL INTELLIGENCE: CHALLENGES AND PERSPECTIVES IN BRAZILIAN COPYRIGHT LAW

A PROTEÇÃO DE OBRAS CRIADAS POR INTELIGÊNCIA ARTIFICIAL: DESAFIOS E PERSPECTIVAS NO DIREITO AUTORAL BRASILEIRO

LA PROTECCIÓN DE OBRAS CREADAS POR INTELIGENCIA ARTIFICIAL: DESAFÍOS Y PERSPECTIVAS EN EL DERECHO DE AUTOR BRASILEÑO

https://doi.org/10.56238/edimpacto2025.084-013

Fátima Conceição de Araújo Alves Ferreira[1], Isadora Lis Alves Ferreira de Souza[2]

ABSTRACT

The rise of generative artificial intelligence (AI) challenges the traditional foundations of copyright law, particularly the concepts of authorship, originality, and ownership. In Brazil, Law No. 9.610/1998 establishes the centrality of human authorship, thereby excluding works autonomously created by AI systems. This regulatory gap creates legal uncertainty, economic risks, and ethical dilemmas, while discouraging investments and limiting the country's participation in global innovation chains. This article examines the legal challenges of protecting AI-generated works under Brazilian copyright law, adopting a qualitative, exploratory, and comparative approach. International experiences from the United States, the United Kingdom, the European Union, and the World Intellectual Property Organization (WIPO) are analyzed, revealing diverse solutions — ranging from the exclusion of copyright protection to derivative attribution and the establishment of *sui generis* regimes. Through bibliographic review and documentary analysis, three main approaches are identified: (i) treating AI-generated works as public domain; (ii) granting derivative rights to programmers or users; and (iii) creating a *sui generis* regime. The study concludes that a hybrid model is the most promising alternative for Brazil, combining derivative protection in cases of significant human intervention with a specific regime for autonomous AI productions. The findings contribute to the academic debate and provide normative insights for legislative reform, interpretative guidelines, and Brazil's active participation in WIPO forums. The article argues that building a regulatory framework adapted to the AI era is crucial to ensure legal certainty, preserve the centrality of human creativity, and foster technological innovation.

Keywords: Artificial Intelligence. Copyright Law. Authorship. Intellectual Property. Innovation.

RESUMO

Os fundamentos clássicos do direito autoral têm sido desafiados pelo avanço das inteligências artificiais generativas, pois os conceitos relativos à autoria, originalidade e

[1] Master in Intellectual Property and Technology Transfer for Innovation. (PROFNIT/IFPA) Pará, Brazil. E-mail: fatima.sistinfo@gmail.com
[2] Bachelor of Laws. Universidade Federal do Pará (UFPA). Pará, Brazil. E-mail: isadoralisalves@gmail.com

titularidade passaram a sofrer impacto diante desta nova realidade na sociedade. A regra vigente no Brasil, disposta na Lei nº 9.610/1998, é centralidade da autoria humana excluindo, portanto, as obras criadas de forma autônoma por sistemas de inteligência artificial (IA). Diante desse branco normativo tem-se por consequência a insegurança jurídica, riscos econômicos e dilemas éticos, de igual forma, desestimula investimentos e dificulta a inserção do país nas cadeias globais de inovação. Este artigo analisa os desafios jurídicos da proteção de obras criadas por IA no ordenamento brasileiro, adotando uma abordagem qualitativa, exploratória e comparativa. São examinadas as experiências internacionais dos Estados Unidos, Reino Unido, União Europeia e Organização Mundial da Propriedade Intelectual (OMPI), que revelam soluções distintas — da exclusão de proteção ao reconhecimento da autoria derivada e à criação de regimes sui generis. A partir da revisão bibliográfica e da análise documental, identificam-se três correntes principais: (i) obras de IA no domínio público; (ii) atribuição derivada de direitos a programadores ou usuários; e (iii) instituição de regime sui generis. O estudo conclui que a adoção de um modelo híbrido é a alternativa mais promissora para o Brasil, combinando proteção derivada em casos de intervenção humana significativa com um regime específico para produções autônomas de IA. Os resultados contribuem para o debate acadêmico e oferecem subsídios normativos para a atualização legislativa, a elaboração de diretrizes interpretativas e a participação ativa do Brasil nos fóruns internacionais da OMPI. Defende-se que a construção de um marco regulatório adaptado à era da inteligência artificial é decisiva para assegurar segurança jurídica, preservar a centralidade da criatividade humana e incentivar a inovação tecnológica.

Palavras-chave: Inteligência Artificial. Direito Autoral. Autoria. Propriedade Intelectual. Inovação.

RESUMEN

Los fundamentos clásicos del derecho autoral han sido desafiados por el avance de las inteligencias artificiales generativas, ya que los conceptos relativos a la autoría, originalidad y titularidad han comenzado a sufrir impacto ante esta nueva realidad en la sociedad. La regla vigente en Brasil, dispuesta en la Ley nº 9.610/1998, es la centralidad de la autoría humana, excluyendo, por lo tanto, las obras creadas de forma autónoma por sistemas de inteligencia artificial (IA). Ante este vacío normativo se tiene como consecuencia la inseguridad jurídica, riesgos económicos y dilemas éticos, de igual forma, desestimula inversiones y dificulta la inserción del país en las cadenas globales de innovación. Este artículo analiza los desafíos jurídicos de la protección de obras creadas por IA en el ordenamiento brasileño, adoptando un enfoque cualitativo, exploratorio y comparativo. Se examinan las experiencias internacionales de Estados Unidos, Reino Unido, Unión Europea y Organización Mundial de la Propiedad Intelectual (OMPI), que revelan soluciones distintas —de la exclusión de protección al reconocimiento de la autoría derivada y a la creación de regímenes sui generis. A partir de la revisión bibliográfica y del análisis documental, se identifican tres corrientes principales: (i) obras de IA en dominio público; (ii) atribución derivada de derechos a programadores o usuarios; y (iii) institución de régimen sui generis. El estudio concluye que la adopción de un modelo híbrido es la alternativa más prometedora para Brasil, combinando protección derivada en casos de intervención humana significativa con un régimen específico para producciones autónomas de IA. Los resultados contribuyen al debate académico y ofrecen subsidios normativos para la actualización legislativa, la elaboración de directrices interpretativas y la participación activa de Brasil en los foros internacionales de la OMPI. Se defiende que la construcción de un marco regulatorio adaptado a la era de la inteligencia artificial es decisiva para asegurar seguridad jurídica, preservar la centralidad de la creatividad humana e incentivar la innovación tecnológica.

Palabras clave: Inteligencia Artificial. Derecho Autoral. Autoría. Propiedad Intelectual. Innovación.

1 INTRODUCTION

The development of artificial intelligence (AI) technologies has promoted disruptive transformations in the field of intellectual creation, expanding the boundaries of what is understood by creativity and authorship. Generative systems, such as ChatGPT, DALL-E, and MidJourney, demonstrate the ability of machines to produce texts, music, images, and audiovisual works endowed with structural complexity and formal originality, approaching human standards of artistic and scientific production. This scenario challenges the traditional foundations of copyright, which historically link legal protection to the creative intervention of a natural person.

In Brazil, Law No. 9,610/1998 establishes that only the individual can be considered the plaintiff, conditioning legal protection to the manifestation of subjectivity and human personality. Such a conception, inspired by personalistic and romantic bases of authorship, does not encompass autonomous works generated by AI. In this way, a regulatory vacuum is created capable of exposing the legal system to risks of insecurity. In view of this, it is debated whether such productions should remain in the public domain, receive derived attribution to humans involved in the process or be protected by *sui generis mechanisms* of intellectual protection.

At the international level, different legal systems have been adopting disparate solutions. While the United States limits the protection of works with substantial human intervention, the United Kingdom admits derivative attribution to the programmer or user responsible for configuring the machine. The European Union, in turn, is discussing the feasibility of a specific legal regime, and the World Intellectual Property Organization (WIPO) promotes global consultations to harmonize understandings. These debates show that the problem transcends national borders, constituting a central theme for the future of intellectual property in a society oriented by technological innovation.

Thus, this article seeks to analyze the challenges that autonomous AI works impose on Brazilian copyright, contrasting national regulatory gaps with international experiences and proposing paths that reconcile legal certainty, appreciation of human creativity and stimulation of technological innovation.

2 BACKGROUND

The relevance of the theme stems from multiple academic, economic, legal and social dimensions. From a scientific point of view, the analysis of authorship in the context of AI raises the need for a critical review of consolidated concepts, such as originality, creativity and expression of personality, which constitute the backbone of copyright protection. Such a

review is essential to understand whether and how algorithmic creations can be made compatible with current regulatory frameworks.

From an economic perspective, the absence of clear rules compromises the business environment, as it discourages investments in research and development. Thus, the inhibition of Brazil's competitive insertion in global innovation chains and the difficulty of contractual security in sectors that depend on creative technologies emerge as possible consequences. In social and ethical terms, dilemmas emerge about the fair attribution of intellectual merit, the preservation of the centrality of human creativity, and the equitable distribution of the economic benefits resulting from the use of autonomous systems.

In Brazil, the lack of specific regulation reinforces the urgency of the debate. Although the national doctrine has taken important steps when discussing authorship and originality, there is still a lack of in-depth studies on the legal implications of AI works. In this sense, both the analysis of foreign experiences, as well as the reflection on normative alternatives and the proposition of solutions adapted to the Brazilian reality constitute not only an original academic contribution, but also a relevant subsidy for public policies and proposals for future legislative reforms.

3 PROBLEM, HYPOTHESIS AND OBJECTIVES

3.1 RESEARCH PROBLEM

The emergence of artificial intelligence systems capable of generating literary, artistic, and scientific works puts in check the traditional model of copyright protection, centered exclusively on the figure of the human author. Brazilian legislation, by defining that only individuals can be authors (art. 11 of Law No. 9,610/1998), excludes from its field of protection works created autonomously by AI, which consequently establishes a normative vacuum. In this context, the following research problem arises:

How to reconcile autonomous artificial intelligence creations with the Brazilian copyright legal system, in order to ensure legal certainty, stimulate technological innovation, and preserve the centrality of human creativity?

3.2 RESEARCH HYPOTHESES

1. In its current configuration, Brazilian legislation does not have adequate instruments to regulate AI works, since its structure consists of assumptions of human authorship and subjective originality.

2. International models indicate that there are possible alternatives, such as: (i) exclusion of copyright protection (public domain); (ii) attribution derived from authorship to

programmers or users; and (iii) creation of a *sui generis* regime, inspired by experiences such as software and database protection.

3. A viable solution for Brazil would be to adopt a hybrid model, combining derived rights for the humans involved and the provision of specific protection for autonomous AI works, in line with international guidelines and WIPO recommendations.

3.3 RESEARCH OBJECTIVES

3.3.1 General Objective

To analyze the legal challenges and perspectives of the protection of works created by artificial intelligence in the scope of Brazilian copyright, in the light of international experiences and doctrinal debate.

3.3.2 Specific Objectives

1. Examine the conceptual foundations of authorship and originality in copyright, as well as its relationship with the autonomous creation of AI.

2. Map normative and interpretative experiences in different countries (USA, UK, European Union) and within the scope of WIPO.

3. Identify the gaps and limitations of Brazilian legislation in the face of the emergence of AI works.

4. Evaluate the main doctrinal currents on the protection or exclusion of AI works from the authorial system.

5. To propose normative and interpretative alternatives that reconcile the protection of human creativity, the incentive to technological innovation and legal certainty in Brazil.

4 THEORETICAL FRAMEWORK

4.1 HUMAN AUTHORSHIP AND ORIGINALITY

Consolidated by the tradition of Brazilian copyright, the classical conception of authorship is linked to the expression of personality and the exteriorization of the subjectivity of the human creator (ASCENSÃO, 2013; BITTAR, 2008). Law No. 9,610/1998 reflects this matrix, by recognizing as author only the individual creator of the work, reaffirming the centrality of the human being as a subject of rights. In this model, originality is an essential requirement, understood as the unique and personal manifestation of creative individuality.

Nevertheless, this conception finds limits in the face of AI productions, since they can present a high degree of formal complexity without being associated with any direct human

intentionality. Therefore, a mismatch erupts between the contemporary technological reality and the subjectivist conception of copyright.

4.2 AUTONOMOUS CREATION OF ARTIFICIAL INTELLIGENCE

Because they are based on deep learning techniques and neural networks, generative AI systems have the ability to identify patterns and generate unprecedented outputs from vast data sets (FLORIDI; COWLS, 2019). Despite the lack of subjectivity and intentionality, the resulting works have the potential to present an appearance of originality and significant economic value. This situation challenges the current legal paradigm, as such productions do not fit into the traditional notion of protected work. In addition, the absence of a clear holder of rights raises risks of misappropriation, in addition to asset disputes and, mainly, legal uncertainty.

4.3 INTERNATIONAL EXPERIENCES

The legal treatment of AI works varies between countries, reflecting different conceptions of authorship and public policies:

a) United States: only works with substantial human intervention receive protection, reinforcing the centrality of human creativity (US COPYRIGHT OFFICE, 2023).b) United Kingdom: adopts derived attribution, conferring rights on the programmer or user responsible for configuring the AI (Copyright, Designs and Patents Act, 1988).c) European Union: discusses the feasibility of *sui generis* regimes, highlighting the proposals linked to the Directive on Copyright in the Digital Single Market (GEIGER; FROSIO; BULAYENKO, 2018).

d) WIPO: advocates international normative harmonization, through consultations and recommendations aimed at clarifying fundamental concepts (WIPO, 2020).

These approaches demonstrate the clear lack of consensus, but they show the search for solutions that reconcile legal certainty and innovation, since the latter is an intrinsic condition for the natural progress of contemporaneity.

4.4 DOCTRINAL CURRENTS

The specialized doctrine points out three major currents on the legal protection of works created by AI:

a) Exclusion of copyright protection: argues that AI works should be part of the public domain, avoiding the monopolization of creations without human intervention (SAMUELSON, 2023).

b) Derived attribution: proposes the granting of copyright to people who have played a relevant role in programming, training, or directing the AI. Therefore, there would be an acknowledgment of indirect authorship (GINSBURG; BUDIARDJO, 2019).

c) Sui *generis* regime: suggests the creation of a specific institute to protect AI works, inspired by existing experiences in the field of software and databases (REICHMAN; SAMUELSON, 1997).

It is understood that such currents reveal that the future of copyright protection in the context of AI depends on normative choices that go beyond mere legislative technique, involving ethical, economic, and philosophical debates about the role of human creativity in an era of increasing automation.

5 METHODOLOGY

The research adopts a qualitative, exploratory and comparative approach, based on the critical analysis of doctrine, legislation and international experiences. The methodological choice is justified by the novelty of the object — works created by artificial intelligence — and by the absence of consolidated normative or doctrinal consensus in Brazil, requiring interpretative and propositional investigation.

5.1 RESEARCH STRATEGY

a) Literature review: systematic survey of articles, books and international reports (2018–2025) on copyright, artificial intelligence and intellectual property.b) Document analysis: examination of Brazilian legislation (Law No. 9,610/1998), foreign standards (USA, UK, European Union) and documents from the World Intellectual Property Organization (WIPO).

c) Comparative study: contrast between the Brazilian legal system and international models, with the purpose of identifying convergences, divergences and possible paths for the national context.

d) Critical-propositional analysis: organization of the results into conceptual axes (authorship, originality, ownership and legal protection), with the objective of formulating normative and interpretative proposals for Brazil.

5.2 METHODOLOGICAL LIMITATIONS

The study does not cover empirical analyses of direct economic impact, focusing on the legal and normative aspects. Nor does it intend to exhaust the diversity of international

legal systems, but rather to select representative models that can serve as a reference for the Brazilian debate.

6 ANALYTICAL DEVELOPMENT

6.1 HUMAN AUTHORSHIP *VS* . AUTONOMOUS CREATION OF AI

The tradition of Brazilian copyright rests on the centrality of human authorship, conceived as an expression of creative individuality (ASCENSÃO, 2013). In this sense, Law No. 9,610/1998 requires human intervention for the recognition of authorship and, consequently, legal protection. However, AI-generated works — even if endowed with aesthetic complexity and market value — do not fit this definition. This normative mismatch creates a paradox: denying protection can discourage innovation and investments, but recognizing them as authorial works implies redefining the notion of creativity and relativizing the centrality of the human. Therefore, the challenge is to reconcile technological innovation with the preservation of the humanistic function of copyright.

6.2 INTERNATIONAL LEGAL MODELS IN COMPARATIVE PERSPECTIVE

a) United States: Protection is restricted to livestock with substantial human intervention. This model, while protecting the classical conception of authorship, limits the insertion of AI works in the market, creating uncertainties for investors and users (US COPYRIGHT OFFICE, 2023).

b) United Kingdom: by providing for derived attribution to the programmer or user (CDPA, 1988), it provides flexibility, but depends on clear criteria to identify the responsible agent.

c) European Union: discusses *sui generis regimes*, especially aimed at harmonizing the interests of innovation and the protection of human creativity, although still without normative uniformity (GEIGER; FROSIO; BULAYENKO, 2018).

d) WIPO: recommends international harmonization, alerting to the need for a balance between technological innovation, ethics and the protection of human creativity (WIPO, 2020).

It can be understood based on the comparative analysis that there is no single model, but an international trend that points to hybrid solutions. This entire line of reasoning aims to preserve human centrality, never discouraging technological advancement.

6.3 GAPS AND CHALLENGES IN THE BRAZILIAN LEGAL SYSTEM

a) Legal uncertainty: the absence of specific regulation makes it difficult to protect AI works, which can generate uncertainties regarding ownership and economic exploitation.

b) Economic impacts: the lack of definition of regulations has the potential to discourage investments in innovation and move Brazil away from creative global chains.

c) Ethical and social issues: the attribution of authorship to machines could dehumanize copyright; On the other hand, the absence of protection can generate misappropriation and concentration of power in large technology companies.

6.4 APPLICATION SCENARIOS AND SOLUTION PROPOSALS

a) Scenario 1: Exclusion of copyright protection – AI works would be in the public domain, which would ensure free access. However, there would be no incentive for innovation.

b) Scenario 2: Derived attribution – granting rights to programmers or users who influenced the creative process. This would allow for an indirect form of legal recognition.

c) Scenario 3: Sui *generis regime* – inspired by software and databases, consists of the creation of a specific institute, responsible for granting limited protection and adapted to the characteristics of AI works.

6.5 PROPOSALS FOR BRAZIL

a) Acknowledgment of derived authorship in cases of significant human intervention.

b) Creation of a *sui generis regime* for autonomous works, with specific deadlines and limitations.

c) Interpretative guidelines of Law No. 9,610/1998, guided by the principle of proportionality, aiming to adapt the concepts of originality and authorship.

d) Brazil's active participation in WIPO international forums, with an attempt at normative harmonization.

The expected impact is the structuring of a regulatory framework that safeguards not only legal certainty, but also the preservation of the centrality of human creativity and the incentive to technological innovation, always in line with current ethical and economic challenges.

7 BY WAY OF NORMATIVE PROPOSITION

With the scope of contributing to the maturation of discussions and future pacification of this new reality related to the constant presence of AI in the production of content, which

has generated insecurity about the limit of its application and the identification of authorship, we present, *de lege ferenda*, the text below that aims to suggest a normative change to Law No. 9,610/98:

BILL NO. _____, OF _____, 2025

Provides for the protection of works created with the help of Artificial Intelligence and amends Law No. 9,610, of February 19, 1998 (Copyright Law).

The NATIONAL CONGRESS decrees:

Art. 1 Law No. 9,610, of February 19, 1998, is now in force with the addition of the following provisions:

Chapter xxxxx – Works Created with the Aid of Artificial Intelligence

Article 111-A. Works assisted by Artificial Intelligence are considered to be those whose creation involves the participation of automated data processing systems, provided that there is a significant creative contribution from a natural person in the conception, direction, parameterization, editing or selection of the result.

Article 111-B. The authorship of the work will be recognized to the natural person who demonstrates a relevant creative contribution in the process of generating the work assisted by Artificial Intelligence.

Sole Paragraph. In the event of a totally autonomous creation by an Artificial Intelligence system, without relevant human intervention, the work will be considered in the public domain, except for the possibility of attributing patrimonial rights to the developer, operator or owner of the system, under the terms of specific regulations.

Article 111-C. Individuals or legal entities that finance, parameterize or use Artificial Intelligence systems may hold the ownership of the patrimonial rights over the generated work, provided that the moral rights of the human author, if any, are respected.

Article 111-D. It will be mandatory to register the works generated with the help of Artificial Intelligence in an official electronic system, containing:

I – the indication of the degree of human intervention;

II – the declaration of the use of databases containing protected works, when applicable;

III – the identification of the person responsible for the Artificial Intelligence system used.

Article 111-E. The use of intellectual works for the training of Artificial Intelligence systems will depend on prior and express authorization from the owner of the rights or on a legal regime of collective compensation, subject to the provisions of this Law and regulations.

Article 111-F. The following are jointly and severally liable for damages arising from the illicit use of works generated by Artificial Intelligence:

I – the developer of the system, when a structural failure or omission of security is proven;

II – the operator or owner of the system, when responsible for the use or availability of the work;

III – the end user, when he benefits economically or disseminates illegal work.

Art. 2 The National Authority for the Supervision of Works Created by Artificial Intelligence (ANSO-IA) is hereby established, linked to the Ministry of Culture, with the competence to:

I – To regulate the registration, transparency and use of works assisted by Artificial Intelligence;

II – To supervise the observance of copyright and property rights arising from AI-assisted creation;

III – To administer a compensation system for rights holders whose works are used in AI training;

IV – To promote periodic reviews of the applicable legislation, at intervals not exceeding five (5) years.

Art. 3 - Works generated with the aid of Artificial Intelligence before the entry into force of this Law may be registered in a declaratory manner, with only patrimonial effects.

Art. 4 This Law enters into force after the lapse of ____ (_____) days from its publication in the Official Gazette.

Place and date

Signature

8 CONCLUSION

Recently, the British production company Particle6 announced, through the AI studio Xicoia, the creation of Tilly Norwood: its first digital "actress". The release reignited the debate in Hollywood about the limits of creative automation, causing the SAG-AFTRA union, which represents actors and voice actors in the United States, to issue an official statement stating that Tilly "is not an actress", but just another software product. The union points out that the emergence of this type of digital character opens up possibilities for reprisals against future claims by audiovisual workers, such as the strikes by actors and screenwriters in 2023 and 2024. In addition, it accuses the responsible producers of misuse of materials from real performances, without authorization or payment. The allegation, however, has not yet been proven in court.

Responsible for Tilly Norwood, filmmaker and researcher Eline Van der Velden claims that there is no intention that her AI actress will replace human actors, since she is nothing more than an artistic experiment, even establishing a comparison with "a new brush". However, the event raises an ongoing discussion about the speed with which artificial intelligence advances into creative territories previously regulated by human experience.

The factual situation described above demonstrates that the rise of generative artificial intelligence establishes a scenario of profound transformations in the field of intellectual creation, demanding from copyright a reflection on structuring concepts such as authorship, originality and ownership. Founded on a personalistic and subjectivist conception of authorship, Brazilian legislation is insufficient to cover works created autonomously by AI systems, which causes regulatory gaps capable of compromising legal certainty, the protection of human creativity, and the incentive to technological innovation.

The comparative analysis showed that there is no international consensus: the United States restricts protection to substantial human intervention; the United Kingdom recognizes the derived authorship of the programmer or user; the European Union discusses *sui generis*

regimes; and WIPO seeks normative harmonization on a global scale. In the absence of uniformity, these experiences reveal that countries like Brazil need to build their own solutions, but aligned with international trends, in order to meet their reality.

On the theoretical level, three major currents stand out: (i) the exclusion of copyright protection, inserting AI works into the public domain; (ii) derived attribution, recognizing rights to humans involved in the indirect creative process; and (iii) the creation of a *sui generis regime*, appropriate to the specificities of algorithmic productions. Among such alternatives, the results of this study indicate that the adoption of a **hybrid model** is the most promising path, combining derived rights for cases of significant human intervention and a *sui generis regime* for autonomous works of high economic and social value.

In this sense, it is recommended that Brazil advance on three fronts:

Legislative updating or editing of interpretative guidelines that adapt concepts of authorship and originality to new technological realities.

Recognition of derived authorship, attributing protection to programmers or users who play a decisive role in the AI-mediated creative process.

Establishment of a *sui generis regime*, with specific deadlines, limitations and scope, to ensure a balance between technological innovation, public access and appreciation of human creativity.

It is therefore concluded that facing the challenges posed by works created by AI should not be seen only as a legal problem, but as an opportunity for Brazil to position itself at the forefront of the regulation of new technologies. The construction of a normative framework that promotes **legal certainty, preservation of the centrality of human creativity and incentive to innovation** will be decisive to ensure that the country participates competitively and ethically in global intellectual production chains.

REFERENCES

Ascensão, J. de O. (2013). Direito autoral (4ª ed.). Renovar.

Bittar, C. A. (2008). Direito de autor (5ª ed.). Forense Universitária.

Brasil. (1998). Lei nº 9.610, de 19 de fevereiro de 1998. Altera, atualiza e consolida a legislação sobre direitos autorais e dá outras providências. Presidência da República. http://www.planalto.gov.br/ccivil_03/leis/l9610.htm

Floridi, L., & Cowls, J. (2019). A unified framework of five principles for AI in society. Harvard Data Science Review, 1(1).

Geiger, C., Frosio, G., & Bulayenko, O. (2018). The exception for text and data mining (TDM) in the proposed directive on copyright in the digital single market: Legal aspects. SSRN. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3165065

Ginsburg, J. C., & Budiardjo, L. A. (2019). Authors and machines. Berkeley Technology Law Journal, 34, 343.

Reichman, J. H., & Samuelson, P. (1997). Intellectual property rights in data. Cambridge University Press, 50(1).

Samuelson, P. (2023). Generative AI meets copyright. Science, 381(6654), 158–161. https://doi.org/10.1126/science.adi0656

United States Copyright Office. (2023). Copyright registration guidance: Works containing material generated by artificial intelligence. U.S. Copyright Office. https://www.copyright.gov/ai/ai_policy_guidance.pdf

Vilela, T. (2025, 9 de outubro). Tilly Norwood, o novo dilema ético de Hollywood. Brasília Capital. https://bsbcapital.com.br/tilly-norwood-o-novo-dilema-etico-de-hollywood/

World Intellectual Property Organization. (2020). WIPO conversation on intellectual property and artificial intelligence. WIPO. https://www.wipo.int/meetings/en/2020/wipo_conversation_ai_ip/