

Legal Guide to AI Music: What Every Creator Needs to Know



If you use **AI** to help you create music, you need to understand **what you own**, and **how copyright works**. Although this should not be considered legal advice, this guide is meant to break down **key points to consider** when using **AI as a tool** in your music.

P.S. this guide includes important information from the [U.S. Copyright Office report](#) on AI and copyright. Let's go!

Copyright Basics: What You Need to Know

The good news: The moment you create something original and fix it in a tangible form (like a recording or sheet music), it is protected by copyright under U.S. law (this is also the case for many other countries around the world).

Why Register Your Copyright?

While protection is *automatic*, registering with the U.S. Copyright Office gives you additional legal rights, including:

- The ability to sue for infringement;
- The right to seek attorney fees and statutory damages (which oftentimes is for a *much higher dollar value* than your actual damages); and
- A public record that proves your ownership.

Where to Register?

You can only get a U.S. copyright registration through [Copyright.Gov](https://copyright.gov). Third-party services promising certificates if you upload your song into their website are likely scams. See below for a step-by-step training on how to properly **register copyright yourself!**

If you are releasing music globally, be aware that AI copyright laws vary by country BUT many countries are similar to the U.S. and require human authorship for copyright protection, such as the U.K., Canada, Australia, and Japan.

Can You Copyright AI-Generated Music?

The Short Answer: **No**, not if your song is *fully* AI-generated. Copyright requires your human authorship. The [Copyright Office states](#) that AI-generated works alone cannot be copyrighted. Meaning, if you only provide prompts to an AI, you are not considered the author.

Example: Asking an AI to make a love song with an upbeat tempo and feeling does not give you copyright protection over the final result.

What About AI-Assisted Music?

You **CAN** claim copyright if:

- You input *original* music or lyrics that you created;
- AI is used as a tool to modify, refine, or enhance your human-made content;
- Your creative contributions are *clear and significant* in the final work.

Examples of Approved AI Use for Copyright:

- **Enhancement:** Using AI to improve vocals, expand on your melodies, or generate harmonies.
- **Arranging AI-Generated Elements:** If AI creates sounds, but you arrange them into a structured composition.
- **Combining AI with Human Performance:** If AI helps generate ideas, but you ultimately sing, play, and modify the piece.

Do You OWN Songs Created Using AI Platforms?

Generally yes, you either receive a license to use, or actually own, your AI assisted song. **But be careful!** AI music platforms have different rules regarding ownership and usage rights. Be sure to read the Terms of Service for each platform.

- **Paid Subscriptions Usually Allow Commercial Use:** Many major AI music platforms permit users to sell, stream, and distribute AI-generated music if they have a paid subscription.
- **Free Subscriptions May Have Restrictions:** Be cautious if you are using a free subscription, as some platforms do not grant ownership or commercial rights.
- **Ownership Rights May Vary:** Some AI platforms retain partial rights over the content you generate, so always read their policies before publishing or monetizing AI-assisted music.

We review many of the popular ones like **Suno** and **Udio** on [Youtube Here](#).



How to Protect Your Work

There are some risks to using AI in your music. For example, if you do not disclose AI involvement when registering your copyright, your registration could be later cancelled – sometimes even years later, during a lawsuit (yikes!).

Best Practices:

- **Be Transparent:** Disclose AI-generated elements when registering your copyright;
- **Keep Records:** Save drafts, recordings, and edits to show your creative contributions;
- **Modify AI-Generated Content:** Make sure your human creativity is evident in the final work (can you point it out if needed?).

To Summarize...

- Check the terms of service for the platform you use, but you are typically ok to distribute your AI music to music platforms;
- Use AI as only a *tool* in your process, this is the best way to ensure long-term protection. You are for certain entitled to copyright protection of the *original elements* of your song;
- If AI creates *most or all* of your song, you may not own the copyright; and
- Always disclose AI involvement when registering your copyright.

Here are Step-by-Step Instructions: Register Your AI-Assisted Song with U.S. Copyright Office!



How To Copyright AI (Step By Step Guide) | Lawyer Explains

Need Legal Help?

Have more questions about AI and copyright? Contact a legal professional who specializes in intellectual property and music law. Understanding these rules now can save you major headaches later.

Call: 480-248-0657

Email: Admin@DelgadoEntertainmentLaw.com

Website: www.DelgadoEntertainmentLaw.com

Stay Protected. Stay Creative 😊

– Miss Krystle, Top Music Attorney