

European Parliament adopts resolution on copyright and generative AI

Key implications for AI
developers and rights holders



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European Parliament adopts resolution on copyright and generative AI: key implications for AI developers and rights holders

On 10 March 2026, the European Parliament adopted the resolution “Copyright and generative artificial intelligence – opportunities and challenges” addressing the relationship between copyright law and generative artificial intelligence (GenAI) and calling for stronger protection of creators in the development and deployment of AI systems.

The resolution emphasizes the need for greater transparency regarding AI training datasets, the development of licensing mechanisms for AI training data and fair remuneration for rights holders, while reaffirming that copyright protection in the EU remains grounded in human authorship.



1. Background: Generative AI

The resolution defines Generative AI (“GenAI”) as a category of AI systems capable of generating new content based on training using very large datasets - such as text, images, music, audiovisual works and code. These datasets frequently contain material collected from the internet and may include copyright-protected works.

The Parliament notes evidence of widespread unauthorized scraping of copyrighted content, including the use of pirated sources and the failure to obtain licenses from rights holders.

The resolution also reiterates a fundamental principle of EU copyright law: copyright protection is based on human authorship. As a result, content entirely generated by AI without human creative input should not qualify for copyright protection and should therefore remain outside the scope of copyright law.

2. Key Policy Directions emerging from the Resolution

a. Greater Transparency regarding training datasets

The Parliament calls for stronger transparency obligations for providers of generative AI models, considered essential for enabling rights holders to verify whether their works have been used without authorization.

In particular, AI developers may be required to:

- disclose the copyright-protected content used for training AI models.
- maintain detailed records of web crawling activities used to collect training data.
- provide itemized documentation of training datasets through mechanisms overseen by a trusted intermediary, potentially EUIPO.

b. Development of a licensing market for AI training

The Parliament emphasizes that rights holders must retain effective control over the use of their works in AI training and other AI-related uses, including inferencing; retrieval-augmented generation; the production of AI-generated content that may compete with the original works.

The resolution encourages the development of machine-readable opt-out tools allowing creators to exclude their works from AI training datasets.

Where no opt-out has been exercised, the Parliament encourages the European Commission to facilitate the development of sector-based licensing mechanisms enabling AI developers to access high-quality training data while ensuring fair remuneration for creators and rights holders.

In particular, the resolution highlights concern regarding the news and media sector, noting that AI systems may divert traffic and revenues from original publishers. It therefore suggests that AI providers may be required to provide fair, proportionate and non-discriminatory compensation to news outlets where their content is exploited.

Parliament also raises the possibility of extending ancillary rights for press publishers and other media actors, potentially within the framework of voluntary collective licensing schemes, while preserving the possibility for rights holders to pursue individual licensing arrangements.

Finally, the resolution invites the Commission to examine whether fair remuneration mechanisms should also address past uses of copyrighted works in AI training where no licensing market previously existed.



c. Territorial application of EU copyright rules

The Parliament stresses that EU copyright law should apply to AI systems placed on the EU market, regardless of where the training of those models takes place.

Under this approach, the principle of territoriality would ensure that EU copyright rules apply whenever generative AI models are made available within the EU, even if the relevant training activities occurred outside the Union. This aims to prevent AI providers from circumventing EU copyright rules by training models in other jurisdictions.

d. Role of EUIPO

The resolution highlights the potential role of the European Union Intellectual Property Office (EUIPO) as a trusted intermediary in the AI ecosystem.

In particular, EUIPO could:

- manage and maintain machine-readable opt-out registers enabling rights holders to exclude their works from AI training.
- facilitate relations between GenAI providers and rights holders.
- support the development of voluntary licensing mechanisms for AI training data.

3. Conclusions

The European Parliament's resolution represents an important step in the ongoing debate on the interaction between copyright law and generative AI technologies. Although it does not introduce binding rules, it reflects growing concern within EU institutions regarding the use of copyrighted works in AI training and the potential impact of generative AI on the creative sector.

This resolution signals the EU's intention to promote a regulatory framework capable of balancing technological innovation with transparency and fair remuneration for creators, while ensuring that AI development remains fully compliant with existing intellectual property rights and the principle of human authorship.

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Angela has extensive experience in the field of intellectual property, gained over fifteen years of work in leading international firms, both in litigation and transactional matters, as well as in the area of extraordinary transactions.

Angela has unique and widely recognized expertise in the areas of copyright law, art law and cultural heritage, advising clients on issues relating to the circulation, management, and protection of art assets, as well as the contractual and legal issues related to national and international exhibitions and cultural events. Angela has also gained experience in estate planning, succession planning and trusts.

Moreover, Angela is well versed in the area of New Technologies - with particular focus on AI and blockchain -, telecommunications, media and entertainment, an expertise that she has developed during experiences both on secondment in other firms, as well as in-house at a well-known international audiovisual production and distribution group.

Angela also advises on complex commercial agreements, issues related to the provision of services in the digital environment, technology contracts, ICT systems, e-commerce, audiovisual commercial communication and sports law.

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