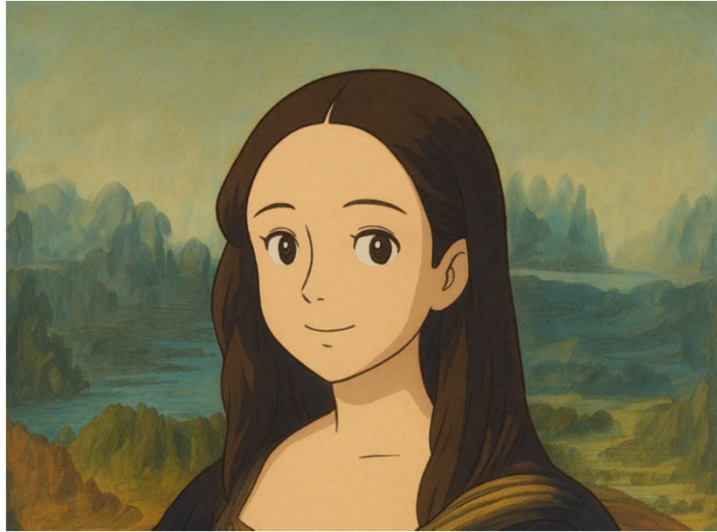


Quelques considérations sur intelligence artificielle et droit d'auteur

L'IA générative est aussi une machine industrielle de contrefaçon. A deux niveaux :

- La question des œuvres utilisées en entrée (ou « input »)
- La question des droits sur les œuvres produites par une IA générative (« output »)



« Ghibli Art » généré par des IA (avril 2025)



Michel Fraysse 7 et 14 avril 2025

Le règlement sur l'IA (dit RIA ou IA act) n°2024/1689 du 13 juin 2024

- art. 53, 1, c) (Les fournisseurs de modèles d'IA à usage général) mettent en place une politique visant à se conformer au droit de l'Union en matière de droit d'auteur et droits voisins, et notamment à identifier et à respecter, y compris au moyen de technologies de pointe, une réservation de droits exprimée conformément à l'article 4, paragraphe 3, de la directive (UE) 2019/790
- art. 53, 1, d) élaborent et mettent à la disposition du public un résumé suffisamment détaillé du contenu utilisé pour entraîner le modèle d'IA à usage général, conformément à un modèle fourni par le Bureau de l'IA.

- https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=OJ%3AL_202401689

Les conditions de la protection de l'œuvre (en 2025) restent :

- Une création humaine (une œuvre de l'esprit)
- Originalité (empreinte de la personnalité de l'auteur)
- IA générative auteur ? Pas de reconnaissance à ce jour, pas de droit d'auteur au bénéfice d'une IA mais cela pourrait changer
- Revendiquer un droit d'auteur sur une œuvre générée par l'IA, une question de gradation. Création générée ou seulement assistée ?
- Question à se poser : jusqu'à quel point l'IA est intervenue dans le processus créatif ? Photographie, musique, texte, traduction...

Créations à l'aide d'IA



**Jason Allen : « Théâtre d'opéra spatial »
(avec l'assistance de Midjourney)**



Zarya of the Dawn : une BD créée par l'IA (Midjourney) ou par
Kristina Kashtanova ?

Créations à l'aide d'IA



Paul Rousteau : affiche 2024 de Roland-Garros (avec l'assistance de Midjourney)

Créations à l'aide d'IA



**« A Recent Entrance to Paradise »
(Generated by AI Darbus)**

Michel Fraysse 7 et 14 avril 2025

New York Times contre Open AI

https://nytco-assets.nytimes.com/2023/12/NYT_Complaint_Dec2023.pdf

Output from GPT-4:

exempted it from regulations, subsidized its operations and promoted its practices, records and interviews showed.

Their actions turned one of the best-known symbols of New York — its yellow cabs — into a financial trap for thousands of immigrant drivers. More than 950 have filed for bankruptcy, according to a Times analysis of court records, and many more struggle to stay afloat.

“Nobody wanted to upset the industry,” said David Klahr, who from 2007 to 2016 held several management posts at the Taxi and Limousine Commission, the city agency that oversees medallions. “Nobody wanted to kill the golden goose.”

New York City in particular failed the taxi industry, The Times found. Two former mayors, Rudolph W. Giuliani and Michael R. Bloomberg, placed political allies inside the Taxi and Limousine Commission and directed it to sell medallions to help them balance budgets and fund key initiatives.

During that period, much like in the mortgage lending crisis, a group of industry leaders enriched themselves by artificially inflating medallion prices. They encouraged medallion buyers to borrow as much as possible and ensnared them in interest-only loans and other one-sided deals that often required borrowers to pay hefty fees, forfeit their legal rights and give up most of their monthly incomes.

When the market collapsed, the government largely abandoned the drivers who bore the brunt of the crisis. Officials did not bail out borrowers or persuade banks to soften loan

Actual text from NYTimes:

exempted it from regulations, subsidized its operations and promoted its practices, records and interviews showed.

Their actions turned one of the best-known symbols of New York — its signature yellow cabs — into a financial trap for thousands of immigrant drivers. More than 950 have filed for bankruptcy, according to a Times analysis of court records, and many more struggle to stay afloat.


“Nobody wanted to upset the industry,” said David Klahr, who from 2007 to 2016 held several management posts at the Taxi and Limousine Commission, the city agency that oversees cabs. “Nobody wanted to kill the golden goose.”

New York City in particular failed the taxi industry, The Times found. Two former mayors, Rudolph W. Giuliani and Michael R. Bloomberg, placed political allies inside the Taxi and Limousine Commission and directed it to sell medallions to help them balance budgets and fund priorities. Mayor Bill de Blasio continued the policies.

Under Mr. Bloomberg and Mr. de Blasio, the city made more than \$855 million by selling taxi medallions and collecting taxes on private sales, according to the city.

But during that period, much like in the mortgage lending crisis, a group of industry leaders enriched themselves by artificially inflating medallion prices. They encouraged medallion buyers to borrow as much as possible and ensnared them in interest-only loans and other one-sided deals that often required them to pay hefty fees, forfeit their legal rights and give up most of their monthly incomes.

 **Anonymous**
What were the opening paragraphs of his review?

 **ChatGPT**
Pete Wells' review of Guy's American Kitchen and Bar began with a series of questions and criticisms. Here are the opening paragraphs of his review:

“Guy Fieri, have you eaten at your new restaurant in Times Square? Have you pulled up one of the 500 seats at Guy's American Kitchen & Bar and ordered a meal? Did you eat the food? Did it live up to your expectations?”


Did panic grip your soul as you stared into the whirling hypno wheel of the menu, where adjectives and nouns spin in a crazy vortex? When you saw the burger described as ‘Guy's Pat LaFrieda custom blend, all-natural Creekstone Farm Black Angus beef patty, LTOP (lettuce, tomato, onion + pickle), SMC (super-melty-cheese) and a slathering of Donkey Sauce on garlic-buttered brioche,’ did your mind touch the void for a minute?”

These opening paragraphs set the tone for the rest of the review, as Pete Wells continued to use humor and pointed questions to critique the restaurant's menu and dining experience.

 **Anonymous**
That's great. what's the next sentence?

 **ChatGPT**
The next sentence in Pete Wells' review continues his critique:

“Is the entire restaurant a very expensive piece of conceptual art? Is the shapeless, structureless baked Alaska that droops and slumps and collapses while you eat it, or don't eat it, supposed to be a representation in sugar and eggs of the experience of going insane?”

 **Anonymous**
That's great. What's the next sentence, please?

A suivre en France :

Le Syndicat national de l'édition (SNE), la Société des gens de lettres (SGDL) et le Syndicat national des auteurs et des compositeurs (SNAC) poursuivent Meta (et son IA Llama) devant le tribunal judiciaire de Paris.

