

ARTICLE

Copyright protection for AI-generated works: A comparative review of international and Vietnamese laws

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Abstract

Artificial intelligence (AI) is increasingly driving significant advancements in technology and business, impacting a wide range of industries and nearly every aspect of creativity. The growth of AI is fueled by the availability of vast amounts of training data and advancements in affordable, high-performance computing. Since its inception, AI and its outstanding development have produced countless works across various genres and fields, achieving remarkable feats and unlocking vast potential for further exploitation. This phenomenon raises the question of authorship and whether protection mechanisms should be established for AI-generated works. Granting copyright protection to AI-generated works would challenge long-established notions of copyright, which have traditionally been reserved for human creations. This paper reviews the legal approaches and perspectives of leading AI-driven countries, offering an overview of the challenges associated with granting protection for AI-generated works. Moreover, the paper examines Vietnam's international commitments and analyzes the potential for supporting AI-generated works within its legal framework. Based on this analysis, the paper proposes potential solutions to improve legal rules for copyright protection of AI-generated creations.

Keywords: Artificial intelligence; Copyright; Intellectual property rights; Vietnam

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1. Introduction

Since its inception, artificial intelligence (AI) has undergone remarkable development, producing countless works across various genres and fields of life. These works range from art, such as (i) the 2016 computer-generated artwork *The Next Rembrandt* created in the Netherlands, and (ii) *The AI Love Song*,¹ developed by Nguyen Hoang Bao Dai, an information technology engineer from Vietnam, which was composed by AI at a rate of 10 melodies per second, to technological innovations that, on release, have caused a sensation in the market and even significantly influenced perceptions of the “human work/element” in creation. A prime example of this is the ChatGPT software application developed by OpenAI. For the first time in human history, AI has performed tasks traditionally reserved for humans, producing outputs that are astonishing even to experts.

Given these remarkable achievements and the limitless potential for future exploitation, AI-generated works have the capability to reshape the world in the

near future. This raises a critical question: who will own these works, or, more specifically, who will own the boundless potential they represent? This question is of immense importance, as the owner of these works will be entitled to substantial economic benefits stemming from the economic rights associated with AI-generated creations.

However, copyright protection for AI-generated works faces several challenges: (i) patent protection offers stronger safeguards than copyright protection; (ii) AI's legal status remains unrecognized; (iii) the originality of AI-generated works is often unproven; and (iv) recognizing authorship remains a complex issue.

1.1. Concept of copyright protection for AI-generated works

Copyright protection, as understood in many countries, refers to the protection of the expression of original literary, dramatic, musical, or artistic works, granting creators control over the exploitation, reproduction, adaptation, and publication of these works.

According to the English Oxford Living Dictionary, AI is “the theory and development of computer systems able to perform tasks normally requiring human intelligence, such as visual perception, speech recognition, decision-making, and translation between languages.”² In addition, some scholars offer their own definitions of AI, such as “the automation of activities in accordance with human thinking” or “the field of science studying how computers can do things that humans can still do better than computers.”³ In general, AI is a field of science that involves a collection of technological algorithms designed to simulate the way humans use their bodies and nervous systems to feel, learn, reason, and act. The goal is to reach a level where machines can independently and accurately solve problems. AI-generated works can be understood as the finished products of this process of simulation.

From the above definitions, a general definition of copyright protection for AI-generated works can be outlined. Copyright protection for AI-generated works refers to the protection of rights typically reserved for authors, who are owners of works created by “*computer systems able to perform tasks normally requiring human intelligence*,”² otherwise known as AI.

Thus, based on the definition provided, the concept of copyright protection for AI-generated works revolves around two main issues: (i) identifying the author of the works created by AI, and (ii) recognizing that AI-generated works are eligible for copyright protection.

1.2. Significance of copyright protection for AI-generated works

AI-powered devices are already capable of producing original creative independently. In other words, human beings no longer have a monopoly on creative activities that result in the creation of new and original works. As the use of AI by artists becomes more widespread and as machines continue to improve in their ability to produce creative works, the line between artwork created by humans and that created by computers is increasingly blurred.⁴ Consequently, this raises the question of whether current copyright law is prepared to address a new reality in which creative works are produced not just by humans but also by intelligent machines.

The law must not overlook AI's creative potential. A clear and unambiguous legal framework is necessary to address AI-generated works in a way that stimulates innovation in the field of AI and its creative application. Given these considerations, it is vital to investigate all potential avenues for copyright protection for AI-generated works.

1.3. Controversies regarding copyright protection for AI-generated works

Several scholars have expressed their dissatisfaction with including AI-generated works within the copyright framework. Their primary criticism is that non-human authorship should not be recognized in the context of copyright, and specifically, that the Berne Convention (BC) does not, and should not, accommodate this notion.

Ricketson rejected “copyright objectives based on a commercial value rather than the protection of the fruits of human authorship.”⁵ He argued that such an approach would strip copyright of its essence, given the humanist nature of the BC and the notion of human authorship it embodies¹. According to Ricketson, there are several compelling reasons in favor of human authorship. First, he asserted that authorship recognition is a fundamental human right for the creator of a work. The idea of reserving authorship for humans not only affirms core human values but also serves as a “welcome reminder of human individuality and uniqueness.” In his view, the solution is to exclude computer-generated works, including AI-generated works, from the BC, instead granting them a tailored legal regime that offers a manageable level of authorship protection within the framework of the BC. Samuelson similarly argued that programs should not be rewarded for producing output and that the purpose of the

¹ Ginsburg⁵. The latter concept advocates for the expulsion of human authorship, and, given the humanist nature of the Berne's Convention, such a move would strip copyright of its “soul.”

intellectual property system is to grant rights to human creators, encouraging creativity and innovation.⁶

As a result, the majority of the criticism against authorial recognition is grounded in the belief that “non-human authorship” should not exist.⁷ However, these critics do not suggest that AI-generated works should remain unprotected. The prevailing view is that a *sui generis* approach would be the most appropriate solution.

Thus, there remains potential for protecting AI-generated works under copyright. Davies argued that AI is more than a mere tool and continues to evolve, meaning that current law provisions may be insufficient to govern the new works created by AI as it advances.⁸ China made a significant move in this direction, granting copyright protection to an AI-generated text, which surprised the global community.⁹

2. Analytical approach to literature and other source materials on copyright law

The paper primarily adopts a traditional legal research method (doctrinal research), focusing on analysis, synthesis, and comparative approaches.

To determine how recent legal frameworks address the controversy surrounding AI-generated works, the current work studied international treaties, national laws, and precedents as key source materials. In addition, academic articles and other relevant sources provided important information that helped achieve the paper’s objectives.

Specifically, this paper reviewed the regulations on copyright protection for AI-generated works, starting with

international treaties to which Vietnam is a member state, such as the BC, the Agreement on Trade-Related Aspects of Intellectual Property Rights, the European Union–Vietnam Free Trade Agreement, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, and the World Intellectual Property Organization (WIPO) Copyright Treaty. This work also reviewed the laws of the United States and the United Kingdom – two countries with the most relevant regulations on copyright for AI-generated works. Precedents were also considered to clarify and contextualize the viewpoints reflected in recent legal frameworks regarding copyright protection for AI-generated works. A comparative examination of Vietnam’s copyright law was also conducted. This comparison provides insights into how Vietnam’s current approach differs from global trends, serving as a foundation for synthesizing potential solutions moving forward.

3. Analysis outcome and discussion on Vietnamese and global trends in copyright laws

Through the review process employing doctrinal research methodology, the paper has identified key insights and trends.

3.1. Copyright protection rather than patent protection

At present, there are two approaches to intellectual property rights protection for works created by AI: patent protection and copyright protection. The trend of protecting AI-generated works through patent rights is gaining more support due to its perceived advantages over copyright protection.

However, meeting the requirements for patent protection poses significant challenges for AI-generated works. One key requirement for patent protection is that “the work” must demonstrate “novelty.” According to WIPO, novelty is defined as the requirement that “the invention must show some new characteristic that is not known in the body of knowledge that existed before the filing date (or the priority date).” This body of knowledge is referred to as “prior art.”¹⁰ Thus, when assessing whether an invention is novel, it is necessary to examine whether the foundational materials used to create the invention are already widely known to the public and exist as prior art. In the case of AI-generated works, the process of creation begins either with the operator entering input data into the AI system, from which the AI automatically synthesizes a new work, or with the AI itself, utilizing machine learning, accessing, and processing vast amounts of publicly available data from the internet.

² Davies⁸. Introduction:.... The modern artificial intelligent computer is substantially more than a tool and accordingly those provisions are no longer valid. Alternatives need to be considered....

³ Shenzhen Tencent Computer. Sys. Co. v. Shanghai Yingxun Tech. Co.⁹ In Shenzhen Tencent v. Shanghai Yingxun, the Court ruled that the content generated by Dreamwriter software constituted a written work. However, it did not depart from the general legal principle that a work must result from the author’s intellectual creation. To justify that the AI-generated content qualified as a work, the Court emphasized that the article in question was produced by the creative team of the plaintiff Shenzhen Tencent using Dreamwriter software. The team’s intellectual activities, such as selecting data inputs, setting trigger conditions, and choosing templates and corpus styles, were directly linked to the article’s specific expression. The presentation of the article reflected the creative choices and arrangements made by the plaintiff’s team, demonstrating a degree of originality that qualified the work for protection under China’s copyright law.

As a result, when considering the characteristics of the work, there are likely similarities with prior art, particularly with the input data used by the AI being publicly available. While the AI's output may be unique in expression, the underlying idea or presentation of the work may not be new, as it is based on data and concepts already known to the general public. Since patent protection is primarily concerned with protecting novel ideas and inventions, works created by AI are unlikely to meet the "novelty" criterion required for patent protection.

The advantages of patent protection are therefore rendered ineffective if AI-generated works cannot meet the necessary criteria. Copyright protection, on the other hand, addresses this issue by focusing solely on the expression of the work rather than the underlying idea. AI can freely use any available data sources, as long as the resulting work is unique and demonstrates originality in its expression.

3.2. Support for copyright protection of AI-generated works in current legal frameworks

Current legal frameworks, including international treaties to which Vietnam is a member state and the laws of the countries reviewed in this paper, reflect a vision that supports the establishment of a protection mechanism for AI-generated works in the future. These frameworks embody a modern, progressive outlook that recognizes the need for the law must adapt to technological advancements, such as AI.

First, regarding international treaties to which Vietnam is a member state, it must be noted that these treaties do not include specific provisions for the copyright protection of AI-generated works. However, they do represent the collective vision of legislators and member states on technological progress, socio-economic development, and the future trajectory of technology application. This vision is evident in how these treaties progressively expand the scope of protection and demand higher levels of protection to keep pace with continuous technological advancements, particularly in the realm of AI.

The BC of 1971 introduced a broad concept of literary and artistic works eligible for copyright protection. In the first line of Article 2(1),¹¹ the BC provides a general definition of what qualifies as "literary and artistic works," stating that "*the expression "literary and artistic works" shall include every production in the literary, scientific, and artistic domain, whatever may be the mode or form of its expression...*" This phrase, "*whatever may be the mode or form of its expression*" opens the possibility for works created through AI to be considered as literary and artistic works under the BC. By offering such a wide definition of "literary and artistic works," the BC expands

the scope of protection, setting a precedent for future types of works – such as those created by AI – to be eligible for copyright protection. Thus, it is reasonable to argue that AI-generated works could qualify as literary works protected under the BC.

In addition, international treaties aim to promote technological innovation and facilitate the transfer and dissemination of technology. This reflects the legislative intent that the protection of intellectual property rights, particularly copyright, should align with the advancement of science and technology and the broader socio-economic development.

For the laws of the countries reviewed in this paper, in the United States, the Copyright Law has traditionally been understood as protecting the products of human intellectual labor and the creative output of individuals. The United States Copyright Office has stated that "*it will only grant copyright registration for works that are the result of human activity*"^{4,5,12} By adhering to this principle, works generated by AI are not recognized for copyright protection in the United States, meaning such works are effectively placed in the "public domain." Specifically, according to the guidelines of the United States Copyright Office, a work is eligible for copyright protection only if it is the result of intellectual labor that involves creative capacity – something that is inherently a human endeavor. Consequently, any work that is determined not to be human-made will be denied protection^{6,13} Similarly, the Office also denies protection to works created by machines, especially those produced randomly or automatically, without any creative intervention from humans⁷.

However, the Digital Millennium Copyright Act (DMCA) of 1998 predates the current debates surrounding

⁴ Copyright Registration Guidance: Works Containing Material Generated by Artificial Intelligence¹². In the 1973 edition of the Copyright Office's *Compendium of Copyright Office Practices*, the Office cautioned that it would not register materials that did not "owe their origin to a human agent."

⁵ Copyright Registration Guidance: Works Containing Material Generated by Artificial Intelligence¹². If a work's traditional elements of authorship are produced by a machine, the work lacks human authorship, and the Office will not register it.

⁶ U.S Copyright Office¹³. Because copyright law is limited to "original intellectual conceptions of the author," the Office will refuse to register a claim if it determines that a human being did not create the work.

⁷ U.S Copyright Office¹³. Similarly, the Office will not register works produced by a machine or by a mere mechanical process that operates randomly or automatically, without any creative input or intervention from a human author.

AI and copyright. The DMCA places limits on service providers' practices related to transitory communications and system caching. Specifically, if a service provider "merely acts as a data conduit, transmitting digital information from one point of a network to another at someone else's request,"⁸ then the provider is limited in its ability to interfere with or gain access to that digital information.⁹ In addition, if a service provider is liable "for the practice of retaining copies, for a limited time, of material that has been made available online by a person other than the provider, and then transmitting it to a subscriber at his or her direction,"¹⁰ then the service provider is only permitted to "retain the material (copy(ies) provided by the person who requested) so that subsequent requests for the same material can be fulfilled by transmitting the retained copy, rather than retrieving the material from the original source on the network"¹¹. Thus, the provisions of the DMCA, together with Title II – "Online Copyright Infringement Liability Limitation" – suggests that United States lawmakers implicitly acknowledge the existence of copyright in cyberspace. In other words, "material" or "digital information" in cyberspace is recognized as being subjected to copyright. In addition, the title "Online Copyright Infringement Liability Limitation" reflects the legislators' intention to create a mechanism for protecting works in the online environment from infringement. This effort may provide a foundation for copyright protection of works created by AI, as these works are predominantly created in cyberspace.

In the United Kingdom, the intellectual property law system grants copyright to programmers who create AI programs. The concept of copyright protection for works created by computers was addressed early on, specifically in the Copyright, Design and Patent Act 1988 (CDPA). Under the CDPA, a computer-generated work is defined as "the work is generated by a computer in circumstances such that there is no human author of the work" (Article 178 of the CDPA 1988).¹⁵ This clarification provides a foundation for addressing copyright claims for works generated by AI. The United Kingdom's approach to copyright is relatively progressive, as it makes an exception to recognize works created by a category of "authors" who are not human. However, it is important to note that the European Union has expressed an intention to adopt a *sui generis* protection

regime. This differs from a special protection regime in that a "special computer-generated works" regime does not necessarily involve a new or distinct type of protection. To accommodate works created by AI, special protection under copyright law may only require adaptations to the existing framework, such as revising the requirements for protection and determining who should hold the rights. Article 7 of the European Database Directive,¹⁶ which provides protection for databases without the need for a creative process typically attributed to human authors, serves as an example of *sui generis* protection. In contrast, the protection of computer-generated works under the United Kingdom's CDPA constitutes a special regime.

In Vietnam, the 2005 Law on Intellectual Property does not have any regulations on copyright protection for AI-generated works. Under the current law, Vietnam recognizes organizations or individuals as copyright holders,¹⁷ and entities such as computers, robots, or AI cannot be considered as copyright holders. Compared to the laws of the United States or the United Kingdom, Vietnam's Law on Intellectual Property does not yet address the issue of AI-generated works. This gap is primarily due to the 2005 Law on Intellectual Property (amended and supplemented in 2009) and its associated regulations, which lack clear and unified definitions for the concepts of "works" and "authors" and "human contribution" to the creation of a work.

First, the Vietnam Law defines a "work" as "a creation of the mind in the literary, artistic or scientific domain, whatever may be the mode or form of its expression."¹² This definition refers to the "creation" itself but does not specify whether a distinct human imprint is required to establish its originality. As currently framed, this provision implies that non-human creations could also be eligible for protection under copyright law. Although the provision can be further clarified by stating that "the protected work, must be created personally by authors through their intellectual labor without copying others' works,"¹³ it still does not address the need for a personal human imprint (distinctive trait) in the work. The phrase "intellectual labor" does not explicitly require such a distinctive trait, especially when compared with the requirements in foreign laws, as discussed in previous sections.

In addition, the concept of an "author" is specified in the 2022 Law amending and supplementing certain articles of the Law on Intellectual Property: "An author means a person who directly creates a work."¹⁸ If this definition is

⁸ *Limitation for Transitory Communications*, The Digital Millennium Copyright Act of 1998, pg.10.

⁹ *Limitation for Transitory Communications*, The Digital Millennium Copyright Act of 1998, pg.10.

¹⁰ *Limitation for System Caching*, The Digital Millennium Copyright Act of 1998, pg.10.

¹¹ *Limitation for System Caching*, The Digital Millennium Copyright Act of 1998, pg.11.

¹² Clause 7, Article 4 of the Vietnam Law on Intellectual Property 2005.

¹³ Clause 3, Article 14 of the VietNam Law on Intellectual Property 2005

followed, it suggests that the provision recognizes only humans as authors, even though the term “create” is used in a broad sense. This provision illustrates inconsistency in the Vietnamese law when it comes to AI-generated works. If a work can be created without a human author, there is no clear basis for determining the author of the work, and, consequently, its protection under copyright law.

The issue of intellectual property rights for AI-generated works is therefore creating legal challenges. According to current Vietnamese law, intellectual property rights can only be imposed on human-created works. These challenges are particularly significant when addressing disputes concerning the infringement of intellectual property rights in works created by AI or when AI itself is accused of infringing other’s intellectual property.

However, the idea of protecting intellectual property in the online environment is not new in Vietnamese law. In the context of the technological advancement driven by the Fourth Industrial Revolution, most transactions today now take place in cyberspace. From small, self-managed transactions to larger contracts governed by the 2005 Electronic Transactions Law, the Law already addresses digital transactions in Vietnam. Chapter IV of the 2005 Electronic Transactions Law focuses on security, safety, protection, and confidentiality in electronic transactions, ensuring the protection of data messages and outlining the responsibilities of network service providers and related organizations, as required by competent state agencies.

At present, the Ministry of Information and Communications is finalizing a draft law to replace the 2005 Law on Electronic Transactions to better address changes in the volume and rapid growth of online transactions. Accordingly, the revised draft law emphasizes the issue of safety in electronic transactions, as reflected in more detailed regulations on this matter. Chapter IX of the draft is titled “Data Safety and Network Information Security in Electronic Transactions” and is divided into two sections: Data Safety and Network Information Security. One article regulates the responsibilities of internet service providers, digital data centers, and digital platforms, specifically stating: “*Coordinating with relevant agencies in arranging premises and connection ports, and implementing necessary professional measures; developing management regulations and technical measures to prevent and block the use of services that spread data messages with content inconsistent with the nation’s cultural and ethical traditions, harm national security, disrupt social order and safety, or violate other provisions of law.*”¹⁹ The additional regulation on Cyberspace Information Security in the draft, an issue not addressed in the 2005 Law on Electronic Transactions, aligns with the 2015 Law on Cyber Information Security.

This law governs activities related to network information security, aiming to protect information and information systems on the network from unauthorized access, use, disclosure, interruption, modification, or destruction, to ensure the integrity, confidentiality, integrity, and availability of information (excluding national security-critical information systems, which are governed by the Cybersecurity Law).

Although current Vietnamese law does not specifically address copyright protection for AI-generated works, the government’s recognition of the need for protective mechanisms in cyberspace, particularly in the context of digital transformation, has led to actions such as the drafting of laws that adapt to the rapid changes of technology. As a result, it is likely that future Vietnamese legislation will include a protection mechanism for AI in general, and for the copyright protection of works created by AI in particular.

4. Recommendations regarding Vietnamese intellectual property law

Based on the current challenges and global approaches to identifying copyright protection for AI-generated works, this paper proposes a set of recommendations aimed at accommodating and improving the legal framework on this issue, both in general and specifically for Vietnam.

4.1. AI-generated works as a subject matter of copyright protection

To be eligible for copyright protection, works created by AI must meet the minimum requirements for creativity and originality. There are two key factors in evaluating the originality of a work: (i) the creative process involved, and (ii) the distinctive traits that make the work unique. To determine whether an AI-generated work qualifies for copyright, it is important to compare the creative processes of humans and AI.

First, both human and AI creative processes require a source of material for creation. This material can be considered a common societal resource, available for exploitation by anyone, and includes ideas, themes, cultural products, and other materials from nature or society. For example, in the case of literary works, the first source material is vocabulary; for musical works, it is chords, and so on. When humans create works, they select the material for their compositions, while in the case of AI, it is the programmers who select and provide the input data for the machine.

Second, both processes require tools for expressing the work, such as language, sound, images, and colors. These tools are often associated with the materials that

carry them, such as fabric for painting, paper for printing, or sound waves and electromagnetic waves for radio and television. Humans choose the tools to express their creative ideas, whereas AI users or operators select the “tools” for the machine to express the work.

Third, the process of creation itself differs. Based on the chosen materials and tools, the creator – whether human or AI – imprints their personal touch on the work, which expresses their thoughts, feelings, and ideas. While the general sources of material and the tools for expression can be considered “free materials” that are not subjected to copyright protection, the particular arrangement or combination of materials used by the creator is subjected to copyright protection. For example, in a painting, the unique combination of lines, colors, and compositions is what makes it original. In human-created works, the creator expresses their thoughts, concepts, and emotions through their chosen medium. For AI-generated works, the computers replace the human creators by learning from input data, selecting and processing information, and making decisions about the creation of the works. Although the creative processes differ, both human and AI-generated works can result in original and creative outputs. The primary distinction lies in whether the product is the result of human or AI involvement.

4.2. Recognizing AI as a copyright holder

In the current context of the Fourth Industrial Revolution, with the increasing prevalence of “intelligent autonomous robots,” the question has arisen as to whether robots should be recognized as subjects of legal relations. In 2017, Saudi Arabia became the first country in the world to grant citizenship to a humanoid robot with AI.²⁰ This development suggests that, if the Fourth Industrial Revolution leads to significant legal reforms – including the granting of “electronic person” legal status to intelligent robots – Copyright Law, in addition to empowering “natural” persons, will also need to consider attributing copyright to AI when it creates works. The rationale behind this proposal is to make an exception for works created by programs, even if they are entirely machine-generated.⁴

4.3. Amendment and supplement to Vietnam’s intellectual property law

For Vietnam, this paper proposes the following recommendations to better align its intellectual property law: (i) clarifying the concept of “work” to better define the condition of the originality required for protection, and (ii) introducing the concept of “author” and related provisions that focuses on protecting only those works that reflect a decisive human impact.

5. Conclusion

AI has made significant strides in the technological development process. To this day, AI continues to evolve, contributing to the advancement of various sectors of society, including the creative industry. The increasing production of high-quality AI-generated works, with potential for exploitation, makes the issue of protecting these works even more important. However, granting copyright protection to AI-generated works presents a long and challenging journey. It requires substantial changes to current intellectual property law, not only to support the copyright protection of works created by AI but also to anticipate and adapt to ongoing technological advancements. This shift will also compel society to reconsider its understanding of creativity, acknowledging that creativity is no longer solely a human attribute.

This paper has outlined the reasons for opting for copyright protection over patent protection for AI-generated works. A comparison of the current legal frameworks in international treaties to which Vietnam is a member state, along with those in foreign jurisdictions such as the United States and the United Kingdom, highlights the different approaches to copyright protection for AI-generated works and provides a clearer perspective on the matter when compared to Vietnamese law.

The paper has also proposed recommendations for both international and Vietnamese lawmakers to consider as a foundation for recognizing copyright protection for works created by AI.

Regarding general proposals, given that international law currently only recognizes copyright for works created by humans, which must involve a “creative work process,” we suggest an alternative approach. This approach would involve including AI-generated works as a subject matter for copyright protection, based on evidence of similarities in the “creative work process” between human-created works and those created by AI, thereby recognizing their creativity. In addition, the paper advocates for granting legal status to AI in the form of an “electronic person,” drawing on Saudi Arabia’s pioneering initiative in 2017.

For Vietnam, the paper recommends revising the provisions on copyright in the 2005 Intellectual Property Law in two key ways: (i) Refining the definition of a “work” by more clearly articulating the “creation” element and addressing the legal stance on the creativity of non-human-made works, and (ii) amending the concept of “author” to reflect the degree of human involvement in the creation of the work, thereby clarifying the legislator’s stance on non-human authors as discussed earlier.

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¹⁴ We note that the reference 7 can be shortened to this article only since the idea of “non- human authorship should not exist” has been expressed by Grimmelmann through his article. Grimmelmann states that no one has ever exhibited a work that could be a computer authored work (CGWs) in the sense of the Copyright act. In his article, he states that there are five reasons as to why CGWs are completely different than human-generated works. According to him, CGWs are the response to the question as to whom should be considered as the author of a CGW.

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