

Hong Kong proposes a copyright exception for AI training with an owner opt-out

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Copyright owners get to opt out amid AI law fears

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NEWS

Copyright owners get to opt out amid AI law fears

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Cheng Wong Hong Kong plans to offer an "opt-out" option to protect copyright holders in response to the proposed copyright exceptions for text and data mining in copyright laws. ADVERTISEMENT

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Director of Intellectual Property David Wong Fuk-loi said yesterday that copyright owners can simply declare they refuse to allow others to use their works, which constitutes an "opt-out." A bill to amend the Copyright Ordinance to support artificial intelligence development will be submitted to the Legislative Council in the first half. The Commerce and Economic Development Bureau is proposing the exception for both commercial and non-commercial uses, allowing reasonable use of copyrighted works in computational data analysis and processing.

Wong referred to jurisdictions like Singapore, Japan, and the European Union, noting that they have similar exemptions in their copyright systems. He said if the SAR wants to advance AI technology and maintain competitiveness in innovation, the exemptions should encompass both commercial and non-commercial applications.

AI exemptions would involve specific conditions, such as ensuring that copyrighted works are obtained legally, avoiding infringements and keeping records of the source. To safeguard the interests of copyright holders, the administration is introducing the "opt-out" option to enable them to retain the right to prohibit the use of their materials for training AI models.

Deputy chairman of the panel on commerce, industry, innovation and technology, Johnny Ng Kit-chong, expressed fears that if a significant number of copyright holders chose to opt out, it could hinder regional AI development.

David Wong

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