



# MUSIC IN THE DIGITAL AGE

INTERNATIONAL CONFERENCE | DIGITAL TECHNOLOGIES AND ARTISTS' RIGHTS

ATHENS, OCTOBER 22-24, STAVROS NIARCHOS FOUNDATION CULTURAL CENTER

## INTERVENTIONS

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**Music in the Digital Age: Streaming & Artificial Intelligence** has been a three-day international forum organized by APOLLON (Greek CMO for musicians' neighboring rights) and FIM (International Federation of Musicians). Against the backdrop of **AI-generated content and the dominance of streaming platforms**, the conference examined how **revenue models, legal frameworks and artistic labor are being reshaped** in a digital economy that prioritizes scale over sustainability.

Bringing together artists, journalists, industry professionals, legal experts, academics, policy makers and technologists, the event focused on three core questions:

- How to build **sustainable and equitable compensation** models in a saturated streaming market?
- How to protect creators' rights when **AI is trained on and competes with their work?**
- What role should legislation play in **securing ethical AI and fairer digital markets** without stifling innovation?

Tilo Gerlach (AEPO ARTIS, GVL) addresses the severe threat AI poses to performers, from direct competition to displacement. Highlighting the failure of current "opt-out" mechanisms and the inadequacies of the EU TDM exception, Gerlach argues that licensing individual inputs is practically impossible.

# INTERVENTIONS | TILO GERLACH

## GenAI In The Entertainment Sector: Potential Legislative Solutions

**Athens, October 24, 2025**  
**Stavros Niarchos Foundation Cultural Center**

Distinguished guests, dear colleagues, dear friends of APOLLON

My name is Tilo Gerlach. I'm president of AEPO ARTIS as well as managing director of the performers' side in GVL. I'm so sorry for not being able to attend your marvelous conference, and I feel very honored to be asked to contribute with a video message.

When we talk about generative AI, we face a huge challenge for performers. They risk to be fully replaced by AI. We know that a very short piece of a recording can be combined with any literary or musical work, and this can generate a full interpretation of that specific piece by a performer who never performed that.

And there's another challenge we face; that's the competition the performers have with AI content. Nearly one-third of the new content, content uploaded to the streaming platforms is fully AI generated and is also taking a share of income which is low enough anyway. What can be the solution? I think it's obvious that there are rights of performers involved both in the training of AI as well as in the output.

We know from the DSM directive that there's this weird exception for text and data mining, the TDM exception, which now is regarded as, the proper exemption for training AI. Of course, to be on the safe side, an opt-out has to be declared. And here, I think performers' collective management organizations, the collecting societies, are in the game.

They have to declare this opt-out on behalf of their performers in all, in order to safeguard their rights. But nobody can run a system just with, uh, the limitation for the training. We all know that the output is also a reproduction often as well as a making available right.



So, we face the fact that licenses have to be achieved. But is that feasible? Who can do that? There are the labels when it comes to music, who are very keen to do that, and they already did some agreements with AI companies. However, do they have these rights?

Are they really transferred? Of course, in new contracts, there might be provisions, and there might be certain cases where specific AI rights have been achieved afterwards. But, in general, for old recordings, AI training and output is a unknown use. It's a new use not covered by the contracts at the time when these contracts have been closed.

So in principle, they are in a very vague position, and there's, there are good reasons for performers' CMOs to act on behalf of the performers when it comes to the licensing for those who do want to license AI use or for enforcing not to use the content for those who do not want to.

What does this mean in practice? I think the biggest challenge when it comes to AI training and output is the lack of transparency which could be solved by certain transparency obligations. In principle, any performer must be in a position to know if his or her performance has been used for training or is included in certain output data.

Can this be the basis of a licensing model? I very much doubt. I personally think that we are faced with a uncontrollable market, and this reminds me of the private copying regime we also had where control should not take place but in order to remunerate performers, the levy system was involved.

That's exactly what we need for AI as well, both for input and output, an unwaivable remuneration right under compulsory collective management. I wish you a fruitful conference. You may discuss about these aspects as well. Thank you very much. Goodbye.

**Tilo Gerlach,**  
**President of AEPO ARTIS, Managing Director of GVL**

