# Advertising industry grapples with AI training on copyrighted art amid ethical and legal battles



Amid ongoing developments in the intersection of artificial intelligence and copyright law, the advertising industry is facing significant challenges as it seeks to integrate AI technologies while respecting the rights and livelihoods of creators. The controversy surrounding the training of AI models using copyrighted material has gained renewed attention, particularly following comments from renowned filmmaker Hayao Miyazaki. In a recently resurfaced 2016 video, Miyazaki described AI as “an insult to life” and stated he would “never wish to incorporate this technology into my work at all.”

This commentary has brought to the forefront ethical concerns regarding the use of AI tools trained on creative works protected by copyright, especially as new image-generating technologies allow users to replicate the distinctive style of Studio Ghibli animations—much to the dismay of artists. Notably, Studio Ghibli's style was used as the ideal for a new tool by ChatGPT, which led to an influx of Ghibli-inspired portraits online, prompting debate over copyright breaches. ChatGPT's CEO, Sam Altman, even adopted a Ghibli-style profile picture, raising questions about whether such use was licensed.

Artist Karla Ortiz expressed strong concern over the exploitation of Ghibli’s brand, stating to the Associated Press, “That’s using Ghibli’s branding, their name, their work, their reputation, to promote (OpenAI) products. It’s an insult. It’s exploitation.”

In response to these challenges, major tech companies like OpenAI and Google are lobbying for legislative changes that would allow them to use copyrighted materials for AI training, framing their arguments around national security. Some nations, including Japan and Singapore, have made legal amendments to support such practices, while the UK and Hong Kong are considering similar paths. Critics argue these measures threaten the notion of fair use, asserting that if companies are required to compensate artists for the use of their work, the financial implications should not deter the development of AI technologies.

Seth Hays, managing director at APAC Gates, noted that some governments are exploring options for text and data mining exceptions to copyright laws aimed at fostering investment and innovation in the AI sector. However, he highlighted the complexities of allowing copyright owners to opt out of this training process.

Moreover, there are calls from industry groups for new rights to safeguard creative works. The Japan Anime Association, for example, advocates for legislation that protects distinct artistic styles, while copyright management organisations are suggesting systems for collecting fees on behalf of creators to ensure their work is respected financially.

Amidst these developments, Marc Hoag, an attorney specialising in AI and copyright law, presents an opposing view, arguing that the assertion of harm caused to creators by AI training is misguided. He explains, “AI doesn’t store or retrieve works; it transforms patterns into weights,” and he believes that regulatory focus should be placed on how AI outputs are used, particularly when they infringe on existing copyrights.

The tensions in this landscape are palpable, with numerous lawsuits initiated by visual artists and publications against AI companies alleging copyright infringement due to the large-scale ingestion of digital images. The advertising sector, heavily reliant on creative output, is proceeding cautiously amid these legal uncertainties. Michael Titshall, APAC CEO of RGA, underscored the necessity of using platforms with proper agreements that clearly outline rights and responsibilities.

Titshall remarked, “If a tool allows the public to generate anything without limits… that’s a red flag,” signalling a commitment to originality in the face of evolving technology. He suggested that while text and data mining could potentially qualify as fair use, intent and respect for original creators must remain a priority.

To address these pressing issues, advertising agency BBDO has initiated a global innovation and AI community council to explore best practices for integrating technology with creative integrity. Camilla Gleditsch, head of agency communications at BBDO Asia, affirmed the importance of maintaining creative integrity, stating, “AI should support great thinking, not shortcut it.”

As the legal landscape for AI continues to develop, stakeholders express a pressing need for frameworks that balance the interests of copyright owners, AI developers, and consumers. While the future remains uncertain, there is broad consensus that AI companies should adequately compensate artists whose work is utilised in training models. Gleditsch articulated the shared sentiment, noting, “If a model benefits from someone’s creative work, that value should be acknowledged.”

In contrast, other voices in the industry argue that the utilisation of diverse training datasets constitutes fair use. Katya Obolensky, managing director at VCCP, indicated a belief that limiting compensation to individual pieces of training data could centralise power among a handful of large companies, undermining the industry’s health.

As discussions around compensation and creator rights unfold, the advertising field seeks to navigate a path forward that upholds the integrity of creative work without stifling technological innovation. Titshall concluded, asserting that a balance could be achieved if the fundamentals of compensation in creative industries are accurately mapped onto the emerging AI landscape.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.openculture.com/2017/03/hayao-miyazaki-tells-video-game-makers-what-he-thinks-of-their-characters-made-with-artificial-intelligence.html> - This article discusses Hayao Miyazaki's strong disapproval of AI-generated animations, describing them as 'an insult to life itself.'
2. <https://www.ibtimes.co.uk/legendary-animator-hayao-miyazaki-slams-ai-generated-animation-insult-life-itself-1596036> - This piece highlights Miyazaki's condemnation of AI-generated animations, emphasizing his belief that such technology lacks sensitivity to human experiences.
3. <https://www.the-independent.com/arts-entertainment/films/news/studio-ghibli-chatgpt-openai-hayao-miyazaki-trend-copyright-b2723114.html> - This article covers the controversy surrounding AI tools replicating Studio Ghibli's style, including comments from Hayao Miyazaki and concerns over copyright breaches.
4. <https://www.reuters.com/technology/artificial-intelligence/ghibli-effect-chatgpt-usage-hits-record-after-rollout-viral-feature-2025-04-01/> - This report details the surge in ChatGPT usage due to its new Ghibli-style image generation feature and the ensuing discussions on copyright implications.
5. <https://www.ibtimes.co.uk/legendary-animator-hayao-miyazaki-slams-ai-generated-animation-insult-life-itself-1596036> - This article discusses Hayao Miyazaki's strong disapproval of AI-generated animations, describing them as 'an insult to life itself.'
6. <https://www.ibtimes.co.uk/legendary-animator-hayao-miyazaki-slams-ai-generated-animation-insult-life-itself-1596036> - This article discusses Hayao Miyazaki's strong disapproval of AI-generated animations, describing them as 'an insult to life itself.'
7. <https://news.google.com/rss/articles/CBMipAFBVV95cUxPalZWT2p4SjczM09BaG5nV09vNHdWR1pzSF96V1NiS2RkRzd6ckNxV2NSaUdkbWVUTlNTWGRIeDNScDhfQTJNU2tKZ2FXeklVYS15YmZyWS1kVVQtZDRialB4d0VPQkhtSWZiYjZNLWJhd2wyZWhXdmk5NkJfNTJTR3U5M0I4M29pb0RRbF85YWRTN0NsbHFMNUxuUDFVMHdTMGVVMg?oc=5&hl=en-US&gl=US&ceid=US:en> - Please view link - unable to able to access data