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AI can't control the industry

With quick technological advancements, tools like ChatGPT have begun introducing brand new sets of challenges for lawmakers and the public when it comes to authorship, copyright, and authenticity. There are many ongoing debates about the originality of the content created by generative-AI since all it does is repurpose what it has already seen and reworked into the given prompt. However, this process is not limited to images or videos but also includes audio and music. This feature became really popular for being able to simulate celebrity's voices leading to fun interactions, voice mails, or even music. Now imagine if someone not only used the AI-generated vocals of their favorite singer to create a new song but also submitted it to one of the most popular music awards, The Grammys. Who would win the award and recognition? The singer whose vocals and reputation were used, or the anonymous songwriter who used them?

In April 2023, TikTok user @ghostwriter977, posted a video of himself listening to a brand-new AI-generated song which borrowed vocals from well-known artists Drake and The Weeknd. The video blew up overnight gathering over 15 million views in the next few days reaching instant virality. Within the next few days the newly released song, *Heart on my Sleeve*, gathered over 600 thousand streams of Spotify and other streaming platforms. The song's quick success brought to light not just the very real concept of AI music but igniting an Internet wide debate about its use. Major record labels like Universal Music Group, the label behind both artists, promptly got the song removed from TikTok, YouTube, and all the major streaming services in order to protect its artists' likeness (BBC News, 2023). But it was too late, the song had already hit major levels of virality, creating a critical turning point when it comes to advancements in AI.

In September of that same year, Ghostwriter submitted *Heart on my Sleeve* for *Best Song of the Year* and *Best Rap Song* categories for the Grammy Awards. Given that Ghostwriter, a human, wrote the song, the awards committee accepted into their submissions like any other track. However, this track called many aspects of the song submission into question. Who would be awarded for it? If nominated, would the song be credited to the artists whose vocals were used since the song was advertised as theirs? Or would it be awarded to Ghostwriter, who wrote and produced the song. Technically speaking neither Drake nor the weekend participated in the making of this song so it wouldn't be fair that they were awarded. If so, just awarding Ghostwriter wouldn't be fair

since the vocals used weren't his, and it could be argued it mainly gained traction because of the borrowed vocals. Many even questioned if the song deserved to even be considered at all.

Even if Ghostwriter wrote the song himself, this issue is not just about simply borrowing someone's vocals since borrowing someone's likeness could infringe on intellectual property and copyright. This could easily fall into the category of fraud or even go as far as identity theft since it could be argued that Ghostwriter used their vocals because of the artists pre-existing fame for clout. Likewise, WIPO copyright principles protect original works and performances (World Intellectual Property Organization). AI imitations can easily blur the lines on these protections and prevent artists from protecting their crafts. However, this goes beyond just copyright, it is a very clear breach of consent which infringes on many likeness' rights. Even if Ghostwriter said, "[he] will clearly label it as AI and [he will] direct all royalties to [The Weekend and Drake]," it doesn't change the fact that neither artist consented nor authorized their voices to be replicated for Ghostwriter's track. A singer's voice is till their intellectual property and brand identity so even if they are given royalties and paid for their vocals being used, it still disrespects their individual autonomy and undermines their ownership rights (Chen, 2023). For example, other entertainment industry standards like SAG-AFTRA and many music unions like the American Federation of Musicians, emphasize consent in use of likeness and voice (SAG-AFTRA, 2023). They specifically advocate for legislation like *NO FAKES Act* which extends protection to musicians to ensure that their voices and likeness cannot be exploited without authorization.

It is unclear if Ghostwriter ever ended up facing any legal repercussions for his song, however, his use of the vocals still breaks multiple ethic codes. The PRSA code of ethics states professionals must avoid misleading representations (Public Relations Society of America). Using Ai that mimics another artist without disclosure is dishonest. By using another famous individual's vocals for his track, Ghostwriter was essentially deceiving an audience who might have thought the track was really by those artists. Even if Ghostwriter disclosed the song as being AI in his original video, the songs vitality blew it out of proportion quickly removing it from the scope of his TikTok account and essentially "passing off" the song as theirs (Vincent, 2023). The Society of Professional Journalists code of ethics states journalists and communicators should respect a subject's rights and dignity (Society of Professional Journalists, 2024). This is not just a code of ethics followed by journalists, but an ethical standard designed to protect individuals' autonomy and identity. At the end of the day, the submission got him nowhere since, after some deliberation by the awards committee, the song was in fact no longer eligible for a

nomination for 2024 Grammy nomination given that the vocals were obtained illegally (Morrison, 2023).

However, even if the submission officially didn't go far, it still opened a whole other can of worms when it comes to creating AI music. The possibility of accepting AI-generated content into the awards could affect not only the legitimacy of the awards themselves but harm future artists who would have to compete with a computer. If anyone with OpenAI can essentially submit anything, it means losing the prestige of the award as well as undermining the artists who put legit work into their craft. CEO of Recording Academy, Harvey Mason Jr., even commented on the matter stating "[they] know AI is going to play a role in our business. [they] can't pretend to turn our back on it and try to ban it" (Mamo, 2023). While he later took back this statement when they removed the song from the running, he is not wrong. It's true that AI is going to continue to slowly incorporate itself into more of our daily lives, but it is important to try and create a separation between AI-generated and human work. Giving into a single AI-adjacent song can create a precedent that opens the gates for similar works to enter the event. This could lead to a slow transition into more and more computer-generated work into a competition where the hard work, effort, and heart of its artists and teams are supposed to be valued. Perhaps if the academy wanted to be more open to AI-generated music, since it will inevitably keep crossing over, they could incorporate a category for AI itself. The academy is not new to creating new categories for newly evolving genres, so it could be something to be proposed at next year's committee. This way they can still maintain the legitimacy of their awards, protect artists and musicians' hard work, and also modernize with this fast-evolving technology within the music industry. They could even have several checkpoints to avoid AI music ever crossing over to the regular categories and maintain a clear separation between musical talent and craftsmanship, and AI.

While AI seems intimidating and scary it is important to understand and evolve with it not necessarily against it. It can create a multitude of things using its fast-learning algorithm which can help us along in the creative process. While true that Ghostwriter was in the wrong by using Drake and The Weeknd's vocals without consent, he had an innocent idea. As a musician or writer all you want is to find the perfect person to sing your song, especially if you yourself are not good at singing yourself. Writing songs requires a level of craft that is not easy to replicate using AI, which is why completely dismissing Ghostwriter's song by saying he doesn't deserve the Grammy nominee can be a little unfair. After all, people enjoyed his song and liked his lyrics for what they were. Many could say he took advantage of the already popular artists to gain traction for his song, but it is impossible to know if the popularity of the track would have been any different if he would have released it using his own or someone else's vocals instead of AI. Perhaps the virality of

it all would have differed. At the end of the day, we will never know unless he re-releases it without the aid of AI. Perhaps instead of using AI, Ghostwriter could collaborate with another underground artist and help elevate both of their careers. When it comes to the Grammy's, they should be able to modernize but still maintain their prestige while protecting artists they claim to value. If it is inevitable that AI will enter the industry, they should get ahead of the game and create an AI category. While it could receive some backlash, it is better than having AI-generated content be submitted for other categories. Now, even though artist's vocals are protected under copyright law, with AI replicas in the mix lawmakers will have to catch up and create new frameworks to deal with impersonations of this magnitude. Artists deserve to be protected from impersonations and AI replicas. When it comes to ethics there is not right answer, just the one that can cause less harm, and I believe that option is to protect people and artists from AI, while also being open to incorporation since it cannot be evaded.

Resources

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