

Do Machines Have More Rights than Readers? Revisiting Readers' Rights in AI Copyright Debates

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In what feels like a new chapter of the copyright wars, authors, developers, artists, and media groups are now engaged in fierce legal battles against machines that are “reading” and “learning” from their works without their permission. The number of copyright lawsuits against AI companies continues to grow capturing the attention of lawyers, scholars, and commentators alike, and giving rise to renewed debates about the rationale, scope, and limits of copyright law in the age of AI.

Against this backdrop, this paper argues that contemporary debates on copyright and AI present an opportunity to revisit the concept and utility of a human right to read. Specifically, it invites a reconsideration of the scope of the public domain and the legal balance between exclusive rights of authors and the rights of readers. To advance this argument, the paper considers two future hypotheticals: one where rightsholders who initiated ongoing legal battles against AI companies prevail, and another in which they do not.

By centering the discussion on readers, this paper seeks to contribute a perspective that remains significantly underexplored compared to the extensive focus on authors' rights. It seeks to reengage with earlier discussions of a right to read while also examining emerging calls for a right to research within both domestic and international copyright law, thereby expanding the legal conversation around access to knowledge and the public interest in the age of AI. It further introduces a critical distinction between human readers and machines, which are increasingly outcompeting humans in their capacity to “read” and “learn” from sources. Cognizant of the tendency to anthropomorphise AI, the paper uses the term reading both in its literal sense, pertaining to human activity, and in its metaphorical sense, denoting machine processing of text.