



Watch what you sign!

This is an important update following [our digital music plan](#) about looking after your rights, taking into account concerns raised by members.

Concerns have been raised with IMPALA by members about their rights in the current context of i) AI focused litigation and ii) commercial negotiations attempting to secure AI training and other rights in contracts. Be aware!

With AI being such an important issue (litigation, commercial negotiations), all members are advised to be cautious:

- confirm your rights are reserved (as already advised multiple times, download our guidance [here](#))
- check all contracts that you have - with your distributor and all digital services
- check any new contracts you may be asked to sign
- consider your negotiating position, rely on collective negotiations if you need more strength to resist certain terms that services may try and impose or incentivise rightsholders to sign
- reject attempts to undermine collective negotiations, reach out to Merlin or your distributor if you are concerned (remember what happened with TikTok)
- make sure rights for AI rights are not just included without distinct negotiation and remuneration
- refuse any rights you don't have or may not have cleared (eg artist likeness unless you have those rights)
- discuss overall AI approach with artists (which we have recognised in our digital music plan as positive)
- think of the long term as well as the short term, for example what will the prospects be if you sign away rights or agree they were already granted?
- if you have signed anything you are concerned about, rescind and get legal advice

This is important as regards commercial agreements, litigation and basically members' ability to simply say no, as well as recover compensation. In essence, members should be aware of any attempts to imply that rights have already been assigned or should be assigned as part of commercial negotiations for use of recordings for other services, as well as any attempt to undermine your ability to rely on collective negotiation.

Concerns have been expressed to IMPALA in this regard and members should be very careful and not sign any new terms unless they are fully satisfied.

The same applies to terms with moment economy services such as TikTok - if you prefer a collective negotiation, for example through Merlin, then that should be made clear well ahead of any renewals.