GENERATIVE AI AND CELEBRITY/PUBLIC FIGURE IMAGE STIMULATION LICENSING AND WHAT WILL THIS ARRANGEMENT MEAN TO THE FASHION INDUSTRY

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ABSTRACT

The research paper delves into the emerging concept of celebrity stimulation rights in the context of advancing Image Generative AI and the proliferation of deepfake technology. In light of the rapid progress in AI platforms such as Midjourney, DALL-E, and Stable Diffusion, there is a pressing need to reconsider the privacy rights of public figures.

The paper explores the potential for celebrities to license their images, allowing AI to generate their presence in various projects without their physical participation. This shift opens up new business relationships, prompting public figure managers to incorporate stimulation rights into contracts. The technology's ability to rapidly advance suggests a future where renowned personalities can be virtually present across multiple engagements simultaneously, even beyond their lifetime.

The impact on the fashion industry is a central focus, with the paper predicting a transformative effect on content production. Celebrities can grant image licenses for faster, cost-effective creation of communication content, eliminating scheduling constraints. This paradigm shift allows for greater creative expression, unbounded by budget limitations. The paper contemplates the potential to immortalize individuals, transcending the boundaries of age, health, and mortality. While this idea may currently be unsettling, the paper suggests it is on the verge of becoming a reality, envisioning a future where iconic magazine covers and editorial photoshoots are merely a prompt away, reshaping the dynamics of the fashion industry and challenging traditional notions of celebrity presence.

INTRODUCTION

In the ever-evolving landscape of technology, we find ourselves at a pivotal juncture where the intersection of human abilities and machine capabilities propels us into a realm with no turning back. The advent of artificial intelligence (AI) signals not just a phase but a permanent shift, destined to transform the way we operate. AI's role extends beyond mere automation; it serves as a powerful tool for augmentation and acceleration, reshaping industries across the board. One such domain at the forefront of this technological wave is the fashion industry.

Early adopters and innovators in the fashion world are actively exploring the multifaceted applications of generative

AI. Beyond its utility in product design, generative AI proves to be a game-changer in content creation, marketing campaigns, and rapid customer outreach. The inherent time pressure imposed by the seasonality of the fashion business makes the integration of generative AI particularly advantageous. This technology enables the production of textual, audio, and visual content, including static imagery and videos, at an unprecedented speed and significantly lower cost.

A notable illustration of the collaboration between human creativity and artificial imagery is exemplified in the May 2023 Vogue Italia cover featuring Bella Hadid. Shot in an empty studio, the entire backdrop and surroundings were generated using AI DALL-E, a creation of AI artist Chad Nelson.

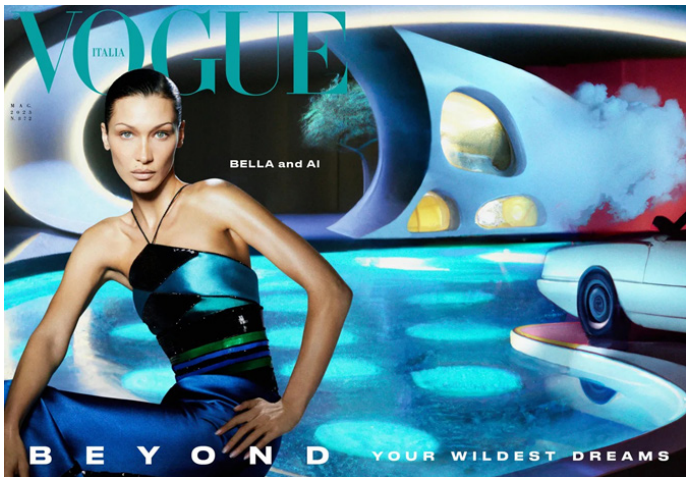

Fig. 1 Bella Hadid on the May 2023 cover of Vogue Italia

Fig. 2 GAI Prompt - “Model lying on giant vintage computer while typing on a keyboard”

The endorsement of generative AI by a prominent fashion entity like Vogue underscores its increasing relevance and imminent widespread adoption.

CELEBRITY AND PUBLIC IMAGE STIMULATION USING GENERATIVE ARTIFICIAL INTELLIGENCE

As technological advancements unfold, one intriguing and challenging aspect of generative AI emerges in the realm of celebrity and public figure image stimulation. A noteworthy example is actor Bruce Willis, who, following his announcement of illness, appeared in a commercial for a Russian wireless company, courtesy of the AI firm Deepcake. This development hints at the potential evolution of new business relationships and an expanded scope for individ-

uals in the public sphere.

In the age of social media dominance, models like Kendall Jenner and Gigi & Bella Hadid have elevated personal branding to an art form. Now more than ever, models recognise the transformative power of their image in becoming aspirational brands. Consequently, models must invest considerable effort in safeguarding the legal rights associated with their image and likeness. The right of publicity, traditionally available to models, can be adapted to protect their image and likeness even in the virtual realm. Public figure managers are actively exploring the inclusion of celebrity stimulation rights or celebrity image/likeness licensing in contracts, aiming to safeguard the AI property of public personalities from potential misuse.

A groundbreaking development in the realm of celebrity image licensing unfolded when Meta Founder Mark Zuckerberg introduced AI chatbots at the Meta Connect conference in September 2023. These chatbots, sharing likeness with celebrities such as Kendall Jenner, Snoop Dogg, and Tom Brady, added a new dimension to the interaction between AI and public figures. Reports suggest substantial payments, up to $5 billion, were made to A-listers for granting rights to use their faces for the AI chatbots

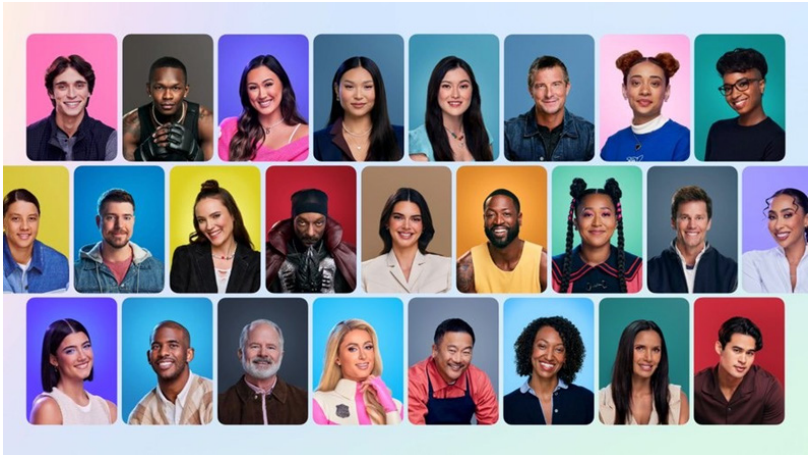

Fig. 3 Meta Launches AI Chatbots for Snoop Dogg, MrBeast, Tom Brady, Kendall Jenner, Charli D'Amelio and More

Further indicating a broader future in image licensing are examples of Image and Voice likeness banks like Metaphysics AI. The Metaphysics Pro tool enables users to scan their likeness, staying ahead of potential exploitation. This platform promises to future-proof AI performance, allowing individuals to own their AI datasets and build a portfolio of their most crucial assets — their voice, face, and performance. Successful endeavours include live content creation, such as Elvis Presley's deepfake live performance on America's Got Talent, and the viral @DeepTomCruise. The company has even achieved de-aging of actors like Tom Hanks for Hollywood projects, showcasing the revolutionary power of AI in shaping the future of entertainment.

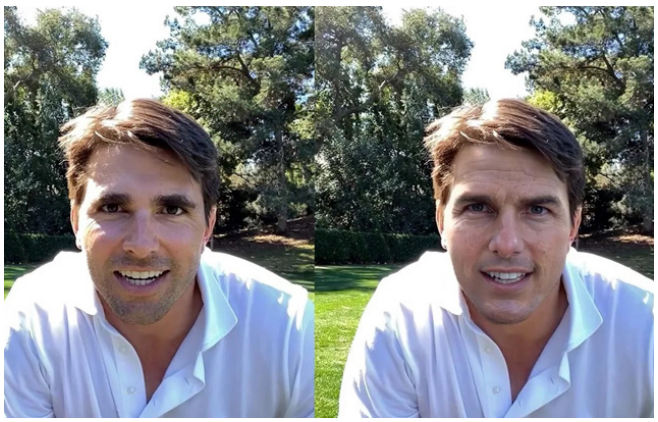

Fig. 4 Actor Miles Fisher appears on the left, while the deepfake depicting him as Tom Cruise is on the right.

In the context of the fashion industry, these advancements have significant implications. The fashion sector, always racing against time, stands to benefit from the ability to produce communication content at an accelerated pace and reduced costs. Celebrity brand endorsements can become more agile, no longer constrained by the schedules of the celebrities themselves. Securing a celebrity image license for their face, voice, and performance would suffice to produce content, eliminating the limitations imposed by budget constraints. This sets the stage for broader and more innovative creative expressions.

A groundbreaking collaboration between visionary VFX and AI artist Atara and the Fashion Innovation Agency (FIA) at the London College of Fashion exemplifies the transformative potential of AI-assisted generative art. This project seamlessly blended cutting-edge AI generation and VFX technology, resulting in a mesmerising hyper-realistic runway experience. Drawing inspiration from the distinctive styles of iconic fashion designers, this collaboration aimed to showcase the transformative potential of AI in shaping the future of fashion shows.

Looking ahead, the AI assets of a celebrity model or influencer, often referred to as digital twins of supermodels, could be utilised to showcase AI-generated collections at fashion weeks. This possibility not only allows these digital twins to be available for multiple engagements simultaneously but also represents a paradigm shift in the way fashion presentations can be executed.

Beyond the constraints of youth, age, health, and mortality, there is the prospect of immortalising public personalities such as actors, models, and influencers through generative AI. While this notion may currently be unsettling, it is not far from becoming a reality, reflecting the profound impact of AI on our perception of time and existence.

THE MISUSE OF GAI (GENERATIVE AI) IN FASHION

However, the world of generative AI is not without its dark aspects. The fashion industry, notorious for its non-inclusive practices, is already showing signs of unethical use of this technology. In October 2023, Taiwanese model Sheeren Wu accused renowned fashion designer Michael Costello of publishing her AI-altered image, replacing her face with that of a white model. This incident raises concerns about the ethical considerations surrounding the use of AI in the fashion industry.

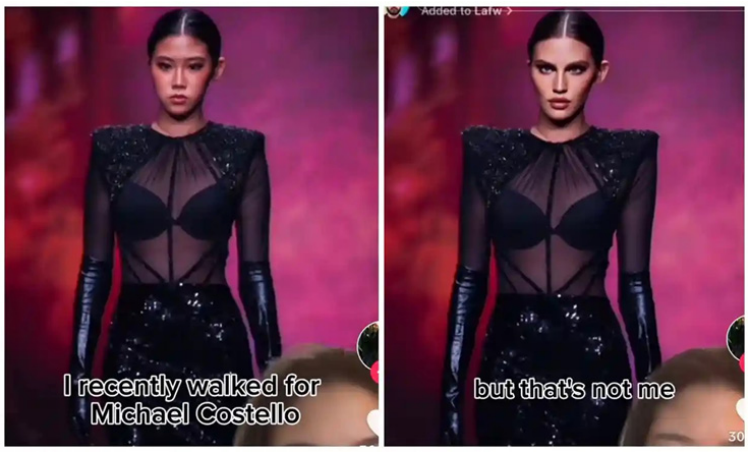

Fig. 5 Shereen Wu says the designer Michael Costello altered her runway photo to appear white. Photograph: TikTok user @shereenwu

There's a potential concern that AI could impact smaller fashion models, as the cost-effectiveness of generating new faces might lead brands to opt for AI-generated models instead of paying for image licensing, potentially impacting the business of traditional fashion models.

Another concern revolves around the concept of "Diversity Illusion," as seen in the case of Levis. The brand announced its intention to use more diverse AI-generated models via lalaland.ai, aiming to offer a broader spectrum of representation. However, this move was met with backlash, with critics arguing that it might create an illusion of diversity without addressing actual lack of diversity behind the scenes. This underscores the need for a careful and ethical approach to the development and deployment of AI technologies in the fashion industry.

THE NEED TO EMBRACE THE TECHNOLOGICAL ADVANCEMENTS AND STAYING AHEAD OF THE DIGITAL COMPETITION

Looking forward, there is a likelihood of the virtual world generating its own league of synthetic celebrities, akin to Kendall Jenner and Linda Evangelista. Digital models may develop their own personas and engage in a virtual struggle for supremacy. In this scenario, it becomes judicious for real-world models, influencers, and celebrities to assert legal rights over their digital twins. This not only ensures the continuation of their supremacy in digital space too but also positions them to own more assets in the rapidly expanding digital world.

CONCLUSION

In conclusion, the intersection of generative AI and the fashion industry presents a paradigm shift, enabling rapid content creation, innovative marketing strategies, and the potential for groundbreaking collaborations. The incorporation of celebrity image stimulation, as exemplified by Meta's AI chatbots and the emergence of image and voice likeness banks, introduces new dimensions to brand endorsement and content production. While this promises efficiency and creative freedom, it also raises ethical concerns, exemplified by instances of AI-altered images and the potential for a diversity illusion in AI-generated models. The future of fashion lies in a delicate balance between technological advancement and responsible use, necessitating vigilant protection of legal rights for both real-world models and their digital twins. As we embark on this transformative journey, the fashion industry must navigate the complexities of AI integration with caution, ensuring inclusivity, ethical practices, and a genuine reflection of diversity in the digital landscape.

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