

EU AI Act vs Interim Measures for Generative AI Service Management

Editorial verdict: **asymmetric** — see comparison narrative below.

EU · BINDING REGULATION

EU AI Act

EU-AIA-2024

TREATMENT OF TRAINING-DATA RIGHTS

implicit

Recital 105; CDSM Directive provides primary copyright framework

Primary source: [Regulation \(EU\) 2024/1689](#)

CN · BINDING REGULATION

Interim Measures for Generative AI Service Management

CN-GENAI-2023

TREATMENT OF TRAINING-DATA RIGHTS

governs

Art. 7 (legal source + IP requirements)

Primary source: [CAC Order No. 15](#)

What this comparison shows

One regime addresses the topic explicitly while the other covers it only implicitly or not at all. This is a likely site of regulatory arbitrage and a candidate for comparative-law follow-up.

Contested question: Does the EU CDSM Directive's TDM-exemption cover commercial foundation-model training? Major active litigation (NYT v OpenAI, Getty v Stability) and parallel claim regimes in UK/JP/US.

Bibliography

1. [Regulation \(EU\) 2024/1689](#) — EU AI Act.
2. [CAC Order No. 15](#) — Interim Measures for Generative AI Service Management.
3. [Policy Window — Training-Data Rights](#) (cross-jurisdiction topic article with full coverage matrix).