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GEN AI Guiding Principles

Guiding Principles
Given the sensitivities around using generative AI tools and the evolving legal and ethical landscape, it is critical to act responsibly when incorporating these technologies into creative workflows. GEM asks all partners to consider the following guiding principles before applying GenAI in any production process:

- Outputs must not replicate or substantially mimic identifiable characteristics of copyrighted or third-party materials without authorization.

- The generative tools used should not store, reuse, or train on production inputs or outputs.

- Wherever possible, GenAI tools should be operated in secure enterprise environments to protect sensitive production data.

- Generated content is intended to be temporary and should not automatically become part of the final deliverables.

- GenAI must not replace or simulate talent performances or union-covered work without explicit consent.

If you can confidently affirm all of the above, simply informing your GEM contact may be sufficient. If you are unsure or cannot confirm compliance with any principle, escalate to your GEM contact for guidance before proceeding, as written approval may be required.

For partners using a custom GenAI workflow—built from multiple tools or models—the same principles apply. Additional details are available from your GEM contact.

Use Cases That Always Require Written Approval

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Certain situations require both reporting intended use and obtaining written approval before proceeding:

1. Data Use
Protecting personal data and creative rights is critical when using GenAI. Since these tools require input data to generate outputs, the handling of that data matters:

- **Proprietary or Personal Information:** Do not input GEM-owned materials (e.g., unreleased scripts, assets, production images) or personal data (e.g., cast or crew details) into GenAI tools without explicit authorization.

- **Third-Party or External Talent Assets:** Do not train or fine-tune models with material from artists, performers, or rights holders unless proper legal clearance has been obtained.

- *Example:* Training a visual model using a library of an artist's past work without clearance from GEM or the talent.

2. Creative Output
AI-generated content should be handled carefully, particularly if it appears on screen or affects key story elements:

- **Generation of Key Creative Elements:** GenAI should not create main characters, central visual elements, or critical story settings without written approval.

- *Example:* Using GenAI to generate a central prop or character pivotal to a scene.

- **Copyrighted or Estate-Controlled Material:** Avoid using prompts or inputs referencing copyrighted works or likenesses of public figures or deceased individuals without proper permissions.

- *Example:* Generating imagery inspired by a copyrighted photograph or replicating features of a known performer.

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3. Talent & Performance

Respecting performers' rights is essential:

- **Synthetic or Digital Replicas:** Do not create digital representations, voices, or likenesses of talent without documented consent and adherence to applicable guild or union rules.

- **Significant Alterations to Performances:** Exercise caution when modifying a performance's tone, delivery, or intent, as even subtle changes may have legal or reputational consequences.

- *Example:* Altering lip-sync or facial performance via visual ADR.

4. Ethics & Representation

Audiences should trust what they see and hear. GenAI can blur lines between fiction and reality if used carelessly:

- **Misleading or Misrepresentative Content:** Avoid producing content that could be interpreted as real events, statements, or people if fabricated.

- *Example:* Generating a fake news segment featuring a real journalist.

- **Impact on Union Roles:** Ensure GenAI does not replace or materially affect work normally done by union-represented actors, writers, or crew without proper agreements.

Confidentiality & Data Protection

Using GEM-approved enterprise tools adds security for input data. These tools:

- Prevent capture, reuse, or resale of your inputs

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- Protect sensitive materials such as scripts, production images, and talent visuals

Even with secure tools, sensitive content (talent likeness, unreleased footage, contracts) must still be escalated to your GEM contact.

When using non-enterprise AI tools, ensure they do not store or train on your inputs or outputs. Always review the tool's terms and conditions, and consult your GEM contact with any questions.

Final Output vs. Temporary Media

Any GenAI-generated content included in the final cut—even in background elements—can create legal, copyright, or trust considerations. Flag such elements early if they will be seen or heard on screen.

- Temporary props or background assets may be generated with GenAI for concept purposes, but if they become prominent or story-critical, human review and legal clearance are required.

- Use GenAI for mockups or ideation, but the final deliverable should involve substantial human creative input.

Talent Enhancement

AI-altered performances or digital replicas raise unique legal, ethical, and reputational concerns:

- **Digital Replicas:** Consent is required to generate outputs recognizable as an identifiable performer. No additional consent is needed if the result:

  1. Remains substantially as originally scripted or performed

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2. Depicts actions unsafe for a human

3. Alters the performer's appearance to be unrecognizable

- **Digital Alterations:** Standard post-production adjustments (cosmetics, wardrobe, timing, noise reduction, dubbing) generally do not require extra consent.

- **Model Usage:** Any models trained for talent manipulation must only be used for the current production and within agreed terms with the performer. They must not be reused for other projects without explicit consent.

- **Quality Assurance:** Test outputs early for creative and technical quality. Avoid modifications that could harm the performer's reputation, dignity, or image.

Following these guidelines helps GEM partners navigate AI workflows while respecting performers' rights and integrity.

Custom Workflows & Vendors

- **For Vendors:** Every stage of a custom GenAI pipeline must meet GEM's standards for data protection, consent, and content integrity.

- **For Production Partners:** When engaging vendors or AI studios, use these guidelines to assess how they handle data, creative control, and outputs. Escalate to your GEM contact if unsure.

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GEM GenAI Proposed Use Case Matrix

Proposed Use Case	Risk / Action	Notes / Rationale
Ideation only (moodboards, concept images)	✅	Non-final content. Typically does not require escalation if guiding principles
Background elements (signage, posters, props that app:	⚠️	Incidental elements are usually low risk. Escalate if story-relevant or visually prominent
Final character designs or key visuals	🛑	Escalation required. Could affect legal rights, audience perception, or union-covered roles
Talent replication (re-aging, synthtic voices, digital	🛑	Escalation mandatory. Requires explicit consent and legal review
Unowned / third-party training data	🛑	Escalation required due to copyright and other IP risks
GEM proprietary materials (scripts, unrelease tootage, producti-	⚠️	Escalate if usage falls outside secure enterprise tools or approved workflows