

THE COLUMBIA JOURNAL OF
LAW *&* **ARTS**
the

A QUARTERLY JOURNAL OF LAW AND THE ARTS,
ENTERTAINMENT, COMMUNICATIONS, AND INTELLECTUAL PROPERTY

**2025 SYMPOSIUM OF THE KERNOCHAN CENTER FOR LAW, MEDIA AND THE ARTS:
“Deepfakes: In Search of Global Solutions”**

Illusions of Control: Consumer Digital Replica Platforms
and the Governance of Identity

Makena Binker Cosen

Reframing Deepfakes

Jennifer E. Rothman

From Merchandise to Movies: The Rapid—and Potentially Worrisome—Expansion
of NILV Regulation to Cover Uses in Expressive Works

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Deepfakes and Private Rights in the Perspective of EU Law:
Is It Necessary to Intervene?

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Deepfakes and Transparency Obligations

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Transparency as a Regulatory Duty

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Deepfakes and Private International Law

Edouard Treppoz

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Graeme B. Dinwoodie

Deepfakes, Real Enforcement Challenges

David S. Louk

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Editor's Note on the Symposium Issue

Each academic year, the *Columbia Journal of Law & the Arts* publishes an Issue dedicated to the annual Symposium of the Kernochan Center for Law, Media and the Arts, which is hosted at Columbia Law School. This year's Symposium was titled Deepfakes: In Search of Global Solutions and was held on Friday, October 24, 2025. As always, the Journal was honored to participate in the event and is pleased to publish the proceedings here.

There are two types of publications in this Issue. Each speaker was asked to select one of the two options: to write an Article based on his or her remarks at the Symposium or to produce a Transcript of his or her remarks. The Articles have been written, edited, and proofread to the same high standard as other academic articles published by the *Journal* in its non-Symposium Issues. The Transcripts have been edited lightly for concision and clarity. The pieces in this Issue are presented in the order in which contributors spoke at the Symposium. The Program of the 2025 Symposium on page vii of this Issue reflects the actual order of the speakers on the day of the event.

More information about the 2025 Symposium can be found on the Kernochan Center's website,¹ including readings for the event,² biographies of the speakers,³ and video recording of the event.⁴

1. The 2025 Symposium website is at <https://kernochan.law.columbia.edu/content/symposium-2025-deepfakes> [/[web/20260113141606](https://kernochan.law.columbia.edu/content/symposium-2025-deepfakes)/<https://kernochan.law.columbia.edu/content/symposium-2025-deepfakes>].

2. See *supra* note 1 for readings.

3. See *supra* note 1 for speaker biographies.

4. Video recording of the 2025 Symposium can be found at <https://kernochan.law.columbia.edu/content/kernochan-symposium-2025-part-1> [/[web/20260113141913](https://kernochan.law.columbia.edu/content/kernochan-symposium-2025-part-1)/<https://kernochan.law.columbia.edu/content/kernochan-symposium-2025-part-1>] and <https://kernochan.law.columbia.edu/content/kernochan-symposium-2025-part-2> [/[web/20260113143338](https://kernochan.law.columbia.edu/content/kernochan-symposium-2025-part-2)/<https://kernochan.law.columbia.edu/content/kernochan-symposium-2025-part-2>].

Program of the 2025 Symposium

SESSION I—THE EXISTENCE (OR NOT) OF RIGHTS AGAINST UNAUTHORIZED DEEPPAKES

A. PANEL I—DEMONSTRATION OF AI IMAGE-GENERATION AND MUSICAL PERFORMANCE DEEPPAKES

Moderator:

Philippa Loengard

Demonstration:

Makena Binker Cosen

Comment:

Jane Ginsburg

B. PANEL II—SCOPE OF INDIVIDUAL RIGHTS: A COMPARATIVE ANALYSIS

Moderator:

Jane Ginsburg

Speakers:

Jennifer E. Rothman

Ben S. Sheffner

Valérie-Laure Benabou

Graeme W. Austin

C. PANEL III—PUBLIC RIGHTS: TRANSPARENCY OBLIGATIONS

Moderator:

Philippa Loengard

Speaker:

Célia Zolynski

Comment:

Olivier Sylvain

SESSION II—ENFORCEMENT

A. PANEL I—JURISDICTION AND APPLICABLE LAW

Moderator:
Jane Ginsburg

Speakers:
Edouard Treppoz

Comment:
Graeme B. Dinwoodie

B. PANEL II—AI DEVELOPERS' AND PLATFORMS' DERIVATIVE LIABILITY

Moderator:
Caitlin McGrail

Speaker:
Shyamkrishna Balganesh

Comments:
Edouard Treppoz
Valérie-Laure Benabou
Graeme W. Austin

C. PANEL III—CIVIL ENFORCEMENT

Moderator:
Philippa Loengard

Speaker:
David S. Louk

Comments:
Célia Zolynski
Edouard Treppoz