



## ***Transparency and Responsibility for Artificial Intelligence Networks (TRAIN) Act of 2025***

### **Section-by-Section Summary**

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**Background:** The *Transparency and Responsibility for Artificial Intelligence Networks (TRAIN) Act* assists copyright owners who believe their copyrighted works have been used to train generative artificial intelligence (AI) models. Currently, it is difficult to determine whether generative AI is being trained using copyrighted works. The *TRAIN Act* will enable copyright holders to obtain this information through an administrative subpoena, so they may vindicate their rights.

**Section 1 – Short Title:** *The Transparency and Responsibility for Artificial Intelligence Networks (TRAIN) Act*

#### **Section 2 – Subpoena for Copies or Records Relating to Artificial Intelligence.**

The *TRAIN Act* enables a copyright owner to request that a United States district court issue a subpoena to a developer for training records “sufficient to identify with certainty” whether their copyrighted works were used to train the developer’s generative AI model.

A proposed subpoena must contain a sworn declaration that the copyright owner has a subjective good faith belief that their copyrighted work was used to train the model, and that the subpoena’s purpose is to so determine and protect their rights. Failure to comply with a subpoena creates a rebuttable presumption that the model developer made copies of the copyrighted work.

The *TRAIN Act* applies narrowly to generative AI models. The *TRAIN Act* defines a generative AI model as “an artificial intelligence model that emulates the structure and characteristics of input data in order to generate derived synthetic content, which may include images, videos, audio, text, and other digital content.”