

NAR Issue Summaries

Technologies / Copyright/Trademark

NAR Committee:

Federal Technology Policy Committee

What is the fundamental issue?

As artificial intelligence (AI) evolves, Congress must ensure that copyright law continues to protect creators' ability to control and monetize their work while also supporting responsible AI innovation that relies on access to large datasets.

I am a real estate professional. What does this mean for my business?

Real estate professionals both create original content—such as listing photos, descriptions, and virtual tours—and benefit from AI tools that enhance marketing, client service, and productivity. Some argue that strong copyright protections are needed to prevent unauthorized scraping by AI platforms, while others view AI training as a transformative use—like a student learning from thousands of books—that serves the public interest. The outcome of the AI copyright debate will shape how real estate content is protected and how effectively AI can support the industry.

NAR Policy:

Supports the responsible use of AI in real estate, with appropriate guardrails that protect copyrights, promote innovation, and ensure informed notice and consent for data use.

Opposition Arguments:

Strict copyright rules could limit access to training data and slow AI innovation. Yet without clear protections, real estate professionals and others risk losing control over their content and facing legal uncertainty.

Legislative/Regulatory Status/Outlook

Key bills affecting copyright protections include:

- S.1367 / H.R.2794 – NO FAKES Act: Prohibits unauthorized use of a person's voice, image, or likeness, including in AI-generated content.
- S.1396 – Content Origin Protection and Integrity Act: Mandates labeling of AI-generated or altered content.
- H.R.4072 – Pro Codes Act: Preserves copyright protections for building codes adopted into law.
- S. 2367 – AI Accountability and Personal Data Protection Act: Creates a right to sue in federal court if copyrighted work is used without express, prior consent.
- S. 2455 – Transparency and Responsibility for Artificial Intelligence Networks (TRAIN) Act: Increases

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transparency in the use of copyrighted works to train AI models via a subpoena process for copyright owners.

NAR is working to ensure real estate content is protected and that AI innovation continues to benefit the industry.

Current Legislation/Regulation (bill number or regulation)

- S.1367 / H.R.2794 – NO FAKES Act: Prohibits unauthorized use of a person's voice, image, or likeness, including in AI-generated content.
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- H.R.4072 – Pro Codes Act: Preserves copyright protections for building codes adopted into law.
- S. 2367 – AI Accountability and Personal Data Protection Act: Creates a right to sue in federal court if copyrighted work is used without express, prior consent.
- S. 2455 – Transparency and Responsibility for Artificial Intelligence Networks (TRAIN) Act: Increases transparency in the use of copyrighted works to train AI models via a subpoena process for copyright owners.

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