Research Article

Legal Analysis of Saudi Arabia's New Copyright Law under Royal Decree No. M/169

Raed Ahmed Madlool Al-Anzi* and Abdulwahab Abdullah Al-Maamari

Faculty of Law, Isra University, Queen Alia International Airport Road, Amman 11710, Jordan; abdulwahab.almaamari@iu.edu.jo
* Correspondence: raeed.anzi52@gmail.com

Abstract: In February 2026, Saudi Arabia enacted a transformative new Copyright Law under Royal Decree No. M/169, one of the most comprehensive modernizations of intellectual property protection in the Kingdom's history. Current study examines the key provisions of the new law, which takes effect in August 2026 and replaces the 2003 copyright regime. It has an explicit exception permitting the copying of copyrighted works for artificial intelligence development, the establishment of a conditional safe-harbor framework for online content providers, the codification of a statutory work-for-hire default rule, and significantly enhanced enforcement mechanisms, with maximum criminal fines quadrupled to SAR 1 million. The new Copyright Law reflects Saudi Arabia's strategic commitment to positioning itself as a global innovation hub under Vision 2030, while navigating the complex tensions between rights-holder protection, technological advancement, and digital-platform governance. The study explores the reform's differentiated impact across four representative creative and technology sectors: publishing, film and broadcasting, music, and gaming and interactive software. The research examines reform's economic and investment-climate significance and a set of proposed directions for future empirical research once implementing regulations are published.

Keywords: Saudi Arabia copyright law; digital economy; copyright law 2003; artificial intelligence; copyright exceptions

1. Introduction

The Kingdom of Saudi Arabia is undergoing a profound economic and social transformation under Vision 2030, with technology, innovation, and the creative economy identified as strategic pillars for sustainable growth (Reed Smith 2026). The issuance of a new Copyright Law on 13 February 2026 marks a decisive evolution in the Kingdom's intellectual property framework. Published in Umm al-Qura Gazette, Issue 5144, the law enacted by Royal Decree No. M/169 following Council of Ministers Decision No. 560, will take effect on 12 August 2026, 180 days after publication, replacing the previous Copyright Protection Law issued under Royal Decree No. M/41 of 1424 AH (2003) (Hashash and Marianne; A&O Shearman 2026).

The global digital economy is challenging traditional notions of copyright protection, artificial intelligence is fundamentally reshaping creative production and consumption, and online platforms have become central to content distribution. Saudi Arabia's new Copyright Law addresses these realities by expanding protection, clarifying rights and obligations, and introducing provisions that reflect contemporary technological and commercial practices. The law follows more than a year of preparatory regulatory activity by the Saudi Authority for Intellectual Property (SAIP), including non-binding guidance on AI-generated works issued in June 2025 and a series of enforcement actions under the outgoing 2003 law that foreshadowed the priorities embedded in the new statute (Kammaz 2025; Saudi Gazette 2025; Gulf News 2025). This study is a comprehensive analysis of the new Copyright Law.

2. Methods

This study adopts a doctrinal legal research methodology, synthesizing the statutory text of the New Copyright Law as reported in professional legal commentary, official SAIP and governmental communications, and contemporaneous news reporting of SAIP enforcement actions. Because the full official Arabic-language text of Royal Decree No. M/169 and its as-yet-unpublished implementing regulations were not independently available at the time of writing, the analysis relies substantially on the detailed provision-by-provision summaries produced by international and

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regional law firms with direct transactional and regulatory experience in the Kingdom, cross-referenced against one another to identify points of consensus and divergence in interpretation. The paper situates the Saudi reform within a comparative framework, drawing on primary and secondary sources addressing AI-copyright developments in the United States, European Union, Japan, South Korea, China, and India, to assess the New Copyright Law's international positioning.

3. Historical and International Legal Background

Modern Saudi copyright legislation dates to Royal Decree No. M/41 of 2 Rajab 1424 AH (30 August 2003), published in the Official Gazette on 19 September 2003, with implementing regulations following in mid-2004 (Arab Company for IP Services 2003; Al Tamimi 2024). Under the 2003 framework, protection subsisted in literary, artistic, and scientific works for the life of the author plus fifty years, and extended to a broad range of subject matter, including written works, oral works such as lectures and songs, dramatic and audiovisual works, works of the plastic and decorative arts, and computer software (Wikimedia Commons 2024). This Old Copyright Law contained no registration requirement, consistent with the Berne Convention's prohibition on formalities as a condition of protection, although SAIP later introduced an optional registration service in 2019 covering software, applications, and architectural designs (Al Tamimi 2024).

The Old Copyright Law had significant lacunas as shown in Table 1. It did not expressly regulate works created by employees in the course of employment, offered no clear treatment of online intermediary liability, and lacked provisions for the use of copyrighted works in training artificial intelligence systems, a technology that did not exist in its current form in 2003 (A&O Shearman 2026). Its territorial scope was also comparatively narrow, extending only to works of Saudi and non-Saudi authors published within the Kingdom and to works of Saudi authors first published abroad (A&O Shearman 2026). These gaps generated persistent legal uncertainty, particularly as the Kingdom's creative and technology sectors expanded rapidly under Vision 2030.

Table 1. Comparison between KSA Copyright Laws of 2003 and 2026.

Subject	Old Copyright Law (2003)	New Copyright Law (2026)
Governing instrument	Royal Decree No. M/41, 1424 AH	Royal Decree No. M/169, 13 Feb 2026
Territorial scope	Works published in KSA or by Saudi authors first published abroad	Expanded to works first published in KSA or abroad-then-KSA within 30 days, irrespective of nationality (Art. 2)
Moral rights succession	Passed to SAIP on author's death	Pass to author's heirs (Art. 7)
Employment works	Silent; assignment expressly prohibited (Art. 12, old)	Statutory work-for-hire default vesting rights in employer (Art. 18)
AI training use	No express provision	Conditional exception for AI development, no compensation required (Art. 26(4))
Platform liability	No distinct intermediary category	Conditional safe-harbour-type exemption (Art. 49)
Maximum fine	SAR 250,000	SAR 1,000,000 (up to SAR 2,000,000 for repeat offenders)
Maximum imprisonment	6 months	1 year
Registration	Optional (introduced 2019); no statutory presumption	Optional; creates rebuttable presumption of ownership (Art. 42)
Collective management	Not addressed	Expressly permitted; regulatory framework pending (Art. 41)
Resale royalty ("tracking right")	Available under implementing regulations	Removed

Saudi Arabia's copyright framework has developed with its accession to the principal multilateral intellectual property instruments. The Kingdom joined the Universal Copyright Convention in 1994 and deposited its instrument of accession to the Berne Convention for the Protection of Literary and Artistic Works on 11 December 2003, with the Convention entering into force for Saudi Arabia on 11 March 2004 (World Intellectual Property Organization 2003). The Kingdom subsequently acceded to the World Trade Organization on 11 December 2005, thereby assuming obligations under the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), and became a full WIPO member state in 2006 (Al Tamimi 2024; Wikimedia Commons 2024). These accessions bound the Kingdom to the Berne Convention's minimum standards of protection including the prohibition on formalities, the principle of national treatment, and the three-step test governing permissible exceptions to exclusive rights under Article 9(2) of Berne and Article 13 of TRIPS (World Intellectual Property Organization 2026).

The Saudi Authority for Intellectual Property, established to oversee and enforce intellectual property rights across all fields, has pursued an active modernization agenda in recent years that both preceded and shaped the new Copyright Law. SAIP's initiatives include the adoption of the Nice Classification system for trademark registration, the launch of an artificial-intelligence-enabled IP filing platform, its designation by WIPO as an International Searching and Preliminary Examining Authority under the Patent Cooperation Treaty, and the activation of Patent Prosecution Highway arrangements with jurisdictions including Singapore and China (Batic Law Firm 2025). The establishment of the Society for IP Agents, the Kingdom's first specialist non-profit IP organization, further signals the institutional maturation of the Saudi IP ecosystem (Batic Law Firm 2025). Accordingly, the new Copyright Law is part of a coherent, multi-year strategy of intellectual property modernization rather than an isolated legislative event.

4. Vision 2030 and the Digital Economy

The new Copyright Law is an integral component of Saudi Arabia's broader Vision 2030 strategy, which seeks to diversify the economy away from oil dependence and develop the creative, digital, and knowledge sectors. The Kingdom has made substantial investments in the creative industries, technology infrastructure, and innovation ecosystems, creating an imperative for legal frameworks that support these developments. The Saudi Cultural Development Fund has unveiled strategic investments of approximately SAR 3 billion (roughly USD 933 million) to boost creative economies spanning film and television, performing arts, fashion, digital content, experience design, and emerging technologies, alongside government targets for the creation of approximately 346,000 jobs in the cultural sectors and the opening of 370 new cinemas over a four-year horizon (Reed Smith 2026).

Flagship cultural projects including the Red Sea International Film Festival, the city-wide Riyadh Art public-art programme, and the Diriyah Biennale Foundation indicate the scale of the Kingdom's ambitions in the creative sector (Reed Smith 2026). A legal framework capable of protecting, monetizing, and enforcing rights in the output of these initiatives is a practical precondition for their long-term commercial success, and the new Copyright Law can accordingly be read as legislative infrastructure supporting the wider Vision 2030 agenda.

In June 2025, SAIP issued non-binding Guidelines on Copyright Principles for AI-Related Works, to provide legal certainty while balancing the protection of authors' rights with access to new technologies (Kamaz 2025; Saba IP 2025). The guidelines establish two central propositions. First, works generated entirely by AI systems without human intervention do not qualify for copyright protection, since originality under Saudi copyright law is inseparable from human creativity and intent (Saba IP 2025). Second, works created with the assistance of AI tools may be protected where they reflect sufficient human contribution, such as detailed prompting, iterative modification, or substantive editorial control (Kamaz 2025).

The SAIP's position aligns closely with frameworks emerging in the United States, the European Union, Japan, and South Korea, each of which treats human authorship as an indispensable element of copyrightability even as AI tools become increasingly embedded in creative workflows (Kamaz 2025). By these guidelines, SAIP signaled to engage proactively with the AI-copyright interface and positioned Saudi Arabia among the jurisdictions actively shaping the global conversation on intellectual property in the age of artificial intelligence (Saba IP 2025). This groundwork is directly relevant to interpreting Article 26(4) of the new law, since the guidelines address the closely related but analytically distinct question of whether AI-assisted outputs are themselves protectable, as opposed to whether copyrighted inputs may lawfully be used to train AI systems in the first place.

The new law aligns Saudi copyright law with international standards. The law adopts internationally recognized protection periods, strengthens moral-rights protections, and introduces concepts familiar from United States and European Union copyright frameworks, such as safe-harbor-style provisions and proportionality-based exceptions resembling fair-use analysis (Hammad and Al-Mehdar Law Firm 2026). This alignment is important for foreign investment, international trade, and participation in global creative and technology markets, and make Saudi copyright law more legible and predictable to international counterparties accustomed to comparable frameworks elsewhere.

5. Legislative Process and Structure of the New Law

The Council of Ministers approved the new Copyright Law by Decision No. 560, and the King promulgated it by Royal Decree No. M/169, dated 14/08/1447 AH (13 February 2026), with publication in Umm al-Qura, Issue 5144 (Hashash and Marianne 2026). The law will enter into force 180 days after publication, on or around 12 August 2026. The SAIP Board will issue implementing regulations within 180 days of the law's issuance, such that the regulations are expected to apply from the law's entry into force (Hashash and Marianne 2026).

The New Copyright Law repeals and replaces the substantive provisions of the Old Copyright Law, although the 2004 Implementing Regulations to the Old Copyright Law remain formally in force, on a transitional basis, until superseded by new implementing regulations (Reed Smith 2026). The law contains transitional provisions preserving protection for works already protected under the previous regime, provided such protection has not expired under the earlier law and has not been terminated in the relevant country of origin (Hashash and Marianne 2026). Until the effective date in August 2026, the 2003 framework, supplemented by existing SAIP regulations and enforcement practice, will apply, creating a defined but temporally bounded period of dual-regime awareness for practitioners.

6. Expanded Scope of Protection and Rights

One of the most significant changes is the law's geographical application. Article 2 of the new law expands protection beyond the previous regime, which limited coverage to works of Saudi and non-Saudi authors published in the Kingdom and works of Saudi authors first published abroad. Under the new law, protection extends to works first published in the Kingdom, regardless of the author's nationality or residence; works first published abroad and then published in the Kingdom within thirty days of first publication; works by Saudi authors and residents; certain audiovisual works whose producers are headquartered or resident in the Kingdom; architectural works constructed within Saudi territory; and works protected under international treaties ratified by the Kingdom (A&O Shearman 2026; Hashash and Marianne 2026).

This expansion enhances KSA attractiveness for foreign investment in creative and technology sectors. Notably, the Royal Decree and the accompanying Council of Ministers decision preserve a reciprocity mechanism, permitting the restriction of protection where a foreign state does not extend corresponding protection to Saudi nationals under applicable international agreements (Hashash and Marianne 2026).

The new law reinforces moral rights, providing more comprehensive protection for creators. Article 7 explicitly states that moral rights including the right of first publication, the right of attribution (including the right to publish pseudonymously or anonymously), the right to object to false attribution, and the right to object to distortion, alteration, or modification prejudicial to the author's reputation are perpetual, non-transferable, and non-waivable (A&O Shearman 2026). This aligns Saudi law with international standards, particularly the Berne Convention's treatment of moral rights under Article 6bis.

The New Copyright Law also introduces a specific judicial remedy permitting an author to petition a competent court to prevent distribution of, or withdraw, a work from circulation where "serious reasons" justify such action (A&O Shearman 2026). A notable structural innovation concerns the management of moral rights upon the author's death: under the previous law, these rights passed to SAIP, whereas under the new law they pass to the author's heirs, subject to further detail in the implementing regulations (Reed Smith 2026). This change respects authorial autonomy and provides clearer succession rights for creators' estates and descendants.

Economic rights are comprehensively modernized under the new law. Authors retain exclusive control over reproduction, translation, adaptation, distribution, public performance, broadcasting, digital transmission, and licensing of their works. Article 9(1)(e) adjusts the scope of authors' economic rights, including the right to license the general "economic exploitation" of a work, while narrowing rental rights specifically to audio recordings, audiovisual works, and computer software, subject to certain statutory limitations (Reed Smith 2026). The protection period for financial rights extends for the author's lifetime plus fifty years, with variations anticipated for audiovisual works, performers, sound-recording producers, broadcasting organizations, and applied arts, to be further specified in implementing regulations.

The New Copyright Law also dispenses with the so-called "right of tracking" previously codified in Article 6 of the Old Copyright Law's implementing regulations, which had entitled certain creators to a continuing percentage-based royalty on subsequent resales of their work irrespective of any waiver of ownership in the original copy (Reed Smith 2026).

Article 12 of the Old Copyright Law had expressly prohibited the future assignment of copyright but was otherwise silent on employment-created works, leaving employers without a clear statutory basis for claiming ownership of employee-generated intellectual property (A&O Shearman 2026). Article 18 of the New Copyright Law now supplies an express default rule broadly analogous to "work-made-for-hire" doctrines in other jurisdictions. Under Article 18, if an employee creates a work during employment and the work relates to the employer's activities or business, the author's rights vest in the employer, unless otherwise agreed; if the employee's work does not relate to the employer's activities, the employee retains the financial rights, unless otherwise agreed; and where a work is created "for the account of" another person, financial rights remain with the author unless otherwise agreed (Hashash and Salameh 2026). This work-for-hire provision assures employers, particularly in technology and creative industries, while preserving employees' rights in works unrelated to their employment. Its introduction is expected to necessitate a review of existing employment, consultancy, and outsourcing agreements to ensure alignment with the new statutory baseline (Hashash and Marianne 2026; Pinsent Masons 2026).

Article 12 of the new law addresses software licensing, clarifying that computer programs, their applications, and associated databases are subject to the license terms under which they are distributed, and that purchasers or users are bound by such terms unless they contravene public order or public morals (A&O Shearman 2026). The precise scope of permissible license restrictions, and any further obligations imposed on licensors or licensees, is left to the forthcoming implementing regulations, an area that software providers operating in the Kingdom will need to monitor closely.

The New Copyright Law expressly recognizes the doctrine of exhaustion upon first distribution of a work, a concept not clearly articulated under the prior regime (Reed Smith 2026). The precise reach of this doctrine will be clarified through implementing regulations, an issue of considerable importance for software vendors and digital content distributors operating resale or secondary-market models.

The New Copyright Law formally defines "orphan works" and provides that, in specified circumstances including orphan works and works whose authors die without a general successor, authorial rights vest in a competent governmental authority (Hashash and Marianne 2026). The Council of Ministers has designated the General Authority for Guardianship of Funds of Minors and Those in Similar Circumstances as the competent authority for these purposes under Article 20, with the practical procedures for administering such rights to be set out in implementing regulations (Hashash and Marianne 2026).

Consistent with Berne Convention principles, copyright protection under the New Copyright Law arises automatically upon creation, without any registration requirement (Reed Smith 2026). Article 42 confirms that registration with SAIP generates a rebuttable presumption of ownership, and the SAIP registration system permits recordal of subsequent changes and dispositions affecting a work's rights (Hashash and Salameh 2026). For rights holders, registration therefore functions as an evidentiary and transactional convenience strengthening enforcement positions, facilitating licensing and financing transactions, and streamlining due diligence, rather than as a condition of substantive protection.

Article 41 expressly authorizes rights holders to delegate management of all or part of their financial rights to associations, companies, or other entities, subject to the Law and further applicable regulations (Reed Smith 2026). The Council of Ministers decision accompanying the Law directs SAIP, in coordination with the Ministry of Culture, to develop a regulatory framework governing collective management (Hashash and Marianne 2026). This provision paves the way for the emergence of one or more collective management organizations in the Kingdom, mirroring recent developments in the United Arab Emirates, where music-specific collective management organizations began operating in 2025 (Reed Smith 2026). Should such organizations and associated tariff structures develop, the change could materially affect licensing costs for the hospitality, retail, entertainment, and digital-platform sectors, while creating a clearer monetization pathway for rights holders.

7. Innovations for the Digital and AI Age

The new Copyright Law is Article 26(4), permits the copying of lawfully published original works for the purpose of developing AI products and algorithms, without the author's permission and without compensation. This exception is a legislative recognition that AI development requires access to large volumes of copyrighted content for training purposes. The right is subject to several cumulative conditions. The work must have been lawfully published; ownership of the original copy must have been obtained lawfully; reproduction must be limited to what serves the stated purpose; the use must not conflict with the normal exploitation of the work; and the use must not cause unreasonable prejudice to the legitimate interests of rights holders (A&O Shearman 2026; Hashash and Marianne 2026).

This provision will supply the Copyright Law with balance and certainty and encourage information-technology and online businesses to invest and develop within the Kingdom (Alsudairy 2025). This exception of establishing an AI-training "fair use" principle is comparable to the doctrine developed in United States case law (China IP Protection Network 2026; Tongshang Law Firm 2026). However, the Saudi exception is a codified, condition-based statutory rule rather than the open-ended, judicially balanced, multi-factor test that constitutes fair use in the United States, and equating the two risks obscuring important structural differences between the regimes.

The AI exception is not absolute. The "limited to what serves the purpose" condition introduces a subjective proportionality test requiring clarification through implementing regulations or SAIP guidance (A&O Shearman 2026). Key unresolved questions are the face of the statute, including whether outputs generated by AI systems trained on copyrighted works constitute derivative works; whether the exception extends to commercial development or is limited to non-commercial purposes; and how "lawful publication" and "lawful acquisition" of training materials are to be established and evidenced in practice (A&O Shearman 2026). This exception positions Saudi Arabia at the forefront of jurisdictions addressing AI and copyright, joining the United States, European Union, Japan, and South Korea in adopting approaches that seek to facilitate AI development while preserving core author protections.

SAIP's June 2025 Guidelines on Copyright Principles for AI-Related Works address a question analytically distinct from, but closely related to, the Article 26(4) exception: not whether copyrighted works may be used as AI training inputs, but whether the outputs of AI systems are themselves copyrightable. The guidelines confirm that fully autonomous AI outputs, created without human intervention, do not qualify for copyright protection, since originality under Saudi law is treated as inseparable from human creativity (AIPPI 2025). By contrast, AI-assisted works may be protected where they reflect sufficient human contribution, such as detailed prompting, iterative modification, or substantive creative editing (Kamaz 2025).

Reading the AI exception and the AI guidelines together produces a coherent, policy architecture. Article 26(4) governs the lawful ingestion of copyrighted works during AI training, while the SAIP guidelines govern the copyrightability of what emerges from AI-assisted creative processes. Neither instrument, directly addresses the intermediate question of whether an AI system's output, once trained on copyrighted inputs under Article 26(4), might itself infringe the works on which it was trained, a question that remains open pending implementing regulations or judicial clarification.

8. Case Study: Early AI Enforcement Under the Old Law

SAIP's enforcement practice under the outgoing 2003 law offers an instructive preview of how the Authority is likely to approach AI-related infringement under the new regime. In September 2025, SAIP imposed a fine of SR 9,000 (approximately USD 2,400) on an individual who had published a personal photograph belonging to another person, modified it using artificial intelligence, and used it commercially without the copyright holder's consent (Saudi Gazette 2025). SAIP emphasized that publishing personal images, modifying them using AI technologies, and then commercially exploiting them without the consent of the copyright holder constitutes a clear violation of the Copyright Law (Saudi Gazette 2025).

This case, reported as the first publicly disclosed instance of a copyright-infringement penalty specifically targeting an AI-generated-image violation in the Kingdom, was prosecuted entirely under the existing 2003 Copyright Law, demonstrating that Saudi authorities regarded the pre-existing legal framework as sufficient to address at least some categories of AI-related infringement even before the new law's enactment (Malin 2025). SAIP's enforcement process in this and comparable cases follows a structured pathway: the aggrieved party files an official complaint, evidence is collected and analyzed, the alleged violator is directly investigated, and the matter is examined by a specialized committee before a final decision is issued (Saudi Gazette 2025). This institutional capacity for investigating and adjudicating AI-related disputes will carry forward, and likely expand, once the new law and its implementing regulations enter into force.

Article 49 of the new law is a conditional safe-harbor framework for internet content providers, a significant development in Saudi digital-content regulation. Under the previous law, there was no clear framework governing intermediary liability; platforms were not treated as a distinct category and could, be exposed to liability for infringing content hosted or linked through their services (Rouse 2026a). Under Article 49, an online content provider will not be considered a participant in copyright infringement committed by users if the following cumulative conditions are met: the passing, routing, storage, and display of data is carried out in a purely automatic technical manner; the provider does not modify the content, except for limited technical changes necessary for transmission or storage, or changes requested by the user regarding their own input where the provider neither knew nor could have known the change infringed third-party rights; the provider has no knowledge of the infringement and there are no apparent circumstances indicating such knowledge; the provider removes infringing content within a reasonable time after becoming aware; and the provider has put in place the necessary measures to enable rights holders to notify infringement (A&O Shearman 2026; Hashash and Marianne 2026).

Legal commentary has observed that, while the term "safe harbor" is not expressly used in the statutory text, the provision introduces what is, in practice, a conditional exemption from liability that closely mirrors the foundations of safe-harbor frameworks found in the United States and the European Union (Rouse 2026a). This protection is not automatic: it depends on the platform's operational practices, including maintaining a position of technical passivity, responding promptly to complaints, and implementing effective infringement-reporting tools. As one analysis concludes, the new law does not introduce a fully developed safe-harbor regime in the traditional sense, but it clearly moves in that direction, replacing prior uncertainty with a structured approach that formally recognizes the role of intermediaries within the copyright ecosystem (Rouse 2026a).

The Council of Ministers has directed SAIP to coordinate with the Communications, Space and Technology Commission (CST) when setting the implementing rules for Article 49, suggesting that a more operational, platform-governance-style regime is likely to emerge, potentially resembling notice-and-takedown mechanics familiar from other jurisdictions (Hashash and Marianne 2026). However, several aspects require further clarification, including the operational mechanics of notice-and-takedown procedures; whether platforms bear a general obligation to monitor content; the distinction between different categories of intermediary services such as hosting, caching, and linking; whether counter-notice and reinstatement mechanisms will be available to users whose content is removed; and the precise line between passive hosting and more active content involvement that would disqualify a platform from protection. Businesses operating user-generated-content platforms in the Kingdom are advised to treat compliance with Article 49 as an ongoing governance programme rather than a one-off legal assessment (A&O Shearman 2026).

The New Copyright Law introduces a further permitted-use exception allowing accredited, non-profit entities to reproduce works in alternative formats to enable access by persons with disabilities, without the author's permission, provided the reproduction does not prejudice the author's moral rights (Reed Smith 2026). This provision brings Saudi law into closer alignment with the Marrakesh Treaty framework for facilitating access to published works for the visually impaired and print-disabled, although the Kingdom's formal treaty status under Marrakesh lies beyond the scope of this paper.

In August 2025, SAIP, in collaboration with the General Authority for Media Regulation, issued a dedicated guide for copyright compliance in the media sector, targeted at journalists, broadcasters, advertisers, social-media creators, and other media professionals (Kadasa 2025). The guide reiterates that moral rights are perpetual and inalienable and urges media organizations to implement both legal and editorial safeguards to ensure compliance, even where economic rights have been assigned to a publisher or broadcaster (Kadasa 2025).

For news organizations, the guide highlights a statutory exception rooted in Article 4 of the underlying Copyright Law for material published in newspapers, magazines, periodicals, and broadcasts consisting of daily news or events of a news nature (Kadasa 2025). This exception recognizes that certain categories of purely factual, time-sensitive news content fall outside the scope of copyright protection, distinguishing them from original journalistic works involving creative expression, analysis, or commentary, which remain fully protected. Media organizations operating in the Kingdom will need to draw this distinction carefully in their internal compliance frameworks, particularly as the new Copyright Law's heightened penalties take effect.

9. Enforcement and Penalties

The new law significantly strengthens enforcement mechanisms and increases penalties to deter infringement. Under the previous law, violators could be sentenced to up to six months' imprisonment and fined up to SAR 250,000. The new law increases imprisonment to up to one year and fines to up to SAR 1 million with repeat offenders facing potential fines of up to SAR 2 million (Hashash and Marianne 2026; A&O Shearman 2026). A person is considered a repeat offender if they reoffend during the execution of a penalty or within three years after it is executed or ends by pardon (Hashash and Marianne 2026).

The range of criminalized conduct has also expanded considerably, including commercial exploitation without authorization; false claims of ownership; widespread unauthorized distribution; unauthorized reprinting; circumvention of technical protection measures; unlawful removal or alteration of electronic rights-management information; knowing distribution of works from which such information has been stripped; manufacturing, selling, or importing devices designed to circumvent technical protection measures; and importing or retaining infringing copies for commercial purposes (Hashash and Marianne 2026).

Beyond criminal penalties, the law provides comprehensive civil remedies. Article 51 grants rights holders the right to claim compensation for damages suffered from third-party infringement, with compensation expressly including the profits gained by the infringer from the infringing conduct (Hashash and Salameh 2026; A&O Shearman 2026). Rights holders may pursue injunctive relief, seizure measures, and disclosure of supply chains before the competent courts. SAIP inspectors have been granted expanded inspection and evidence-gathering powers, and the Public Prosecution investigates specified offences (Hashash and Marianne 2026).

A structured settlement mechanism allows certain violations to be resolved administratively before referral to the Public Prosecution, subject to regulatory conditions. This mechanism, consistent with SAIP's existing practice of resolving lower-value or first-instance disputes through fines and content-removal orders rather than criminal referral, is likely to remain an important practical avenue for resolving disputes efficiently, particularly for social-media and individual-level infringement. Article 54 empowers SAIP's Chief Executive to award financial rewards to SAIP employees who identify instances of copyright infringement, an incentive structure intended to bolster proactive enforcement against the piracy that has historically challenged rights holders and broadcasters across the region (Reed Smith 2026).

In August 2025, SAIP publicly warned that sharing poems or other literary works on social media without the author's permission constitutes a punishable copyright violation, citing a case in which an individual had recited a poem on a personal social-media channel for commercial purposes without authorization (Lexis Middle East 2025; Gulf News 2025). The violator was fined SR 5,000 and ordered to remove the infringing content from all social-media platforms (Gulf News 2025). SAIP stated that using any literary or artistic work without prior approval from its owner constitutes a breach of the Copyright Protection Law, and confirmed that such conduct may also lead to further legal proceedings and sanctions (Abou Naja Intellectual Property 2025; Gulf News 2025).

This pattern has practical significance for the new law's transition. Individuals and small businesses operating social-media accounts, influencer marketing pages, or informal content channels should not assume that the new law's heightened penalties will be reserved for major commercial infringers. SAIP's public communications strategy announcing enforcement actions via official statements and social media also suggests an intent to use individual cases as broader deterrent and public-education tools, a pattern likely to continue and intensify once the new law's substantially higher penalty ceilings take effect.

SAIP’s enforcement process for individual complaints follows a defined sequence: the aggrieved party files an official complaint through SAIP's online Contact Center portal, evidence is collected and analyzed, the alleged violator is directly investigated, and the matter is examined by a specialized committee before a final decision is rendered (Saudi Authority for Intellectual Property 2025; Saudi Gazette 2025). Under the transitional 2003 framework, the Committee for the Consideration of Copyright Infringements could impose financial penalties of up to SAR 100,000, order closure of an infringing facility for up to two months, and mandate content removal, with matters involving imprisonment, fines exceeding SAR 100,000, or license cancellation referred to SAIP's Board of Directors for onward transmission to a competent judicial authority (Saudi Gazette 2019). The new law's substantially higher penalty ceilings and expanded inspector powers indicate that this institutional infrastructure will be scaled up significantly as the reform takes effect.

10. Comparative International Perspective

As a Berne Union member since 2004 and a WTO member bound by TRIPS since 2005, Saudi Arabia's copyright legislation must operate within internationally accepted minimum standards, including the prohibition on formalities as a precondition to protection, the principle of national treatment, and the three-step test governing exceptions and limitations under Article 9(2) of Berne and Article 13 of TRIPS (World Intellectual Property Organization 2026; Al Tamimi 2024). The structure of Article 26(4)'s artificial intelligence exception requiring lawful access, purpose-limited reproduction, non-conflict with normal exploitation, and absence of unreasonable prejudice to rights holders mirrors this three-step formulation, suggesting a deliberate drafting choice designed to keep the exception within recognized treaty boundaries even as it addresses a technology unanticipated by Berne's framers (A&O Shearman 2026).

In the United States, the Copyright Office's January 2025 report on the copyrightability of AI-generated content reaffirmed that copyright protects only material that is the product of human creativity, concluding that prompts alone do not provide sufficient creative control to warrant protection, while AI-assisted works may be protected where a human exercises substantial creative control over the expressive elements of the output (Manatt 2025; Jones Day 2025). This position was reinforced judicially in Thaler v. Perlmutter, in which the U.S. Court of Appeals for the D.C. Circuit affirmed that human authorship is a bedrock requirement of copyright law, rejecting a claim that an image "autonomously created by a computer algorithm" could be registered (Congress.gov 2025). For AI training inputs, US practice continues to rely principally on judicially developed fair-use doctrine, assessed case by case under the traditional four-factor test, rather than a codified statutory exception of the kind found in Article 26(4).

The European Union has addressed the training-data question through the Digital Single Market Directive's text-and-data-mining exceptions, which apply to research organizations and, subject to a rights-holder opt-out mechanism, to commercial actors as well. The EU's approach to AI-generated output, meanwhile, requires a demonstrable "traceability of human intellectual investment," reinforced by the labelling and transparency obligations introduced under the EU AI Act (Lexology 2025). Notably, the EU framework's opt-out mechanism for text-and-data-mining has no direct equivalent in the Saudi Article 26(4) exception.

In South Korea, the Ministry of Culture, Sports and Tourism and the Korea Copyright Commission issued guidelines in June 2025 providing that purely autonomous AI output lacks copyright protection, while works reflecting human contribution through prompt design, selection, modification, or creative control may qualify for protection; applicants seeking registration must specify which elements originate from AI and which from human creativity, since only the human-created elements receive protection (Furqan and Hamda 2026). Japan has likewise adopted a relatively permissive statutory approach to text-and-data-mining for AI development, while maintaining a human-authorship requirement for the copyrightability of outputs, a combination that SAIP's own guidelines explicitly cite as a point of alignment (Kamaz 2025).

Saudi Arabia's framework is distinctive in combining a codified, condition-based statutory exception for AI training inputs (Article 26(4)) with non-binding but substantively aligned guidance on AI output copyrightability (the June 2025 SAIP guidelines). This dual-track approach, one instrument addressing inputs, the other addressing outputs, offers greater ex ante statutory certainty for AI developers than the case-by-case fair-use analysis prevailing in the United States, while lacking the rights-holder opt-out mechanism found in the European Union's text-and-data-mining framework. Whether this represents a more or less rights-holder-protective balance than its international counterparts will depend substantially on how SAIP's implementing regulations define the "limited to what serves the purpose" proportionality standard discussed in Section 6.1.

Article 49's conditional safe-harbor regime for online content providers likewise invites comparison with established intermediary-liability frameworks elsewhere. The United States' Digital Millennium Copyright Act establishes a notice-and-takedown safe harbor conditioned on the absence of actual or apparent knowledge of infringement, the absence of a direct financial benefit attributable to infringing activity the provider has the right and ability to control, and expeditious removal upon notification. The European Union's framework, most recently under the Digital Services Act, similarly conditions intermediary liability exemptions on a lack of actual knowledge and prompt action upon becoming aware of illegal content, while imposing more granular due-diligence and transparency obligations on very large online platforms.

Article 49's conditions, automatic and purely technical data handling, no substantive content modification, absence of actual or constructive knowledge, prompt removal, and functioning notification mechanism track this general international template closely, even though, as noted in Section 6.4, the Saudi statute does not use the term "safe harbor" explicitly (Rouse 2026a). The principal open question, as in most jurisdictions adopting this model, concerns the practical definition of "reasonable time" for removal and the degree of proactive monitoring, if any, that will be expected of platforms once SAIP and the Communications, Space and Technology Commission finalize the implementing rules.

11. Regional Comparison Within the Gulf Cooperation Council

Within the Gulf Cooperation Council region, the New Copyright Law's collective-management provisions echo recent developments in the United Arab Emirates, where dedicated music collective management organizations began operations in 2025 (Reed Smith 2026). The Law's safe-harbor regime for online content providers likewise reflects a broader regional and global convergence toward notice-and-takedown-style intermediary-liability frameworks, positioning Saudi Arabia's platform-governance approach within an increasingly familiar international template even as the precise operational rules await implementing regulations.

Saudi Arabia's AI exception also invites comparison with the approaches taken by China and India, two jurisdictions grappling with comparable tensions between fostering domestic AI industries and protecting creative rights holders. Chinese courts have addressed AI-generated content on a case-by-case basis, with decisions such as the Changshu Court's ruling recognizing copyright protection for an AI-assisted image where the human creator had exercised substantial creative control over prompt engineering and post-processing, an approach broadly consistent with the human-contribution standard adopted by SAIP, the United States, the European Union, Japan, and South Korea (Lexology 2025). India, meanwhile, has yet to enact AI-specific copyright legislation, continuing instead to apply its existing Copyright Act through judicial interpretation, leaving Indian rights holders and AI developers with comparatively less statutory certainty than either the Saudi Article 26(4) exception or the European Union's text-and-data-mining framework currently provide.

Saudi Arabia's dual-track approach, a codified statutory exception for AI training inputs paired with non-binding guidance on the copyrightability of AI-assisted outputs places the Kingdom among a relatively small group of jurisdictions that have moved beyond case-by-case judicial development toward explicit statutory or quasi-statutory guidance on both dimensions of the AI-copyright problem simultaneously.

12. Sector-Specific Impact Analysis

Beyond the cross-cutting legal changes, the New Copyright Law's practical effect will vary considerably across the specific creative and technology sectors identified as strategic priorities under Vision 2030.

For publishers of books, periodicals, and digital content, the New Copyright Law offers several material improvements. The expanded territorial scope under Article 2 extends protection to foreign works published in the Kingdom within thirty days of first publication elsewhere, addressing a longstanding concern of international publishing houses seeking to license Arabic translations or regional editions without forfeiting protection during the gap between global and local release (A&O Shearman 2026). The clarified work-for-hire default under Article 18 likewise benefits publishing houses that commission editorial, translation, or design work from salaried staff, though publishers relying heavily on freelance authors and translators will need to ensure that commissioning agreements expressly allocate rights, since freelance contributors fall outside the employment relationship that triggers the Article 18 default and instead fall under the "for the account of" provision, which preserves authorial ownership absent contrary agreement (Hashash and Marianne 2026).

The Article 4 news exception is of particular relevance to periodical and news publishers, who must distinguish carefully between unprotected factual news reporting and protected original journalism, analysis, and commentary. Given the substantially increased penalties under the new law, publishers should expect more assertive enforcement against unauthorized reproduction of protected journalistic content, syndication without license, and unauthorized digital aggregation of paywalled material.

The audiovisual sector stands to benefit significantly from the New Copyright Law's expanded territorial scope, which explicitly extends protection to audiovisual works whose producers are headquartered or resident in the Kingdom, reinforcing Saudi Arabia's ambitions as a regional production hub in the context of initiatives such as the Red Sea International Film Festival (Reed Smith 2026). The Article 18 work-for-hire default is especially consequential for film and television production, an industry that typically involves large numbers of employees and contractors contributing to a single audiovisual work; production companies will need robust internal documentation distinguishing employees whose contributions relate directly to the company's business (rights vesting automatically in the employer) from independent contractors and commissioned composers, whose rights remain governed by contract or the "for the account of" default.

Broadcasting organizations, await further detail on neighboring rights protections, which the New Copyright Law expressly identifies as a matter for implementing regulations (Reed Smith 2026). Until such regulations are issued, broadcasters face some uncertainty regarding the precise scope of their own rights in broadcast signals, as distinct from the underlying works being broadcast. The safe-harbor regime under Article 49 is also directly relevant to streaming platforms and video-sharing services operating in the Kingdom, which will need to implement content-moderation and takedown infrastructure.

The music industry may experience some of the most transformative practical effects of the New Copyright Law, by the collective-management provisions of Article 41. The anticipated emergence of one or more Saudi collective management organizations, potentially modelled on the music-specific CMOs recently launched in the United Arab Emirates, could fundamentally restructure how venues, hospitality businesses, retailers, and digital platforms license public performance and mechanical rights in recorded music (Reed Smith 2026). Rights holders in the recording industry, composers, performers, and producers of sound recordings stand to benefit from a clearer monetization pathway once tariff structures and licensing procedures are established through implementing regulations.

The narrowing of rental rights under Article 9(1)(e) to specifically cover audio recordings, audiovisual works, and computer software provides useful clarity for the recorded-music sector regarding the scope of rental-related licensing, while the removal of the resale "tracking right" previously available under the Old Copyright Law's implementing regulations represents a loss of a continuing royalty mechanism that some recording artists and their estates may have relied upon in secondary markets for physical media or memorabilia (Reed Smith 2026).

The gaming and interactive software sector, intersects with several of the New Copyright Law's most significant innovations. Game development studios operating in the Kingdom will benefit from Article 18's work-for-hire clarity, given that game development typically involves large, multidisciplinary employed teams whose collective output, code, art assets, music, narrative design must vest clearly in the studio to support commercial exploitation and financing. Article 12's confirmation that end-user license terms bind purchasers, subject to public-order and morality limitations, is directly relevant to the licensing models underpinning most commercial game distribution, including digital storefronts, downloadable content, and in-game purchase systems.

For studios experimenting with AI-assisted asset generation, procedural content generation, or AI-assisted narrative and dialogue tools, the interaction between Article 26(4) and SAIP's June 2025 AI guidelines will be of direct commercial importance. Assets generated with substantial human creative direction may qualify for protection, while purely autonomous AI-generated assets may not, a distinction with material consequences for a studio's ability to enforce exclusivity over its game's visual and narrative content against copying by competitors (Kammaz 2025).

13. Implementing Regulations and Transitional Issues

The new Copyright Law mandates the issuance of implementing regulations within 180 days of its publication, to take effect upon the law's entry into force on 12 August 2026. These regulations are critical for operationalizing many of the law's provisions. Issues identified as subject to further development include provisions relating to neighboring rights for performers, producers, and broadcasters; terms and conditions in software licenses, including those that may contravene public policy or morality; detail on the treatment of authors of audiovisual works; the reversion of works to the public domain once economic rights have expired or the author has voluntarily relinquished rights; cases where a work may be used without permission and without compensation for non-commercial purposes; the practical operation of Article 49's safe-harbor provisions, with SAIP coordinating with the Communications, Space and Technology Commission; the regulatory framework for collective management organizations under Article 41, with SAIP coordinating with the Ministry of Culture; and the practical procedures for handling orphan works and works with no heirs under Article 20 (Reed Smith 2026).

The law contains transitional provisions to preserve protection for works already protected under the previous regime, provided protection has not expired under the earlier law and is not terminated in the relevant country of origin. Until the new law's effective date in August 2026, the 2003 framework, supplemented by existing SAIP regulations and the enforcement practice continues to apply.

Several interpretive questions remain open pending implementing regulations. These include the precise scope of the "limited to what serves the purpose" proportionality test under the AI exception, and whether it will be interpreted narrowly, favoring rights holders, or expansively, favoring AI developers; whether AI-generated outputs trained on works reproduced under Article 26(4) may themselves attract derivative-work protection, or infringe the works on which they were trained; whether the exhaustion doctrine recognized under Article 25 extends to digital distribution or is confined to tangible copies; the practical procedures governing collective management organizations under Article 41, including tariff-setting and dispute-resolution mechanisms; and the operational detail of the notice-and-takedown-style regime anticipated under Article 49, including definitions of "reasonable time" for content removal and the required specifications of rights-holder notification mechanisms.

A further point of interpretive interest concerns the relationship between Article 26(4) and the Berne three-step test, noted in Section 8.1. While the provision's structure tracks the three-step test closely, the absence of an express opt-out mechanism for rights holders—of the kind found in the European Union's text-and-data-mining framework discussed in Section 8.2—means that Saudi rights holders currently have no statutory means of withholding their works from AI training uses that otherwise satisfy the exception's conditions, a feature that may generate friction as the exception is tested in practice.

14. Stakeholder Implications and Compliance Recommendations

For businesses, creators, and legal practitioners operating in Saudi Arabia, the new law requires proactive preparation during the transition period.

Rights holders should consider registering key works with SAIP to establish presumptive ownership evidence under Article 42, particularly for high-value or commercially exploited works. Given the perpetual, non-waivable nature of moral rights under Article 7, creators and their heirs should document authorship and chain-of-title clearly to facilitate succession and enforcement. Auditing existing licensing and assignment agreements against the new work-for-hire default under Article 18 is advisable for freelance creators and commissioned artists, to ensure that ownership expectations are documented explicitly rather than left to the statutory default.

For businesses engaged in AI development, Article 26(4) offers a statutory basis for reproducing copyrighted works during model training, subject to the proportionality-style conditions discussed in Section 6.1. Organizations are likely to treat lawful provenance of training data, data minimization, retention limits, and audit-trail documentation as practical compliance benchmarks pending further regulatory guidance, since demonstrable adherence to these practices may better position them to defend against infringement claims or respond to counterparty due diligence (Hashash and Marianne 2026). Companies should also monitor the interaction between Article 26(4) and SAIP's June 2025 AI guidelines when determining ownership and protectability of AI-assisted outputs generated using Saudi training data or deployed to Saudi users.

Platforms hosting user-generated content stand to benefit from the new safe-harbor regime under Article 49, provided they implement the operational infrastructure, content-modification controls, infringement-notification mechanisms, and prompt takedown procedures necessary to satisfy its cumulative conditions (A&O Shearman 2026). Establishing clear internal escalation procedures for infringement notices, documenting response times, and avoiding substantive editorial modification of user content are practical steps that align platform operations with the statutory conditions ahead of the implementing regulations.

Employers across sectors will need to revisit employment contracts, consultancy agreements, and outsourcing arrangements in light of Article 18's default work-for-hire rule, ensuring that contractual language concerning scope of duties, permitted side projects, and ownership of contractor-generated work is aligned with the new statutory baseline (Hashash and Marianne 2026; Pinsent Masons 2026). Developing clear internal IP policies, well-drafted assignment and license provisions in employment, consultancy, and outsourcing agreements, will help employers avoid disputes over the statutory default's application to ambiguous cases, such as work created using employer resources but outside an employee's formal job description.

In light of the August 2025 SAIP and General Authority for Media Regulation guidance, media organizations should distinguish clearly between protectable original journalism and factual, time-sensitive news content potentially falling within the Article 4 news exception. Editorial and legal teams should implement joint review processes to ensure that moral-rights obligations are respected even where economic rights have been assigned to the organization, and that social-media distribution of literary or artistic content including poetry is properly licensed.

Software providers should review existing end-user license agreements in light of Article 12's confirmation that license terms bind purchasers and users, subject to public-order and public-morals limitations. Providers relying on resale or secondary-market distribution models should monitor the implementing regulations closely for clarification of whether the Article 25 exhaustion doctrine extends to digital distribution, given the significant commercial implications either interpretation would carry.

For lawyers and in-house counsel advising clients on Saudi copyright matters, the transition period between the law's promulgation and its 12 August 2026 entry into force is a distinct professional challenge. Advising confidently on a regime whose framework provisions are settled but whose operational detail remains pending is not easy. Practitioners can structure client advice in layered terms, distinguishing clearly between provisions of the primary legislation that are final and unambiguous (such as the increased penalty ceilings and the expanded territorial scope), provisions that are final in structure but open in application pending implementing regulations (such as the AI exception and the safe-harbor regime), and matters that remain genuinely unresolved even as to structure (such as the scope of neighboring rights). Active monitoring of SAIP's regulatory publications, and of early judicial and administrative decisions applying the new law, will be essential to providing clients with advice that remains current as the implementing framework develops.

15. Critical Assessment and Future Directions

The New Copyright Law leaves a substantial body of operational detail to implementing regulations. The law's most celebrated innovations, the AI exception and the platform safe harbor are its most textually open-ended, resting on standards such as "limited to what serves the purpose," "reasonable time," and "apparent circumstances indicating knowledge" that will require substantial regulatory or judicial elaboration before their practical scope becomes clear. This is not unusual for framework legislation of this kind. However, early characterizations of the law including some of the more enthusiastic commentary suggesting that the AI exception "eliminates" AI-training infringement concerns should be read as provisional rather than settled statements of law pending the implementing regulations.

Saudi Arabia's approach is neither uniquely permissive nor uniquely restrictive relative to international peers. It is more statutorily explicit than the case-by-case US fair-use approach, yet lacks the rights-holder opt-out mechanism found in the EU framework, and more developed on both the input and output dimensions of the AI-copyright question than India's still-evolving approach. This hybrid character may prove attractive to AI developers seeking greater ex ante certainty than fair-use jurisdictions offer, while potentially generating friction with rights holders accustomed to opt-out protections available elsewhere. SAIP's early, proactive enforcement practice suggests that the Authority is both willing and institutionally equipped to enforce the new law robustly from the outset, rather than allowing a lengthy period of de facto non-enforcement while regulations are finalized.

The New Copyright Law's expanded protection, clearer default ownership rules, and a codified AI exception will reduce the transaction costs and legal uncertainty. Foreign rights holders have clearer assurance that their works will be protected once published or distributed in Saudi Arabia within the thirty-day window under Article 2. Foreign and domestic AI developers gain a statutory basis for training-data use that several peer jurisdictions have yet to codify explicitly. Substantially increased penalties and expanded SAIP enforcement powers raise the compliance stakes for businesses operating in the Kingdom, particularly those with informal or undocumented content-licensing practices inherited from the comparatively permissive enforcement environment associated with the 2003 law.

The net effect on investment is therefore likely to be positive but conditional. The law's headline provisions indicate regulatory modernization consistent with Vision 2030's. However, the Saudi framework to footloose AI investment, will depend on whether the implementing regulations resolve the proportionality and derivative-work questions in a manner that is workable as the frameworks offered by competing jurisdictions such as Japan, Singapore, and the United Arab Emirates.

A further risk is the possibility that implementing regulations are delayed beyond the law's 12 August 2026 entry into force, or issued in a form that leaves key ambiguities unresolved. Saudi legislative practice has, seen implementing regulations follow primary legislation after some delay, during which affected businesses have had to operate under conditions of interpretive uncertainty. Given the commercial significance of the AI exception and the safe-harbor regime to precisely the technology and platform sectors, timely and substantively clear implementing regulations will be an important indicator of the reform's practical success, distinct from the undoubted ambition and technical sophistication of the primary legislation itself.

This analysis is necessarily provisional in several respects. The implementing regulations had not been issued at the time of writing, the paper's treatment of open questions is necessarily prospective rather than confirmatory. The paper relies substantially on professional legal commentary and secondary sources rather than direct access to the full text of the Royal Decree and its official Arabic-language provisions, meaning that nuances of translation and drafting may not be fully captured. SAIP's enforcement practice under the new law itself had not yet commenced at the time of writing, since the law's substantive provisions take effect only on 12 August 2026.

Several avenues for future research follow naturally from the analysis presented in this paper. SAIP's implementing regulations are published, a detailed follow-up study comparing the regulations' resolution of the proportionality standard under Article 26(4) against the predictions and concerns would provide valuable empirical grounding for the more speculative comparative claims advanced here. Second, as SAIP begins enforcing the new law's substantive provisions after 12 August 2026, an empirical study of early enforcement patterns—could test whether the Authority's enforcement priorities under the new regime mirror or diverge from its practice under the 2003 law. Third, the eventual emergence of collective management organizations under Article 41 would merit close study, both as a matter of Saudi copyright law and as a comparative case study within the broader Gulf Cooperation Council trend toward formalized collective licensing infrastructure. Finally, empirical research tracking foreign direct investment flows into Saudi Arabia's AI and creative-technology sectors following the law's entry into force could help test this paper's provisional assessment, in Section 12.3, that the reform is likely to have a positive but conditional effect on the Kingdom's investment climate.

16. Conclusion

Saudi Arabia's new Copyright Law, issued under Royal Decree No. M/169, is a generational reform to modernize the Kingdom's intellectual property framework for the digital age. The law expands protection, strengthens rights, introduces innovative provisions for AI development and online platforms, and enhances enforcement mechanisms with significantly increased penalties. The AI exception in Article 26(4) positions Saudi Arabia recognizing the importance of access to copyrighted materials for AI training, while maintaining safeguards for rights holders, and works in tandem with SAIP's 2025 AI guidelines to form a reasonably coherent policy architecture spanning both AI training inputs and AI-assisted outputs. The safe-harbor framework in Article 49 aligns Saudi law with international digital-content governance norms, providing certainty for platforms and online businesses. The substantially increased penalties, quadrupling maximum fines to SAR 1 million and extending imprisonment to one year will help robust enforcement that protects creators and investors, a commitment already visible in SAIP's proactive enforcement practice under the outgoing 2003 law. Questions remain regarding the practical application of the AI exception, the mechanics of the safe-harbor framework, and the development of collective rights management. For creators, businesses, platforms, and legal practitioners operating in Saudi Arabia, the new Copyright Law represents both opportunity and obligation. The full impact of the law will depend on implementing regulations, which are expected by August 2026 and will operationalize many of the law's provisions.

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