

Creators' Protection Guidebook



MELISSA LIM

The Organisations That Care:

Sinar Project

A civic tech initiative using open technology, open data and policy analysis to systematically make important information public and more accessible.

 <https://sinarproject.org/>

Melissa Lim & Associates

A digital law firm specializes in laws surrounding digital environment, advocating and advising on legal rights.

 [AI Project Link](#)

 [Legal Academy](#)

AniManGaki

A dynamic community of enthusiasts in animation, comics, and games, advocating and championing creators within the community.

 [Community Group](#)

Freedom Film Network

A CSO aiming to support and develop social documentary filmmaking within the context of freedom of expression and values contained in the Universal Declaration of Human Rights (UDHR) in Malaysia.

 <https://freedomfilm.my/>

Case Spotlights!

These cases are based on a public survey and collection of cases found from public sources

Case 1: Elyana Sparks (Stage name)

Profile:

Age: 21 years old (2025)

Related Occupation: Cosplayer / Content Creator

Gender: Female

Stolen Assets:

Likeness, Art style (in the sense of her makeup, dressing)

AI Misuse:

AI used to generate lewd and / or indecent images from assets taken from the impacted person's images posted on her social media.

Consequences from AI Misuse:

- Reputational damage
- Mental health concerns
- Caused cyberbullying and hate speech against impacted person

Alleged AI Tool used:

Unknown

Steps taken to address the issue:

- Public Statement
- Police Report

Statement from Authorities (if any):

Police made a public statement that the matter has been referred to the MCMC.

Case Spotlights!

Case 2: Khairul Aming (Stage name)

Profile:

Age: 33 years old (2025)

Related Occupation: Content Creator / Entrepreneur

Gender: Male

Stolen Assets:

Likeness, voice, backstory

AI Misuse:

AI used to generate fake video to scam people of money from the impacted person's live streaming videos and voice.

Consequences from AI Misuse:

- Reputational damage
- Third party economic loss

Alleged AI Tool used:

Unknown

Steps taken to address the issue:

- Public Statement
- Police Report

Statement from Authorities (if any):

None

Case Spotlights!

Case 3: MX (anonymised name)

Profile:

Age: 25 years old (2025)
Related Occupation: Illustrator
Gender: Female

Stolen Assets:

Art style

AI Misuse:

AI used to generate art in the impacted person's art style by using her published art to train AI.

Consequences from AI Misuse:

- Reputational damage
- Third party economic loss

Alleged AI Tool used:

Sunflower/PixAI XL

Steps taken to address the issue:

Public Statement

Statement from Authorities (if any):

None

Case Spotlights!

Case 4: DL (anonymised name)

Profile:

Age: <Not given>

Related Occupation: Writer

Gender: Female

Stolen Assets:

Published work, Writing Style

AI Misuse:

Published works were used to train AI models which are also used to detect AI plagiarism, resulting in the published writer accused for plagiarising herself.

Consequences from AI Misuse:

- Reputational damage
- Economic and opportunity loss

Alleged AI Tool used:

Unknown

Steps taken to address the issue:

Challenged the results of the AI detector tool and rejection of submitted work.

Statement from Authorities (if any):

None

Practical Steps To Take



Steps To Take If Assets Are Stolen

When the Creators found that their Assets has been stolen and used without consent, we have found that the Creators has taken the following steps.

*Note: Assets include the Creator's likeness, voice, art style, and creations

1. Police Report

- 1.1. A police report is an important first step to take after gathering evidence especially if there is a criminal activity involved after stealing the Creator's Assets and especially so if the Assets involved the Creator's likeness (which is often does).
- 1.2. The crime of creating AI generated images is not damaging only by the perpetrator but may bring about even more wrongdoings such as cyberbullying and online harassment by commentators against the Creators (rather than the perpetrator). It is important to note that these are still crimes and making a police report is still the important first step.
- 1.3. If there is a criminal activity involved, making a police report will:
 - a) protect the Creator by showing willingness to make a report, cooperate with investigations, and increase the Creator's credibility.
 - b) help the police in investigations.
 - c) be useful for public relations later.

Steps To Take If Assets Are Stolen

How?

- 1.4. A police report can be made anywhere but it is advisable for you to make it at the police station nearest to you based on your or place of residence.

- 1.5. A police report should be made in Bahasa Malaysia and you can write the report on your own at home first before going to the police station.
 - a) If you cannot write in Bahasa Malaysia, do NOT use AI translate, instead, write in the language you are most proficient in and use that as a reference when you make the police report.

 - b) Sometimes, there are translators in the police station who can translate for you, choose to do that rather than AI translate.

 - c) Only use AI translate if you are sufficiently proficient in the translated language (Bahasa Malaysia) to identify errors in the translations.

Steps To Take If Assets Are Stolen

2. MCMC Complaint

- 2.1. MCMC is the Malaysian Communications and Multimedia Commission is established by the Malaysian Communications and Multimedia Commission Act (1998) and the Communications and Multimedia Act (1998).
- 2.2. One of its roles is to implement and enforce the communications and multimedia laws. They have the powers to accept complaints from the public with regards to online content and [can submit take down requests to platform service providers \(like Meta etc\) to take down content.](#)

How?

- 2.3. You can make a complaint to MCMC several ways:
 - a) MCMC complaint portal at <https://aduan.skmm.gov.my/> (Choose the "Online Content" option);
 - b) Call complaint line 1800-188-030;
 - c) Send a text on WhatsApp at 016 2206 262; and
 - d) Send an email at aduanskmm@mcmc.gov.my.
- 2.4. After making the complaint, you may follow up with the matter with MCMC via email and the case reference number assigned to you.

Steps To Take If Assets Are Stolen

3. A Public Statement

- 3.1. Many times, the investigation will take a longer time than the Creators' need to clear the air. So the Creators would make public statements in order to stop their followers or other people from falling victims for the AI generated content. This step is executed as part of their public relation efforts or risk
- 3.2. management efforts.

The public statements are made in several different manners depending on the Creator's original method of communication with their followers or depending on the Creator. There is no right or wrong way.

Case 1: Elyana Sparks

Public Statement was made on the platform X in text form and pictures of the perpetrator's platform and the police report she made (private details redacted).

Case 2: Khairul Aming

Public Statement was made on the platform TikTok in video form while showing the AI generated content.

Case 3: Siti Nurhaliza

Public Statement was made on the platform Instagram in video form showing the AI generated content and large "scam alert" graphics

Steps To Take If Assets Are Stolen

How?

- 3.3. An effective public statement needs to state the following:
 - a) What was stolen and / or misused;
 - b) Clear wording that the AI generated content is not your doing and not related to you;
 - c) Your stance on the issue; and
 - d) Steps that you have taken to report the matter (if any)
- 3.4. Be prepared for backlash when the public statement is made because this signals to the third parties that may have been a victim of monetary loss, to reach out. In the event you received requests for help, it is best to direct them to the police. Providing them with your police report reference number may help with investigations.

Steps To Take If Assets Are Stolen

4. Civil Actions

- 4.1. Civil actions are legal proceedings taken against the perpetrator by you personally through a lawyer. The most important element of a civil action, however, is the perpetrator, which may be difficult to ascertain without professional help, either from the police or lawyers.
- 4.2. However, if you are able to identify the perpetrator (the defendant), then you may be able to bring a case against the defendant for the following causes of action:

Copyright Infringement

- 4.3. First of all, don't worry about whether your work or creation has been registered for copyright. This is because the creator of a work / creation is automatically the copyright holder of the work / creation.
- 4.4. s7(3) of the Copyright Act 1987 provides that as long as you have expended sufficient effort to make the work / creation original and the work / creation is in material form (not just an idea), then the work / creation is eligible as copyright.
- 4.5. If you are worried that your work / creation is not eligible because you may have infringed the copyright on another work / creation when you make the work / creation, don't be! Because s7(4) prohibits that. But of course, this depends on how much effort you've put into making the work original as in s7(3) above.

Steps To Take If Assets Are Stolen

How?

4.6. Seek advice from a lawyer about:

- a) Whether your work / creation is eligible as copyright
- b) How much you are able to claim against the defendant
- c) What other reliefs you're entitled to such as injunctions, apologies, removal of content

Defamation

4.7. Defamatory actions can be brought about as long as these happened:

- a) That someone said something untrue;
- b) That someone said something untrue about you either by naming you or alluding that it is you, that other people can identify that they're talking about you; and
- c) That someone said something untrue about you to other people, regardless if it's only to 1 person or to many people, offline or online.

Steps To Take If Assets Are Stolen

How?

- 4.8. If this happened online, take screenshots or video recordings (slowly) of the defamatory remarks and the consequences such as supporting comments on the defamatory remarks. Make sure that the screenshots contain:
 - a) The person who is making such defamatory remarks;
 - b) The number of engagement on the defamatory post / comments / remarks. Engagement = number of shares, comments, likes;
 - c) The comments or remarks in reposts of the defamatory remarks
- 4.9. Seek advice from a lawyer about:
 - a) Whether these are defamatory remarks;
 - b) Whether evidence is complete; and
 - c) What remedies you are entitled to
- 4.10. Usually, remedies for defamation includes public apologies, monetary compensation commensurate to how much your reputation is tarnished due to the untrue statements, and removal of the untrue statements.

Steps To Take If Assets Are Stolen

Economic Loss

- 4.11. Economic losses may happen due to loss of trust and damaged reputation from the AI generated Content. If this happens, you may be able to claim for the loss of service fee and any other monies in the contract.
- 4.12. For example, if you have been engaged in projects but were suddenly let go from the projects (terminated) because of the AI generated Content, then take another look at your contract.
- 4.13. If you have not breached any terms in your contract, the termination may be unlawful and you may be able to claim for compensation of your time and effort put into the project and perhaps projected loss too.

How?

- 4.14. Seek advice from a lawyer about:
 - a) What type of contract you have
 - b) Whether there is a breach of contract on the other party's part
 - c) What type of remedies and reliefs you are accorded under the contract and law.

Additional Resources



Support and Resources

Mental Health and Perspective support

Mental health is incredibly important and there is no shame in receiving help when you are being treated badly and unfairly. Getting help is nothing to be ashamed of, we share a world with other people in this world and should then share resources with each other. Resources means giving and receiving help.

[Mental Health Association](#) is a non-profit NGO with the mission to promote mental health in the community. Their pricing is transparent on the website and has a list of therapists to choose from.

[KRYSS](#) provides a toolkit targeted to survivors and victims of online gender-based and the public who wants to learn more about online gender-based violence.

Tribunal for Anti-Sexual Harassment

An alternative to Courts is to file a complaint at the [Tribunal for Anti-Sexual Harassment](#). It is inexpensive at RM30 for a complaint. The complaint form can be found online at the KPWKM's website and the form should be submitted to the Tribunal at:

Tribunal for Anti-Sexual Harassment (TAGS)
Level G, Ministry of Women, Family and Community Development
No. 55, Persiaran Perdana Presint 4,
62100 PUTRAJAYA
Tel. No : 03-8323 2279

Support and Resources

Pro bono Legal Aid Clinics

Pro bono Legal Aid Clinics are free legal consultation clinics set up by various entities, usually by law firms or groups of lawyers and state bars.

[The Community Legal Clinic](#) is a free legal consultation clinic set up by a law firm, Messrs Ricky Tan & Co at Pandan Indah every Wednesday at 3pm – 6pm.

[Artxlawmas](#) is a community of volunteer lawyers & artists offering legal support, rights awareness & community platforms for Malaysian creatives.

[Justice Within Reach Legal Clinic PJ](#) is a free legal advice clinic set up by a group of lawyers and law firms in Petaling Jaya.

[Malaysian Bar](#) is the governing body for lawyers and law firms in Malaysia. They provide free legal advice and minimal legal fees for representations on certain areas of laws. They have a list of free legal aid clinics run by state bars in Malaysia.

This Project



More from this Project

This Project stems from a case database first and this Guidebook is a result of the case database.

Access the case database: [Github link](#)

Feel free to distribute this Guidebook to anyone you feel would benefit from this. We do ask that you send them our download link though, this is so that we can track the number of downloads.

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What's Next?

We are preparing to write a policy report and launching an artistic campaign on this guidebook so do give us a follow if you're interested!

Created *by*

Melissa Lim

Lawyer at Melissa Lim & Associates

Project as a Legal Fellow at Sinar Project

Email: melissa@melissalsh.com

Instagram: @project_human_model and @lawbymel