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AI-Empowered Property Rights for Intangible Cultural Heritage Digital Assets: Legal Regulation and Economic Transformation in Zhaoqing City, China

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Abstract

The construction of property rights for intangible cultural heritage (ICH) digital assets is a core issue in the systematic protection and innovative development of ICH within the process of Chinese-style modernization. Zhaoqing City, as a key origin of Lingnan culture, boasts rich ICH resources such as Duan inkstone crafting techniques, Guangdong embroidery, and the Fengkai Five Horses Patrolling the City Dance. However, during the AI-empowered digital transformation process, it faces challenges including ambiguous ownership definitions, a lack of legal norms, and inefficient economic conversion. Based on the institutional logic of "state presence" and systems theory, this article draws on Zhaoqing's practices to explore the compatibility between AI technology and property rights construction. It analyzes the tensions between the public attributes and private interests of ICH digital assets and proposes a tripartite construction path of "state-led - social participation - technological support." By clarifying the allocation of property rights subjects, establishing an AI-assisted dual-track valuation system, improving the legal regulatory framework, and innovating economic conversion models, this approach achieves synergy between the protection and utilization of ICH digital assets. It provides institutional support for Zhaoqing's ICH to empower regional economic development and offers references for similar regions undergoing ICH digital transformation.

Keywords

ICH Digital Assets, Property Rights Construction, AI Empowerment, Economic Transformation

1. Research Origins and Institutional Logic

1.1. Research Origins

Intangible cultural heritage, as a living carrier of human civilization, has made digital transformation an inevitable trend for cultural inheritance and industrial upgrading. The "Opinions on Further Strengthening the Protection of Intangible Cultural Heritage" explicitly propose "using digital technology to protect and inherit ICH," with the deep integration of AI technology providing new possibilities for the permanent preservation, widespread dissemination, and value conversion of ICH resources. Located in the western part of the Guangdong-Hong Kong-Macao Greater Bay Area, Zhaoqing City possesses 7 national-level ICH projects and 23 provincial-level ones, with ICH resources like Duan inkstone crafting techniques, Guangdong embroidery, and Deqing Dragon Mother Birthday exhibiting both cultural uniqueness and economic potential. In recent years, Zhaoqing has actively promoted ICH digitalization, such as building the "Digital Duan Inkstone" database and developing an AI design platform for Guangdong embroidery. However, practical issues persist: the ownership of digital assets is difficult to define, leading to imbalances in rights distribution among inheritors, communities, and development entities; the copyright recognition of AI-generated content and the legal characterization of digital collectible transactions lack clear bases; and the economic value assessment standards for digital assets are inconsistent, resulting in financing difficulties and low conversion efficiency.

ICH digital assets, as a new form of property emerging from the fusion of traditional ICH and digital technology, face inherent challenges from ICH's collective, intangible, and inheritable nature, as well as new issues from AI technology, such as subject virtualization and boundary blurring. Existing research primarily focuses on macro-level protection of national ICH digital assets, lacking empirical analyses for specific regions and overlooking the synergy between property rights construction under AI empowerment and local economic development. Accordingly, this article uses Zhaoqing City as a research sample, grounded in the institutional logic of "state presence" and systems theory, to explore pathways for constructing property rights in ICH digital assets. It aims to enable bidirectional empowerment between legal regulation and economic transformation, providing theoretical and practical support for converting Zhaoqing's ICH resources into drivers of regional economic growth.

1.2. Institutional Logic: Dual Support from State Presence and Systems Theory

1.2.1. State Presence: Legitimacy Foundation for Property Rights Construction

"State presence" is the core institutional logic of ICH protection (Guangdong Province Department of Culture and Tourism, 2022), manifested as the state incorporating ICH protection into the national governance system through legal norms and policy guidance. The construction of property rights for ICH digital

assets is not merely a configuration of private rights but an extension of national cultural sovereignty and public interests. The formation of Zhaoqing's ICH digital assets relies on national-level digital strategies and local government policy promotion, such as Guangdong Province's "Cultural Digitalization Strategy" providing funding for ICH digital resource construction and Zhaoqing's "ICH + Cultural Tourism" integration policies. State presence offers a legitimacy basis for property rights construction: on one hand, legislation clarifies the public attributes of ICH digital assets to prevent private capital from monopolizing public cultural resources; on the other hand, administrative intervention coordinates diverse stakeholder interests, resolving conflicts between inheritor groups and development entities, aligning with the overall principle of ICH protection as "state-led, social participation." (Duan & Luo, 2025)

1.2.2. Systems Theory: Structural Framework for Property Rights Construction

Systems theory emphasizes the synergistic coexistence of the whole and its parts. The construction of property rights for ICH digital assets is an organic system encompassing subjects, objects, rights content, and realization mechanisms.

In terms of system composition, the subject level involves diverse actors such as governments, ICH communities, inheritors, technology developers, and market entities, whose differing interests require institutional design for balance; the object level includes ICH digital resources (databases, video materials), AI-generated content (digital derivatives, virtual experience products), and digital transaction carriers (digital collectibles, NFTs), necessitating boundary definitions based on their morphological characteristics; the rights content level includes possession, use, benefit, and disposition rights, distinguishing between public and private applications; the realization mechanism level involves confirmation, valuation, transaction, and protection links, requiring coordinated linkages among technology, law, and markets. Zhaoqing's construction of property rights for ICH digital assets must follow systems theory logic to avoid institutional gaps in single links that impair overall efficacy.

2. Actual Dilemmas in Property Rights for ICH Digital Assets in Zhaoqing City

2.1. Current Status of ICH Digital Assets and AI Empowerment Trends

Zhaoqing's ICH resources feature "craft-based as primary, folklore as secondary," with craft ICH like Duan inkstone crafting and Guangdong embroidery showing strong digital adaptability. Currently, Zhaoqing has undertaken various ICH digitalization initiatives: the Duan Inkstone Cultural Village has built the "Digital Duan Inkstone" platform, using 3D scanning to record the entire Duan inkstone production process, forming a digital resource library with over 1200 works; Guangdong embroidery inheritors have collaborated with tech companies to develop AI design systems for the intelligent generation and innovation of traditional

patterns; Deqing County has launched a "Dragon Mother Birthday" VR experience project, optimizing tourist interactions via AI algorithms. These efforts have initially achieved digital preservation and dissemination of ICH resources but have not yet formed mature property rights systems or economic conversion models.

The deep empowerment of AI technology brings three transformations to Zhaoqing's ICH digital assets: first, innovating confirmation methods, where blockchain + AI can enable traceability and anti-counterfeiting for ICH digital resources, providing technical support for ownership recognition; second, expanding value forms from single digital archives to diverse carriers like digital collectibles, virtual IPs, and intelligent derivatives; third, innovating transaction models through digital collectible platforms and cultural tourism metaverses for market circulation of ICH digital assets. However, technological innovation exacerbates property rights dilemmas, such as disputes over copyright ownership of AI-generated Guangdong embroidery patterns and the lack of transaction norms for digital Duan inkstone collectibles.

2.2. Actual Dilemmas in Property Rights Construction

2.2.1. Ambiguous Ownership Definition: Subject Conflicts and Rights Virtualization

The collective nature of ICH and the technicality of digital assets lead to dual dilemmas in ownership definition. On one hand, Zhaoqing's ICH digital assets are often government-led, such as the "Digital Duan Inkstone" platform spearheaded by the Zhaoqing Cultural and Tourism Bureau, with unclear ownership of digital resources—inheritors only hold naming rights, lacking benefit and disposition rights; on the other hand, subject recognition for AI-generated content faces legal gaps, such as whether copyright for innovative patterns from Guangdong embroidery AI systems belongs to inheritors, technology developers, or platforms, unaddressed by the current Copyright Law. Additionally, collective community rights are overlooked; Duan inkstone crafting involves artisan groups from multiple villages in Zhaoqing's Duanzhou, but benefit distribution from digital assets fails to reflect community involvement, leading to the coexisting "tragedy of the commons" and "anti-commons tragedy"—some digital resources are overexploited, while premium ones remain idle due to ownership disputes.

2.2.2. Lack of Legal Norms: Disconnection between Institutional Supply and Practical Needs

The existing legal system struggles to adapt to ICH digital assets' characteristics, creating institutional supply gaps. First, confirmation rules are absent; the Intangible Cultural Heritage Law does not cover property rights recognition for digital assets, the Civil Code's provisions on digital assets are too principled, and Zhaoqing lacks targeted local regulations, leaving assets like digital Duan inkstones and Guangdong embroidery patterns without a legal basis for rights attribution; second, transaction rules are missing, with digital collectibles and NFTs lacking clear legal characterization—some Zhaoqing enterprises' ICH digital collectibles face inconsistent transaction norms and regulatory gaps, risking illegal fundraising

and infringement; third, protection rules are inadequate, as the low cost of copying and disseminating ICH digital assets makes infringement hard to define and pursue, such as unauthorized use of "Digital Duan Inkstone" 3D models on e-commerce platforms, complicating inheritor rights enforcement.

2.2.3. Inefficient Economic Conversion: Poor Valuation and Market Connectivity

The economic value of ICH digital assets remains underrealized, with core issues in missing valuation systems and singular conversion models. On one hand, Zhaoqing lacks scientific valuation standards for ICH digital assets, with assessments focusing on cultural value while neglecting economic and technological value—for instance, Guangdong embroidery digital patterns' valuation considers only traditional craft value, ignoring AI design's innovation premium, deterring financial institutions from providing pledge financing; on the other hand, economic conversion is limited to digital collectible issuance and cultural tourism experiences, lacking deep development—the "Dragon Mother Birthday" VR project serves merely as tourism support, without IP derivative development or cross-industry collaborations, failing to fully tap commercial potential. Moreover, market entity participation is insufficient; Zhaoqing's ICH digital asset development relies heavily on government funds, with low social capital enthusiasm, resulting in weak conversion momentum. (Li & Zhou, 2025)

3. Ideal Pathways for Property Rights Construction under AI Empowerment

3.1. Subject Construction: Tripartite Synergy of "State - Community - Inheritor"

The collective and public nature of ICH digital assets dictates that property rights subjects cannot be limited to single entities; a tripartite synergistic subject system of "state - community - inheritor" must be built, aligning with the "tripartite subject" theory of ICH protection.

3.1.1. State's Leading and Regulatory Responsibilities

The state (government), as the representative of public interests, assumes leading responsibilities in property rights construction: first, clarifying ownership of ICH digital assets through legislation—for government-led digital resources, recognizing them as state-owned, exercised by Zhaoqing's Cultural and Tourism Bureau; second, establishing a unified digital asset registration platform using blockchain + AI for traceability, assigning unique registration numbers to assets like Duan inkstones and Guangdong embroidery, recording full rights transfer processes; third, fulfilling regulatory duties to standardize development and transaction behaviors, preventing excessive commercialization and cultural alienation.

3.1.2. Community's Collective Rights and Participation Rights

As the native carriers of ICH, communities should enjoy corresponding collective

rights: first, informed consent rights, requiring democratic community decisions for digital asset development and transactions—such as Duan inkstone crafting digital resource development needing approval from relevant Duanzhou villages' villagers' congresses; second, benefit distribution rights, extracting a proportion of transaction benefits into community cultural development funds for ICH inheritance and public affairs; third, supervision and suggestion rights, allowing communities to oversee digital asset development and utilization, and proposing modifications to ensure cultural authenticity.

3.1.3. Inheritor's Individual Rights and Innovation Rights

As core bearers of ICH skills, inheritors should enjoy clear individual rights: first, naming rights, requiring digital assets to note inheritors' names and inheritance lineages; second, innovation rights—for AI-assisted ICH derivatives, inheritors hold copyright, such as new patterns designed by Guangdong embroidery inheritors via AI systems; third, benefit rights, allowing inheritors reasonable remuneration from digital asset transactions and authorized uses, such as proportional allocation of digital Duan inkstone collectible sales benefits to relevant inheritors.

3.2. Object Definition: Classification and Rights Boundaries of Digital Assets under AI Empowerment

ICH digital assets have diverse object forms, requiring classification and boundary clarification based on the characteristics of AI technology.

3.2.1. Digital Native Assets: Balancing Protection and Sharing

Digital native assets refer to digital resources formed by directly recording ICH skills, processes, and works via digital technology, such as the "Digital Duan Inkstone" database and Guangdong embroidery production videos. These assets have public good attributes, with rights boundaries centered on protection and sharing: first, permitting free use for non-commercial inheritance, research, and dissemination; second, requiring authorization for commercial use with payments to tripartite subjects; third, prohibiting unauthorized modifications or alterations to maintain ICH authenticity. AI can play a traceability role here, using blockchain as evidence to ensure digital resource integrity and immutability.

3.2.2. AI-Generated Derivative Assets: Balancing Innovation and Protection

AI-generated derivative assets refer to digital products formed by innovative design of ICH elements using AI, such as Guangdong embroidery AI-designed patterns, Duan inkstone virtual collectibles, and ICH-themed digital artworks. These assets have innovative and private attributes, with rights boundaries focused on protecting innovation: first, copyright belonging to inheritors or collaborative developers, with protection periods per the Copyright Law; second, allowing commercialization via digital collectibles and IP licensing; third, clarifying originality standards for AI-generated assets to avoid simple replication of traditional ICH

elements. Zhaoqing can establish an originality review mechanism for AI-generated assets, jointly conducted by the Cultural and Tourism Bureau, Intellectual Property Bureau, and experts.

3.2.3. Digital Transaction Carriers: Parallel Norms and Regulation

Digital transaction carriers refer to market transaction tools for ICH digital assets, such as digital collectibles, NFTs, and cultural tourism metaverse props. Rights boundaries for these assets center on transaction norms: first, clarifying platform qualification requirements by mandating filings with Zhaoqing's Cultural and Tourism Bureau and financial regulators; second, establishing transaction information disclosure systems to publicize asset ownership, valuation, and benefit distribution; third, prohibiting speculative behaviors by setting transaction limits and holding periods to mitigate financial risks.

3.3. Rights Content: Synergistic Allocation of Public and Private Rights

The rights content of ICH digital asset property rights must balance public interests and private rights, achieving a synergistic allocation of public and private rights.

3.3.1. Public Rights Level: State's and Community's Regulatory and Safeguard Rights

Public rights mainly manifest as the state's regulatory rights and the community's safeguard rights: the state has authority to regulate digital asset development and transactions, investigating infringements and speculations; communities have rights to supervise usage and ensure collective benefit realization. The exercise of public rights must follow the "minimal intervention" principle to avoid excessive interference with private rights.

3.3.2. Private Rights Level: Inheritor's Benefit and Disposition Rights

Private rights mainly manifest as inheritors' benefit and disposition rights: inheritors have the right to obtain economic benefits through authorized uses and transactions; they can autonomously decide on commercial conversion methods, such as collaborating with enterprises on digital collectibles or licensing ICH elements for film and animation. The exercise of private rights must not harm public interests or community collective rights, such as prohibiting exclusive occupation of collectively owned ICH digital resources.

4. Synergistic Mechanisms for Legal Regulation and Economic Transformation

4.1. Legal Regulatory Framework: Full-Chain Norms for Confirmation, Transaction, and Protection

4.1.1. Confirmation Rules: AI-Assisted Ownership Recognition

Build AI-assisted ownership recognition rules to resolve ambiguity: first, formulate the "Zhaoqing City ICH Digital Assets Confirmation Management Measures,"

clarifying tripartite subject rights attribution and exercise rules; second, establish an AI confirmation platform integrating blockchain and big data to automatically record ICH digital asset creation and transfer trajectories, providing technical evidence for recognition; third, set up an ownership dispute mediation committee comprising the Cultural and Tourism Bureau, Intellectual Property Bureau, community representatives, and legal experts for efficient resolution. For example, disputes over Duan inkstone digital collectible ownership can trace creation subjects and authorization processes via the AI platform, with committee adjudication.

4.1.2. Transaction Rules: Standardized and Orderly Market Mechanisms

Improve ICH digital asset transaction rules to promote orderly market development: first, clarify the transaction scope, prohibiting trading of pure traditional ICH elements (e.g., basic Duan inkstone patterns), allowing only AI-generated derivatives and legally confirmed digital native assets; second, establish a dual-track valuation system—cultural dimension using qualitative assessment of "historical inheritance + community recognition + cultural scarcity," (Lv, 2025) economic dimension using quantitative analyses like discounted cash flow and market comparison, optimized by AI algorithms for accuracy; third, standardize transaction processes, requiring written contracts specifying benefit distribution and breach liabilities, with transaction information filed on the registration platform.

4.1.3. Protection Rules: Multi-Dimensional and Layered Rights Enforcement Mechanisms

Establish multi-dimensional and layered protection mechanisms for ICH digital assets (Ma, 2025): first, administrative protection via joint special enforcement by Zhaoqing's Cultural and Tourism Bureau, Market Supervision Bureau, and Intellectual Property Bureau to address infringements and false advertising; second, judicial protection clarifying infringement recognition standards and compensation scopes, incorporating cultural losses; third, technical protection promoting blockchain evidence storage and AI infringement monitoring for automatic identification and alerts; fourth, social protection encouraging industry associations to formulate self-regulatory norms and establishing reporting reward mechanisms to guide public participation.

4.2. Economic Transformation Models: AI-Empowered Diverse Pathways

4.2.1. Digital Collectible Issuance: Precise Value Realization

Leverage AI to optimize ICH digital collectible issuance models: first, personalize design using AI algorithms to analyze market demands and develop collectibles for different consumer groups, such as cartoon Duan inkstone images for youth and high-definition digital replicas for collectors; second, employ scenario-based marketing by combining Zhaoqing cultural tourism scenes for limited-edition collectibles, like "Dragon Mother Birthday" themed ones redeemable for offline temple fair tickets or ICH experience qualifications; third, share benefits with sales

revenues allocated as "government 10% + community 30% + inheritor 60%" to safeguard inheritor and community interests. Zhaoqing can collaborate with mainstream digital collectible platforms to issue the "Zhaoqing ICH Digital Series Collectibles," building a regional brand.

4.2.2. Cultural Tourism Integration Empowerment: Immersive Experience Upgrades

Use AI to drive deep integration of ICH and cultural tourism industries: first, develop immersive experience projects like VR/AR-based "Digital Duan Inkstone Workshop," allowing tourists to simulate Duan inkstone production via AI; second, build ICH metaverse scenes integrating Zhaoqing's Seven Star Crags and Dinghu Mountain tourism resources into a "Zhaoqing ICH Metaverse," where tourists experience Guangdong embroidery and Dragon Mother Birthday in virtual settings; third, create smart tourism linkages incorporating ICH digital assets into Zhaoqing's smart tourism platform for digital collectibles and offline tourism exchange, such as priority access to ICH workshops or discounted inheritor classes for collectible holders.

4.2.3. IP Commercialization Development: Scaled Value Extension

Promote IP commercialization of ICH digital assets: first, AI-assisted IP design extracts core ICH elements for film, animation, and game IPs, such as Duan inkstone cultural IPs and Guangdong embroidery pattern IPs; second, cross-industry licensing authorizes ICH IPs to cultural creative enterprises, apparel brands, and food companies for themed products; third, digital content creation produces short videos, documentaries, and animations based on ICH digital assets, disseminated via new media platforms to enhance IP influence. Zhaoqing can prioritize "Duan Inkstone IP" and "Guangdong Embroidery IP," collaborating across the Greater Bay Area for scaled value extension.

4.3. Zhaoqing Practical Case: Synergistic Transformation of Duan Inkstone Digital Assets

Using Duan inkstone crafting as an example, build a full-chain synergistic mechanism of "confirmation - valuation - transaction - transformation": first, the confirmation stage via the AI platform records digital processes and inheritor information, clarifying the "state-owned + community participation + inheritor exclusive" ownership model; second, the valuation stage uses a dual-track system—cultural dimension assessing historical inheritance (5 generations), community recognition (over 90% in Duanzhou), and cultural scarcity (national ICH), economic dimension forecasting 5-year cash flows from digital collectibles and licenses, optimized by AI; third, the transaction stage collaborates with platforms to issue Duan inkstone digital collectibles in basic (99 yuan), collector (999 yuan), and limited (9999 yuan) editions, with offline exchange rights; fourth, the transformation stage allocates sales revenues to Duan inkstone inheritance training and community cultural facilities, while developing Duan inkstone IP licensed products like themed stationery with stationery brands, achieving dual wins in cultural

protection and economic development.

5. Era Shifts and Practical Safeguards

5.1. Institutional Optimization: Local Legislation and Policy Innovation

5.1.1. Accelerate Local Legislative Processes

Seize the opportunity of revising the Intangible Cultural Heritage Law to formulate the "Zhaoqing City Intangible Cultural Heritage Digital Assets Protection Regulations," clarifying definitions, scopes, rights attribution, transaction rules, and legal responsibilities, incorporating tripartite subject systems, dual-track valuation, and AI confirmation mechanisms to fill local institutional gaps.

5.1.2. Improve Supporting Policy Measures

Issue special policies for Zhaoqing ICH digital asset economic transformation: first, provide funding support via an ICH digital assets development fund subsidizing AI-empowered projects, digital collectible issuance, and cultural tourism integration; second, offer tax incentives by reducing taxes on digital asset transactions and IP licensing incomes; third, promote talent cultivation by collaborating with universities for ICH digitalization courses and training composites with ICH knowledge, AI skills, and legal expertise.

5.2. Cross-Departmental Collaboration: Enhancing Systemic Governance Efficacy

Build a "cultural tourism + intellectual property + finance + technology" cross-departmental collaboration mechanism: first, establish the Zhaoqing ICH Digital Assets Governance Committee, led by the municipal government, coordinating the duties of the Cultural and Tourism Bureau, Intellectual Property Bureau, Financial Work Bureau, and Science and Technology Bureau into a "deliberation - approval - implementation - supervision" closed loop; second, create an information-sharing platform integrating ICH directories, digital asset registrations, transaction data, and enforcement records for interdepartmental data interoperability; third, jointly conduct special actions to periodically address infringements and speculations in ICH digital assets, maintaining market order.

5.3. Local Innovation: Synergistic Development in the Guangdong-Hong Kong-Macao Greater Bay Area

Leverage the Greater Bay Area's resource advantages to promote the regional synergistic development of Zhaoqing ICH digital assets: first, co-build ICH digital asset transaction platforms with cities like Guangzhou and Foshan for resource interoperability and market sharing; second, connect with Bay Area tech enterprises and financial institutions to introduce AI R&D resources and venture capital, enhancing digital asset technical levels and financing capabilities; third, participate in formulating Bay Area ICH digital asset standards, elevating Zhaoqing practices to regional standards and strengthening regional discourse power.

6. Conclusion

The construction of property rights for ICH digital assets is a core proposition in ICH protection and economic development in the AI era, essentially achieving the synergistic coexistence of cultural and economic values through institutional design. As a region rich in ICH resources, Zhaoqing faces real dilemmas such as ambiguous ownership, legal gaps, and inefficient conversion but also holds advantages in AI applications, abundant cultural tourism resources, and policy support. Grounded in the institutional logic of "state presence" and systems theory, building a tripartite subject system of "state - community - inheritor," clarifying object boundaries and rights content of digital assets, and improving synergistic mechanisms for legal regulation and economic transformation represent feasible pathways for Zhaoqing's ICH digital asset property rights construction.

In practice, Zhaoqing must base efforts on local realities, deeply integrating AI into all processes of confirmation, valuation, transaction, and protection, with safeguards like local legislation, cross-departmental collaboration, and regional synergy to achieve effective protection and efficient conversion of ICH digital assets. This not only injects new vitality into Zhaoqing's ICH inheritance and drives high-quality regional economic development but also provides replicable and promotable experiences for the Greater Bay Area and similar regions nationwide, contributing to cultural power construction and coordinated socioeconomic development in Chinese-style modernization.

7. Project

Zhaoqing City Philosophy and Social Sciences Planning Project entitled "Strategies for Digital Preservation and Revitalization of Intangible Cultural Heritage in the New Media Era: A Case Study of the Bamboo Basket Weaving Technique in Xin Qiao Yang, Zhaoqing City" **(Project No. 25GJ-350)**.

The 2025 Research Project of the Urban-Rural Cultural Development Research Center at Guangzhou Institute of Applied Science and Technology, entitled "AI-Empowered Framework for Digital Preservation and Innovative System Building in the Inheritance of Intangible Cultural Heritage in Zhaoqing City" **(Project No. GYKCS-2025-08)**.

The 2025 "Yuexi Red Culture Research" Project entitled "AI-Empowered Strategies for Disseminating Yuexi Red Culture and Associated Intellectual Property Risks" **(Project No. GYKyxhswh202502)**.

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Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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