

To Whom It May Concern:

Fundamentally, AI could be an amazing resource that can help creatives and companies, but it has been reduced to a cheap money-making scheme that benefits from scalping creatives and their works. Tools such as Mid-Journey and ChatGPT do nothing more than scour the internet for material that would benefit their search engine, taking man-made creations and turning into binary garbage with zero credit to those who did the hard work to come up with the narrative. In my personal experience as someone who creates digital art, there has been a large issue with A.I. generator bots stealing original work, purposefully deleting any credit to the original creators, and branding it as an original piece of work. Despite any efforts to mark it as original copyrighted works, opting-out of A.I. datasets, and suppressing A.I. content, thousands of creators get their original works stolen because of the lack of regulations regarding the issue.

As described above, generative AI systems have the ability to produce material that would be copyrightable if it were created by a human author. What are your views on the potential benefits and risks of this technology? How is the use of this technology currently affecting or likely to affect creators, copyright owners, technology developers, researchers, and the public? The benefits of this technology could be great. Take for example the recent 2023 movie, “Spider-Man: Into the Spider-Verse” created by Sony Pictures. For part of their production, they trained an A.I. model with original works from the creatives of the studio to make their lives easier by being able to generate facial expressions, character models, and more with the use of their original A.I. This type of A.I. use would be beneficial as they *only* used original works within the studio to train an A.I. model to help with their creators to meet deadlines, cut costs, etc. Now, if John Doe out of Arkansas who had nothing to do with the creation of this movie decided to feed it into an A.I. model, having done nothing to create the images he is feeding into the model, to sell “original” works inspired by the movie while simultaneously doing no creative work other than typing a sentence into a chat box to generate an image that looks like it could be from the movie, that would be absolutely repulsive behavior. And yet these people are allowed to get away with that type of behavior due to no regulations with A.I. A company such as Sony would have the funds to pursue legal action to prevent this, but to the average creative who is often living paycheck to paycheck, this isn’t feasible. So thousands of faceless users get to openly steal original works and claim them to be theirs under A.I.

Does the increasing use or distribution of AI-generated material raise any unique issues for your sector or industry as compared to other copyright stakeholders? While art is a hobby for me, A.I. generated material is affecting many sectors of business right now. I work in the legal field, and just this year there was an attorney who turned in an A.I. generated pleading filed with the court that was completely made-up nonsense. Statues were just a series of random numbers and arguments that came from nowhere. Everyone is allowed to an attorney as a right listed in the United States Constitution, so what prevents Public Defenders pulling a similar stunt for a poor individual who can’t hire their own council?

Unfortunately, I don’t have the time to go searching for research papers or other countries’ legislation on A.I. I know first hand what A.I. is doing to an entire sector of the United States economy and is likely to start leaking over into other aspects of business if this technology does

not seek any regulation. Much like the FDA or EPA, this needs its own specified entity that can dedicate the time to understand this fast growing technology. United States law making is notoriously slow, and it's like that for a reason, but unfortunately this technology is growing to quickly for our law makers to keep up. We need blanket regulations to protect creatives from poaching and scalping, or entire industries will suffer. We are already experiencing an economic downturn in the movie industry due to the actors strikes, and the art economy will likely suffer the same fate if nothing is done about it. Art makes up movies, television, books, museums, paintings, etc., it is a prominent sector of the U.S. economy that needs to be protected.

Sincerely,

An angry creative.