COPYRIGHT OFFICE AI COMMENTS

SUBMITTER: John S. Morrison
              545 Wilson Road, Crownsville, MD 21032, USA
              Tel. +1-410-697-3011

BACKGROUND: Award-winning author of speculative fiction.
              Author of patents in cyber technology and cryptography owned by Lockheed
              Martin Corp. and Samsung Research America.

COMMENTS:

1. *No artificial intelligence/synthetic system should be allowed to own or claim responsibility for patents, copyrights, or trademarks (IP).* Only verifiable humans and/or corporate entities should be allowed to claim such ownership or responsibility.
   RATIONALE: Only humans and corporate entities can be sued for infringement. If AI/synthetic systems could own IP then (1) there may be no enforceable legal remedies for criminal or negligent IP assertions; (2) such a move would break/redefine international IP treaties concerning "life of the author"; (3) such a move would devalue human contributions to IP creation, and potentially steal jobs.
   EXAMPLES:
   a. ChatGPT publishes a book on how to find edible mushrooms in the forest and provides incorrect information causing human death or sickness. The human instigator (owner of the bank account receiving book royalties) escapes any penalties.
   b. A synthetic system/AI files a patent or trademark that infringes IP owned by other companies.

2. *The Copyright, Patent, and Trademark offices should avoid promulgating rules concerning AI/synthetic systems that are ambiguous and/or unenforceable*. This should seem self-evident, and yet the Copyright office issued guidance in March of 2023 requiring authors to disclose AI content and also determine whether such content is classified as *de minimis*, avoiding any discussion of criteria for such determination.
   RATIONALE: (1) avoid confusion; (2) avoid placing unnecessary burdens on authors; (3) avoid burdening the U.S. Copyright Office with resolving instance-by-instance *de minimis* determinations.

3. *The Copyright Office should hold tech companies accountable for using copyrighted works to train AI/synthetic systems without the prior approval of copyright owners*. Such prohibitions should apply to websites hosting copyrighted works, even if such sites claim an implicit right to conduct such training.
   RATIONALE: (1) Unconstrained use of copyrighted works by AI/synthetic systems will deprive human authors of fair compensation for their creativity; (2) such training enables AI/synthetic systems to generate works "in the style of" a human author potentially impinging on the author's reputation and livelihood.