

Generative Artificial Intelligence (AI) Overview and Ethics Awareness Training

Golden Czermak
Owner/Photographer – FuriousFotog

Rev. June 12, 2023





About the Presenter

Golden Czermak

Owner/Photographer – FuriousFotog

- 30 years graphic design experience (primarily Photoshop)
 - 11 years book industry experience as a photographer, designer, and cover model.
 - 10 years copyright and trademark experience.*
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- 14 years regulatory experience (OSHA/EPA/BATF/DoD) and auditing
 - 7 years experience in self-publishing e-books, trade books, and audiobooks.
 - Chemical Engineering Degree

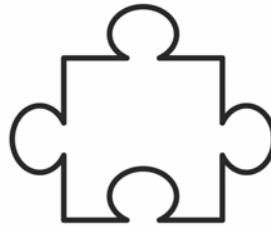
**I am not a lawyer; therefore, discussion should not be considered legal advice and only as the interpretation and opinion of the me as the presenter.*



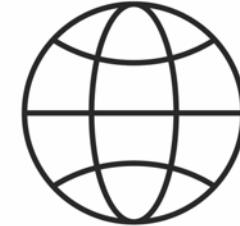
Why this training?



- I am not against technological advancement but am opposed to generative AI in its current form.
- I'm focused on providing you with engaging awareness training on the unethical foundations of generative AI.



- **With a specific focus on AI-generated imagery throughout this presentation,** my aim is to equip you with the knowledge to:
 - Comprehend the reasons artists are against these systems,
 - Identify AI-generated images, and
 - Apply these principles across various forms of generative AI (including writing, voice, and music).



- By arming yourself with these insights, it is my hope that you can better navigate a world ever-changing from AI.

Main Topics

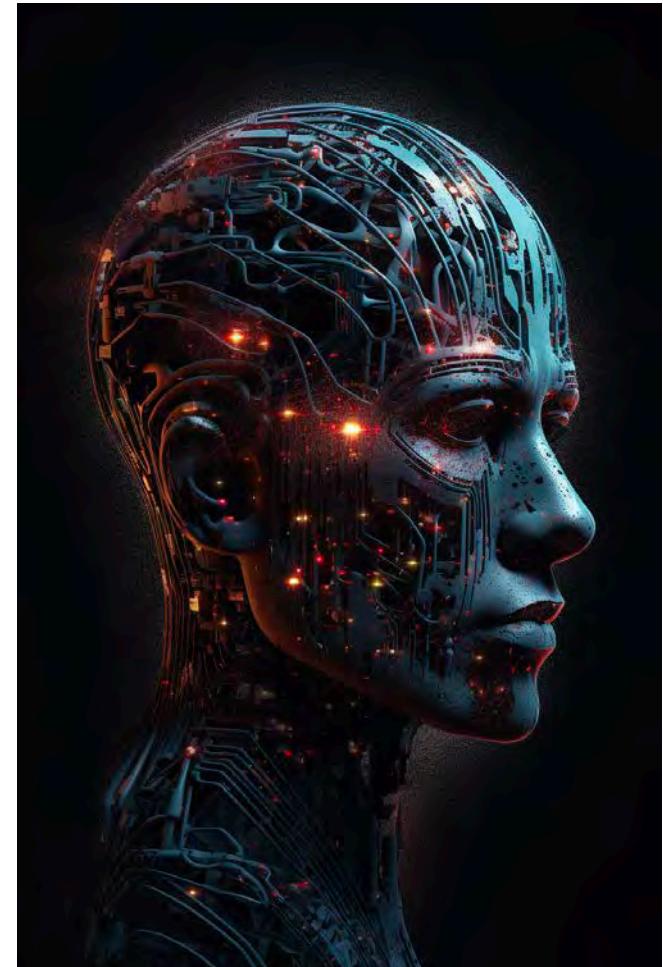
- **What is AI** in this sense?
- What are some **proposed benefits** and **potential harm**?
- What is the **difference between AI-powered tools and generative AI software**?
- Why is generative AI software **unethical** and **problematic**?
- Mindset and **why “adapt or die” is out of date** when adjacent to generative AI.
- **Copyright** hurdles.
- **Why should you care** what is generated by AI?
- How can I **identify generative AI users** when they haven't declared?
- How can I **identify generative AI images**?
- What are **some things we can do** in a world of increasing fakeness caused by generative AI?
- Questions & Discussion

(Midjourney, 2023)



What is Artificial Intelligence (AI)? (1/2)

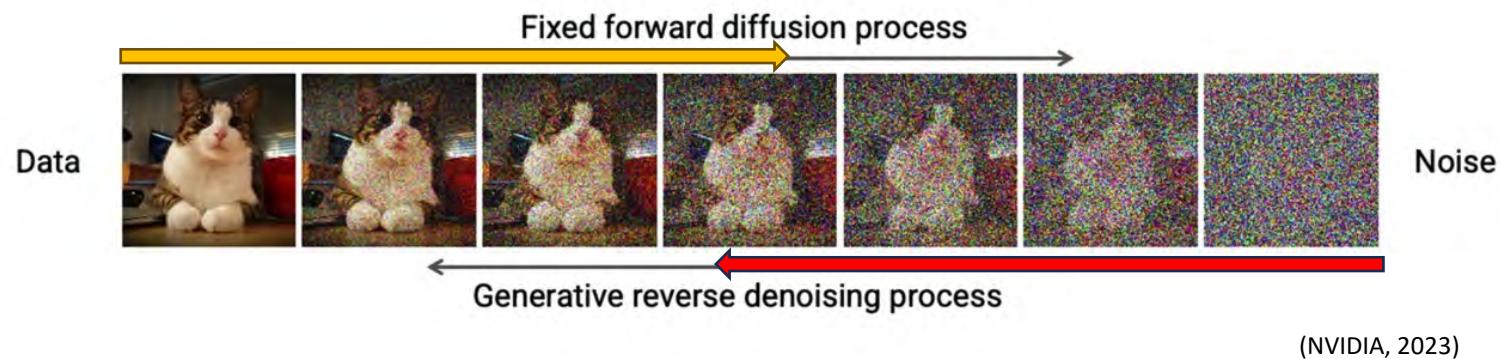
- “**Artificial Intelligence**”
 - A catch-all term synonymous with *machine learning (ML) models* that are used to *obtain new output from supplied training data*.
 - Different from *Artificial General Intelligence (AGI)* – the traditional machine that can “think like a person.”
- *Generative AI* are ML models that can quickly generate new text, images, video, voice, music, and other media from text prompts.
 - They can do so because they were trained in the patterns and structure of the supplied training data.



(Midjourney, 2023)

What is Artificial Intelligence (AI)? (2/2)

- The most popular **AI image generators** use a process called **reverse diffusion** to make images.
 - The data is categorized and “broken down” into noise (e.g., a brown and white cat).
 - The system is then trained on how to reconstruct similar (in rare cases exact) things out of noise.

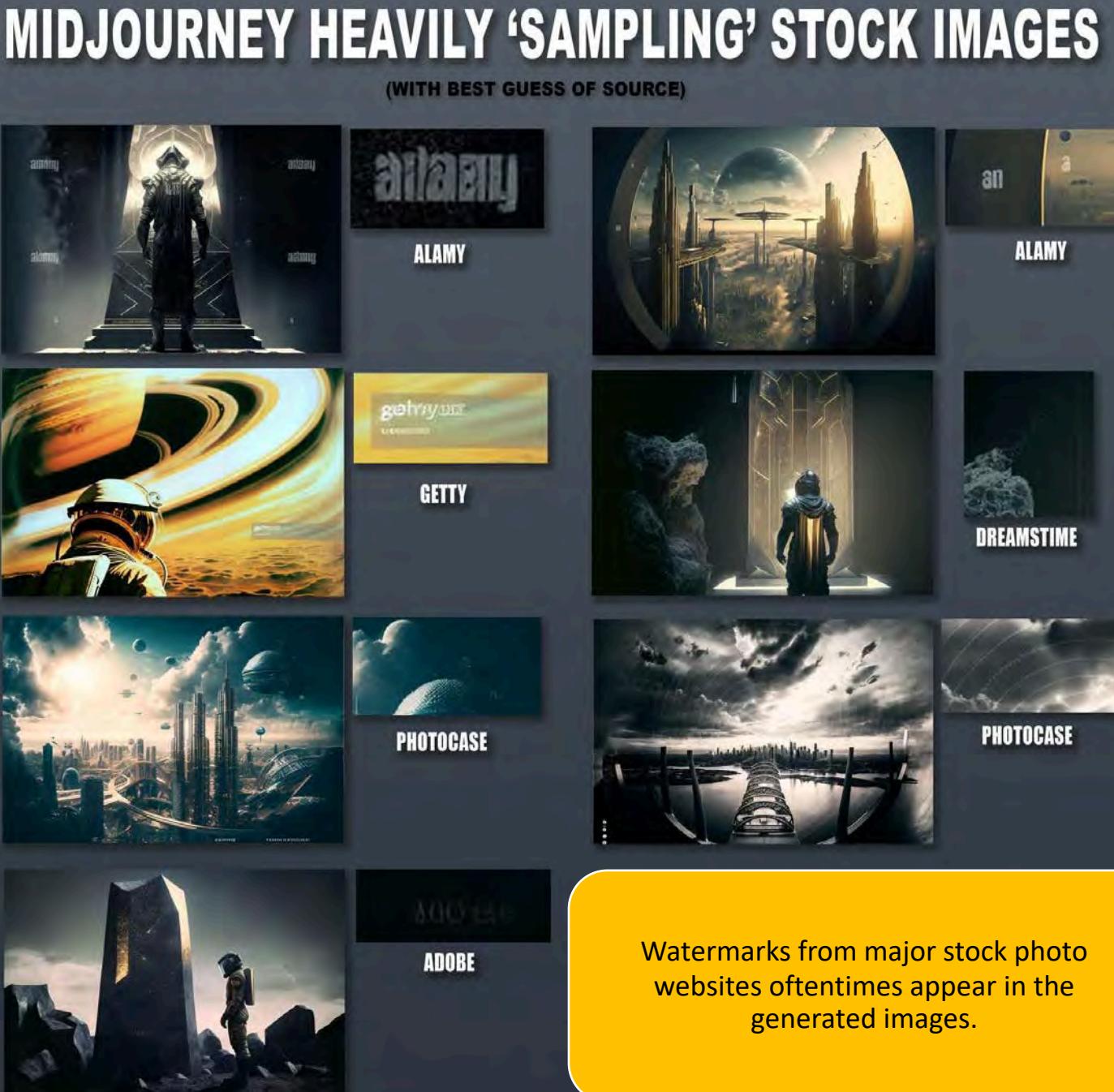


(This is why you can see fragments of watermarks frequently being generated and why artists consider this form of generative AI to be derivative of and infringing on their intellectual property.)

- The most popular text generators use large language models (LLM) to predict and generate responses to various degrees of human realism.

Sample watermark proliferation.

(Facebook User, 2023)



Sample watermark proliferation.

Watermarks can appear when trying to generate more than half of a person's body, such as these variants of the same prompt.

(Midjourney, 2023)



Current, popular generative AI systems.

- Images
 - Stable Diffusion XL (SDXL)
 - DreamStudio
 - Midjourney (V5.1) + Niji 2 (for animation)
- Writing.
 - ChatGPT 3.5
 - ChatGPT 4
 - Sudowrite “Story Engine”
- Video.
 - Kaiber AI
 - Synthesia
 - D-ID
- Music.
 - Boomy
 - AIVA
- Voice.
 - Elevenlabs
 - Resemble AI
 - Respeecher

What are the proposed *benefits* of generative AI?

- Generative AI is no doubt a technological marvel that is here to stay.
- Proponents see massive benefits including, but not limited to:
 - Untethered creative ability.
 - More comprehensive use of enterprise data and knowledge.
 - Increased productivity and output at all levels of a business.
 - Reduced labor costs.



(Midjourney, 2023)

What is the potential *harm*? (1/4)

- Job losses.
 - An inevitability, though to what extent remains to be seen.
 - Prior technology revolutions targeted lower job levels (e.g., manual labor).
 - Automation encouraged people to seek better positions "up the ladder" for better pay and quality of life.
 - Generative AI is poised to automate the entire ladder.
 - In *theory* this lets people complete existing work faster, so they have more time to do more work or time for creative pursuits.
 - Yet creative pursuits are also targets of generative AI, diluting the need for creatives while flooding those markets.



(Yahoo! Finance, 2023)



(Slate, 2023)

Adobe to integrate AI into Photoshop amid fears of job losses and mass faking of images

Company says Adobe Firefly is a 'co-pilot' to graphic design rather than a replacement for humans

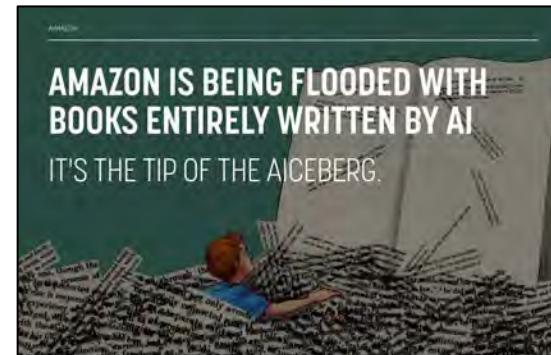


Software giant Adobe has announced it will integrate generative AI into its widely used Photoshop program, while downplaying fears the move will lead to job losses and mass fakes.

(The Guardian, 2023)

What is the potential *harm*? (2/4)

- Increased *quantity* of lower *quality*.
 - “Content” for consumption instead of creativity.
- Less direct customer service.
 - AI chatbots instead of humans on the line.
- Fraud.
 - Misrepresenting services made with generative AI as being hand-crafted.
 - Simulating objects for sale that do not exist.
- Scams.
 - Voice-cloned calls.
 - Some AI “detection” software doesn’t work.
 - LLMs are programmed to be confident and self-affirming.



AMAZON IS BEING FLOODED WITH BOOKS ENTIRELY WRITTEN BY AI
IT'S THE TIP OF THE ICEBERG.

Books almost entirely generated by AI are flooding Amazon's marketplace, [The Washington Post](#) reports, a trend that's turning out to be a huge headache for human authors.

It's a growing problem, making it more difficult to distinguish real authors from AI-generated bylines of non-existent writers.

(Futurism, 2023)

Eating Disorder Helpline Takes Down Chatbot After Its Advice Goes Horribly Wrong

The ‘not AI’ chatbot was supposed to replace actual human staff who claim they were fired after trying to unionize.

By Kyle Barr Published 2 hours ago | Comments (6) | Alerts [Twitter](#) [Facebook](#) [Email](#) [Print](#)



NEDA's chatbot Tessa reportedly offered people with eating disorders advice that explicitly went against its own stated beliefs.

(Photo: David Pinto (iStockphoto))

TECHNOLOGY

That panicky call from a relative? It could be a thief using a voice clone, FTC warns

March 22, 2023 - 5:18 PM ET

By Joe Hernandez



This Wednesday, April 14, 2016, file photo, shows a push-button landline telephone, in Whitefield, Maine. Robert F. Bukaty/AP

(Gizmodo, 2023)

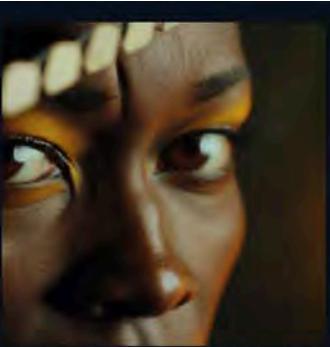
(NPR, 2023)

What is the potential *harm*? (3/4)

- False diversity and representation.
 - Instead of hiring real marginalized models or owned-businesses, it is now easier to generate fake imagery to use at little to no cost. (This ties in with job losses.)
 - This also controls how minorities and marginalized groups are portrayed visually (oftentimes stereotypically), which can remove our individuality.
- Warped sense of beauty standards/perfection.
 - Generative AI leans toward two extremes: flawless beauty or highly exaggerated negative features.



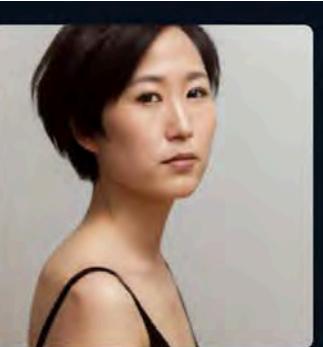
High Detail, Medium Portrait Photo,
An Amazonian Tribal Man, Looking At
The Camera, Set In A Well Lit Studio...



film still of dark skin african american
young woman in her early 20's,



Portrait Of A Fashionable Black Man,
80S Fashion, Colorful Studio Lighting,



fine photography of a beautiful
Japanese woman with a middle

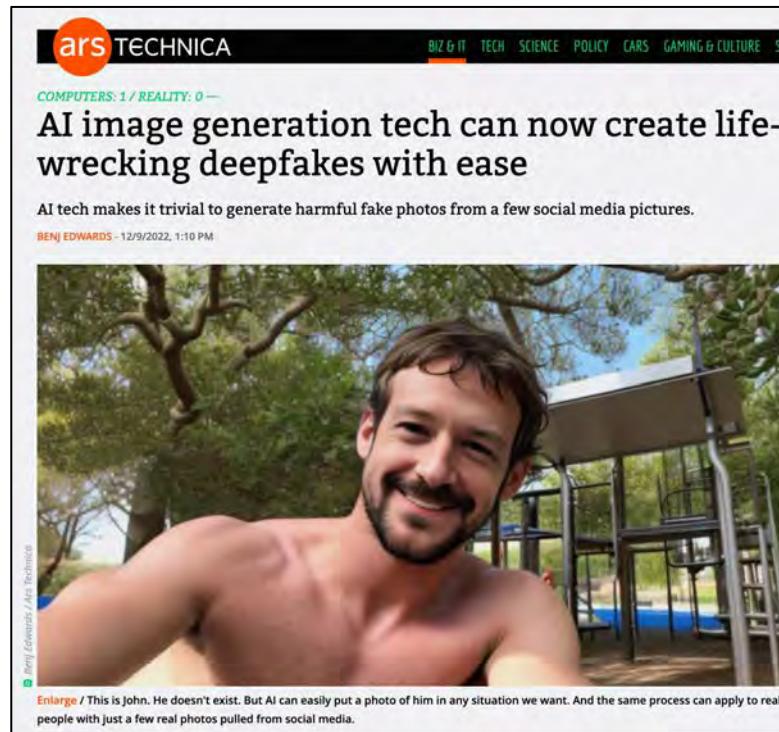


(Adobe Firefly, 2023)

(Midjourney, 2023)

What is the potential *harm*? (4/4)

- Catfishing.
 - 100% AI-generated people.
 - AI-generated images using real people.
- Cyberbullying.
 - Creating harmful material to use harass someone.
- Blackmail.
 - Creating harmful material to defame someone.
- A warped sense of reality.
 - Not being able to tell what is real vs. fabricated.



(Ars Technica, 2022)

Scammers use AI to catfish men on Reddit, trick them into paying for nudes of an AI-generated woman

A bunch of software engineers took Reddit by storm when they opened up a fake account to catfish people and started conning men by tricking them to pay for nudes of an AI-generated woman, named Claudia. The nudes were made using Stable Diffusion.

Mehul Reuben Das | April 13, 2023 14:42:14 IST



A bunch of software engineers took Reddit by storm when they opened up a fake account to catfish people and started conning men by tricking them to pay for nudes of an AI-generated woman, named Claudia. The nudes were made using Stable Diffusion.

(Firstpost, 2023)

Before we get too far, a clarification on AI-powered tools vs. generative AI (1/2)

- “**AI-powered tools**” have been around for a while.
 - They use machine learning in a *limited scope* to increase productivity for that task.
 - Data used to train AI-powered tools are more aligned to the physical and scientific nature of the issue being improved.
 - Examples include, but are not limited to:
 - **Selecting and masking** an image with better fidelity to remove the background more quickly by analyzing the contrast between subject and background.
 - **Sharpening an image** that is blurry using algorithms for specific kinds of blur so it can be used in a project instead of discarded.
- These tools allow the user to control the level of precision at any time during those steps.



(Topaz Labs, 2023)

AI-powered tools vs. generative AI continued... (2/2)

- **Generative AI** is different.
 - It's "something new out of nothing."
 - It *bypasses* typical workflow by having the software create complete results by itself (in seconds).
 - Beyond the initial prompt, the user has ***no input at any stage in the actual creation process.***
 - The user merely takes the generated output or redoes it over and over until they get something close to what they need.
 - The user only finalizes the results *after completion* (e.g., removing watermark fragments, repairing fingers, etc.).
 - Therefore, ***generative AI is not a tool*** like sharpening software or a faster, easier to use camera.
 - It replaces the camera.
 - And the operator.
 - And the subject being taken.



(Midjourney, 2023)



(Midjourney, 2023)



(Midjourney, 2023)

So why is generative AI software unethical?

- The *foundations* of generative AI systems are built on data scraped from the internet that contain personal and/or copyrighted work.
- This was done without permission or compensation to the people who own those data.
- The results made by generative AI systems could potentially be seen as derivative works based on those data.

Why is generative AI software unethical? (1/3)

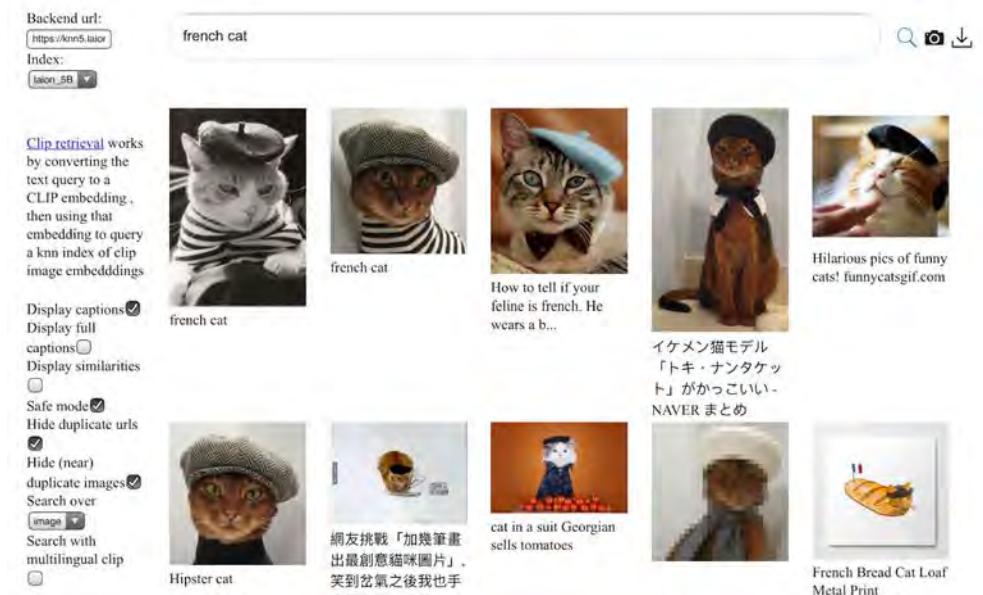
- The LAION-5B data set (used to train the most popular generative AI image software) contains **5.85 billion images** scraped from the internet.
- The legalities of this kind of data scraping are an ongoing debate.
 - Framed (oftentimes in error) as fair use in the United States.
 - Other countries, such as Japan, are moving toward deeming commercial use of this data as illegal.

LAION-5B: A NEW ERA OF OPEN LARGE-SCALE MULTI-MODAL DATASETS

by: Romain Beaumont, 31 Mar, 2022

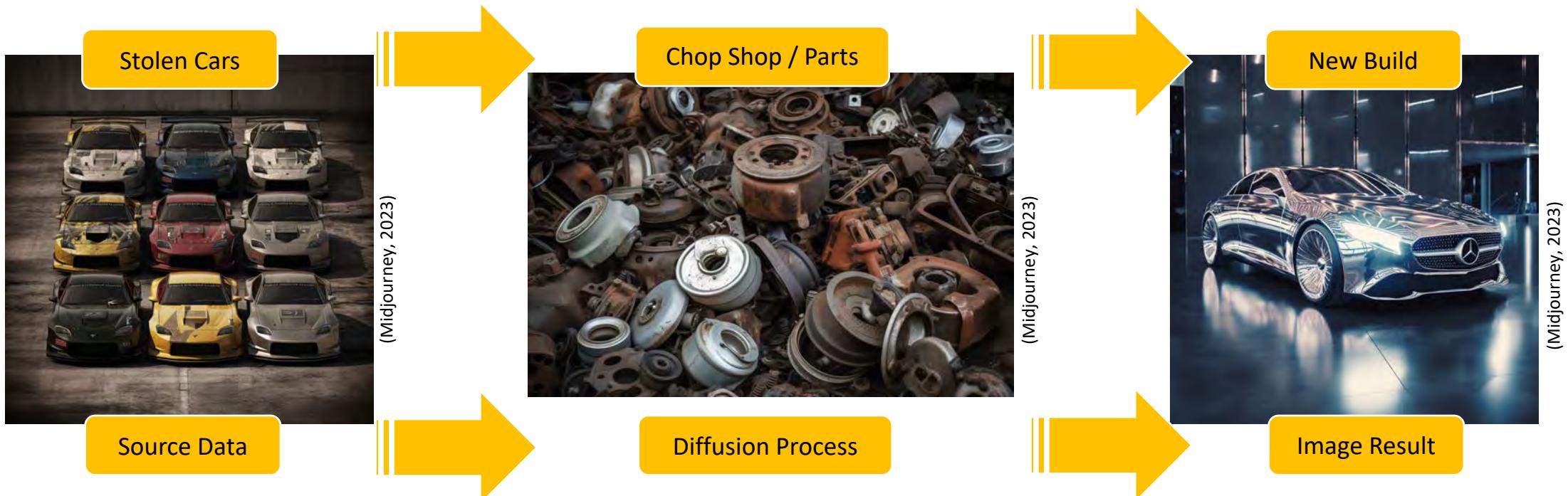
We present a dataset of 5,85 billion CLIP-filtered image-text pairs, 14x bigger than LAION-400M, previously the biggest openly accessible image-text dataset in the world - see also our [NeurIPS2022 paper](#)

Authors: Christoph Schuhmann, Richard Vencu, Romain Beaumont, Theo Coombes, Cade Gordon, Aarush Katta, Robert Kaczmarczyk, Jenia Jitsev



Think about it this way... (2/3)

- If you steal 9 cars and use a chop shop to get parts to then make a shiny new vehicle, that vehicle is still fundamentally a stolen car.
- Likewise, if you use generative AI software that contains copyrighted data and make a new image from those data, the result is still ***fundamentally*** stolen.



If only they'd asked... (3/3)

- If generative AI companies **had simply asked for opt-in or volunteers up front** to train their systems, a lot of this would not be an issue.
 - Instead, they chose to do it without regard to permission, or updated Terms of Service (TOS) to automatically opt users in.
- Based on the most popular generations, it is evident these companies *needed* the ability to create copyrighted images to make more money.
 - Increases popularity of content and makes it go viral.
 - More people willing to pay for the cool-factor of generating whatever they want without regard to copyright, model releases, or right to publicity.

After all, if you can only make generic people or items, where's the "fun" in that?



(Midjourney, 2023)



(Midjourney, 2023)



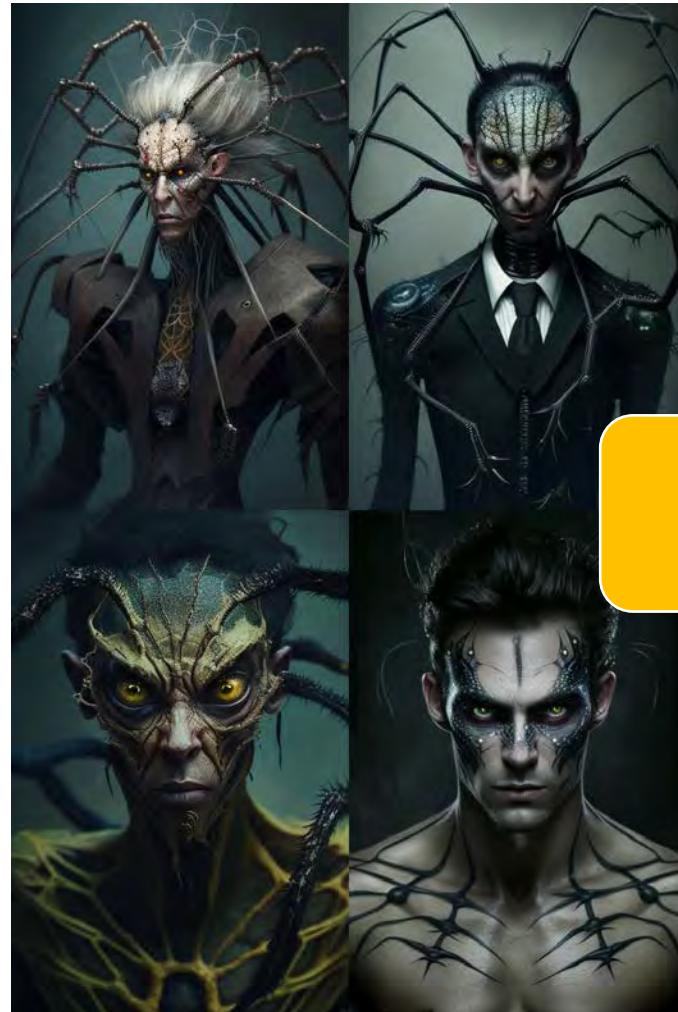
(Midjourney, 2023)



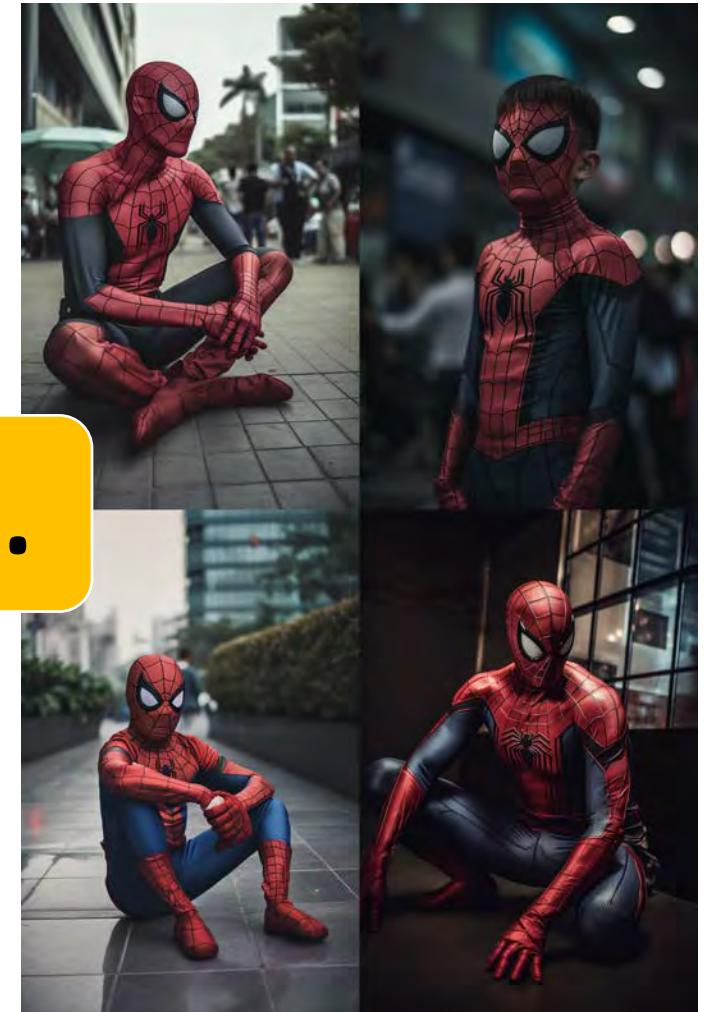
(Midjourney, 2023)

Testing the ethics: the “spiderman” test.

- Performed by entering “spiderman” as the prompt to generate an image.
- PASS: images of a man-spider hybrid.
- FAIL: the system makes the Marvel superhero.
- Most generative AI systems fail this test.
- Adobe Firefly passes this particular test as of this presentation (though it does use uncompensated data from Adobe Stock contributors).



VS.



Saying “Generative AI is just a tool like a digital camera” is comparing apples to oranges.

- A lot of people compare generative AI to digital cameras (or paintbrushes).
 - The claim is all of these are just tools.
- ***This is not a good comparison.***
- While digital cameras did have pushback, they are still tools that requires a user to do the work of lighting, framing, and taking the images.
- Digital camera sensors *did not* require 5.85 billion photographs to be loaded into the camera so it would know how to make a tree, or a person, or a dog.
- ***Generative AI software did require all this data to be able to do what it does, and that is the fundamental difference.***



“I made this...”

- Another issue human artists have is generative AI users claiming they made the images themselves.
- Remember, users are not *doing anything beyond the prompt* to generate an image (the machine is).
 - It’s like hiring someone to do a commissioned piece.
 - This is also why prompts can lead to wildly different results and require refinement/re-rolls to repeat the process repeatedly until something close to what the user wants is made.
- Recall, this differs from the camera analogy, as you have to physically pick up and use the camera, not just tell it what to do.
- Despite this, users will claim credit for the output as their own, creating a false sense of ownership that can lead to further problems.
 - It’s like calling yourself a chef when all you did was say “I would like a plate of beef and veggies.”



(Midjourney, 2023)



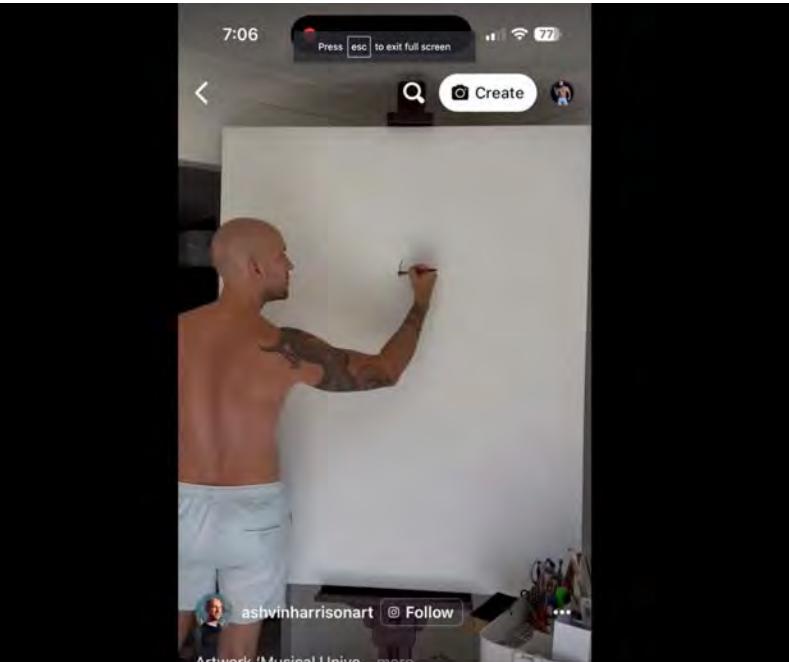
(Midjourney, 2023)



“Generate a picture of a flower with bokeh.”

Let's highlight this with a comparison

HUMAN POWERED CREATOR



Video of Human artist Ash Vin Harrison as he takes time and skill to create a stunning portrait of a woman with galactic hair and headphones.

GENERATIVE AI USER

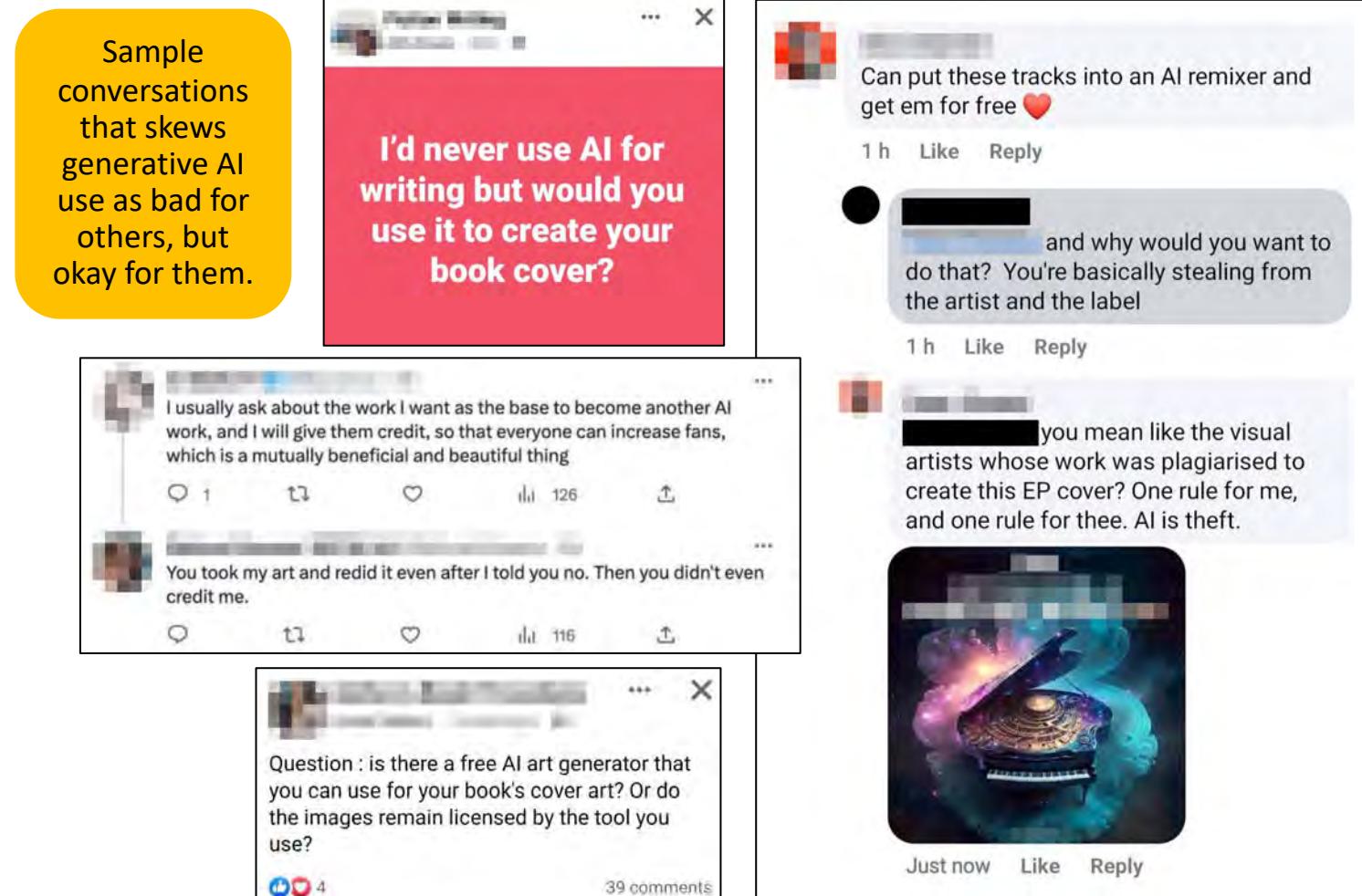
Type a prompt in Midjourney for same
In the style of
Ash Harrison



Opening Midjourney and typing a prompt for this "in the style of Ash Vin Harrison". Get infinite variations in seconds. Then pick one you like. Claim that you made it.

It's about one rule for me, and another rule for thee...

- **Hypocrisy and hubris drive this mindset.**
- Some consider it okay to use these tools (that are based off other people's work) but demand credit for the images the machine made for them.
 - Even watermarking them.
- Yet more won't use generative AI in their particular fields (e.g., for writing) but will gladly use it for other things like graphic design as if they are different.



“Adapt or die” is an outdated mindset when set against generative AI (1/2).

- “Adapt or die” or “adapt to survive” phrases imply that you MUST USE AI if you want any hope of staying relevant.
 - Often coupled with “this is like any other tech revolution, get over it.”
- Ironically, generative AI proponents have not adapted ***their OWN mentality*** to this new landscape, nor have they looked at how widespread and different generative AI is.
 - E.g., some graphic designers state they won’t need to buy stock images anymore since they can make their own (like the woman at right) and use them for their own clients.
 - Yet their clients are stating they won’t need to use those designers anymore, because they can generate their own work.
- **If this tech touches so many industries and will become so advanced that I won’t need to hire anyone, and they won’t need to hire anyone, and if everyone else is in a similar situation of being able to self-create whatever they need in record time:**

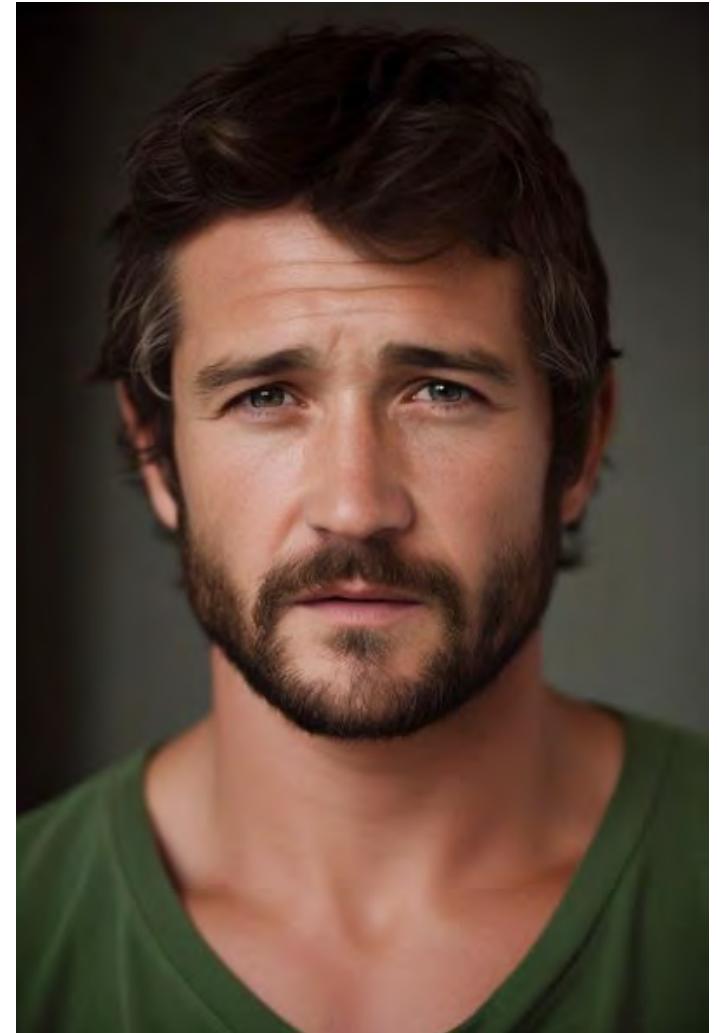


(Midjourney, 2023)

What exactly are we adapting to?

Let's look at photography as an example (2/2).

- How does one monetize this in the age of generative AI?
 - Output would have to go up by a huge amount to keep up with generative AI output.
 - Do you stay visible in the sea of output?
 - Does the client base increase accordingly?
- Generative AI is remarkably easy (little hardware, no skills).
 - You are competing against *anyone* with a computer.
 - Clients can do it themselves.
- Fees per generated AI image are disproportionately small compared to a skilled service.
 - The economics don't add up.
- Everyone goes into a mass-production mindset trying to pump out as much as they can as fast as they can to stay ahead of the wave.
 - Then the wave catches up and overtakes everyone.
- Photographers (and designers) could do AI themselves – and some are – but at some point, if everyone can do it, the question remains:
 - How is this going to be monetized to a point of a realistic income?
- I am taking the approach of offering real photography, real models, and real results in order to try and remain a gold-standard couture brand instead of a mass-produced monstrosity. Only time will tell.



(Midjourney, 2023)



(Midjourney, 2023)

Copyrighting AI isn't as easy as generating it.

- The US Copyright Office (USCO) updated its guidance in 2023 relative to applications for and approvals of material containing AI-generated content.
- Japan began working in early June 2023 towards implementing restricting commercial use of generative AI in two phases: development and use.

Transformative or derivative?

- Raw generative AI output **cannot be copyrighted.**
 - There is *no human guidance* during the creation process.
- Copyright requires significant changes to that output, *made by a person*, to qualify for registration.
- These changes must be enough to deem the work *transformative* and not merely a *derivative* of the generated image.
 - You can't take an AI-generated image, clean it up, change the hair color, and call it a day.
 - Just like you can't take someone else's photo, clean it up, change the hair color, and then claim it's your photo to copyright.
- Copyright will only protect the human-authored aspects of the work.

From 37 CFR Part 202 Copyright Registration Guidance: Works Containing Material Generated by Artificial Intelligence

When an AI technology determines the expressive elements of its output, the generated material is not the product of human authorship.³¹ As a result, that material is not protected by copyright and must be disclaimed in a registration application.³²

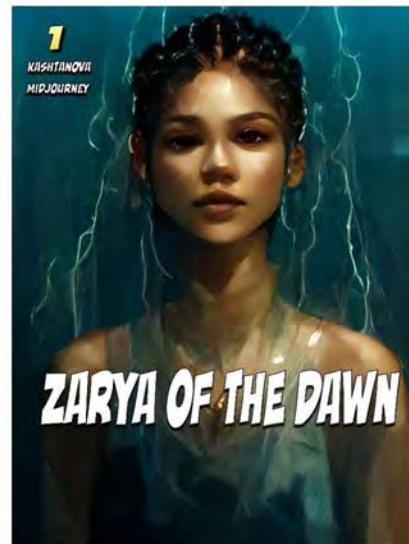
In other cases, however, a work containing AI-generated material will also contain sufficient human authorship to support a copyright claim. For example, a human may select or arrange AI-generated material in a sufficiently creative way that “the resulting work as a whole constitutes an original work of authorship.”³³ Or an artist may modify material originally

generated by AI technology to such a degree that the modifications meet the standard for copyright protection.³⁴ In these cases, copyright will only protect the human-authored aspects of the work, which are “independent of” and do “not affect” the copyright status of the AI-generated material itself.³⁵

This policy does not mean that technological tools cannot be part of the creative process. Authors have long used such tools to create their works or to recast, transform, or adapt their expressive authorship. For example, a visual artist who uses Adobe Photoshop to edit an image remains the author of the modified image,³⁶ and a musical artist may use effects such as guitar pedals when creating a sound recording. In each case, what matters is the extent to which the human had creative control over the work’s expression and “actually formed” the traditional elements of authorship.³⁷

The best-known AI copyright case (so far)...

- *Zarya of the Dawn* by Kristina Kashtanova.
- The USCO concluded that Ms. Kashtanova is the author of the Work's text as well as the selection, coordination, and arrangement of the Work's written and visual elements as a graphic novel.
- However, they determined that the images in the Work that were AI-generated were *not* the product of human authorship nor sufficiently transformative by her, and therefore not copyrightable.
- She was then issued a registration for the layout and text, but not the images in the graphic novel.



United States Copyright Office

Library of Congress • 101 Independence Avenue SE • Washington DC 20559-6000
www.copyright.gov

February 21, 2023

Van Lindberg

Taylor English Duma LLP
21750 Hardy Oak Boulevard #102
San Antonio, TX 78258

Previous Correspondence ID: 1-5GB561K

Re: *Zarya of the Dawn* (Registration # VAu001480196)

Dear Mr. Lindberg:

The United States Copyright Office has reviewed your letter dated November 21, 2022, responding to our letter to your client, Kristina Kashtanova, seeking additional information concerning the authorship of her work titled *Zarya of the Dawn* (the "Work"). Ms. Kashtanova had previously applied for and obtained a copyright registration for the Work, Registration # VAu001480196. We appreciate the information provided in your letter, including your description of the operation of the Midjourney's artificial intelligence ("AI") technology and how it was used by your client to create the Work.

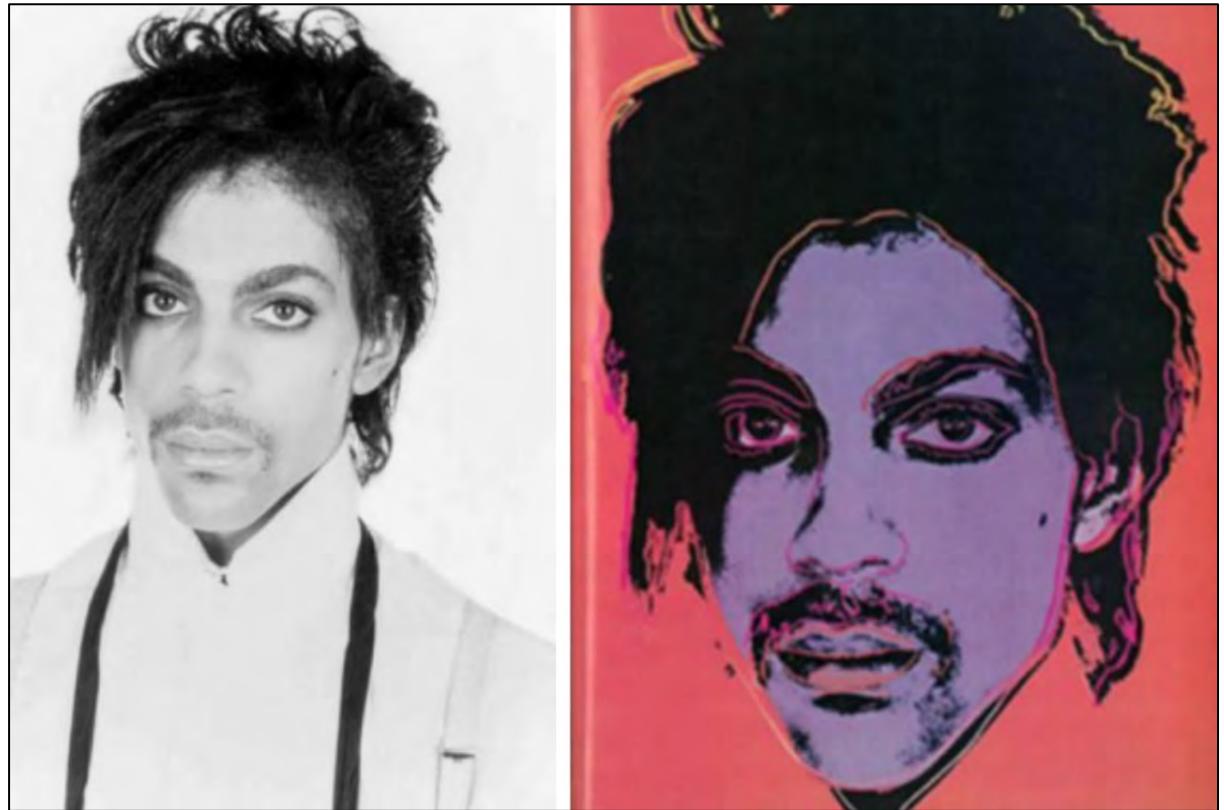
The Office has completed its review of the Work's original registration application and deposit copy, as well as the relevant correspondence in the administrative record.¹ We conclude that Ms. Kashtanova is the author of the Work's text as well as the selection, coordination, and arrangement of the Work's written and visual elements. That authorship is protected by copyright. However, as discussed below, the images in the Work that were generated by the Midjourney technology are not the product of human authorship. Because the current registration for the Work does not disclaim its Midjourney-generated content, we intend to cancel the original certificate issued to Ms. Kashtanova and issue a new one covering only the expressive material that she created.

The Office's reissuance of the registration certificate will not change its effective date—the new registration will have the same effective date as the original: September 15, 2022. The public record will be updated to cross-reference the cancellation and the new registration, and it will briefly explain that the cancelled registration was replaced with the new, more limited registration.

¹ The Office has only considered correspondence from Ms. Kashtanova and her counsel in its analysis. While the Office received unsolicited communications from third parties commenting on the Office's decision, those communications were not considered in connection with this letter.

But wait! There's more...

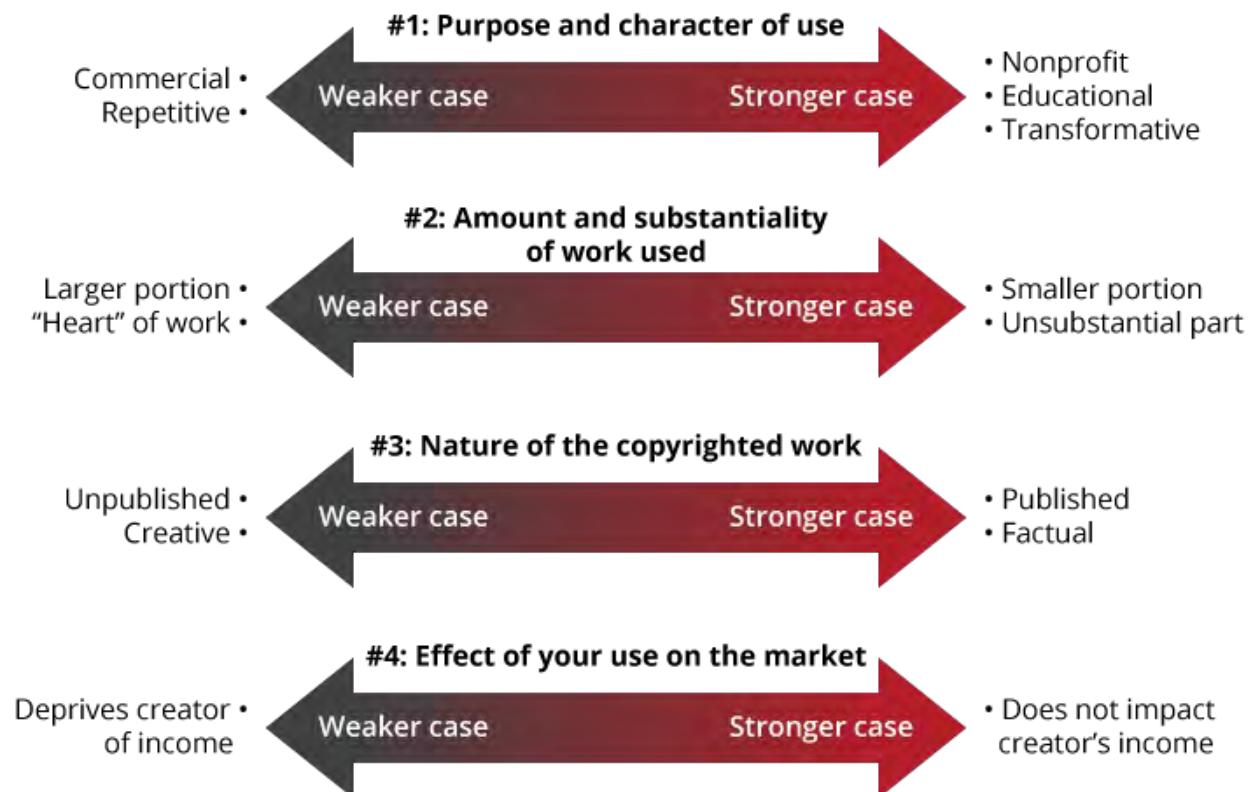
- *ANDY WARHOL FOUNDATION FOR THE VISUAL ARTS, INC. v. GOLDSMITH ET AL.* (2023, 18 May) muddied these copyright waters even more.
 - Warhol created the silk-screen version (far right) based on Goldsmith's photo (right).
 - Initially this was deemed transformative UNTIL the Warhol Foundation licensed the silk-screen version.
- The Supreme Court (7-2) ruled that works based off copyrighted material (even in different mediums) may, in fact, be infringing if a major reason for the supposed transformative nature is financial gain.
- This highlights the lack of understanding of the fluidity of fair use, something many people use in defense of potential infringement.



(ANDY WARHOL FOUNDATION FOR THE VISUAL ARTS, INC. v. GOLDSMITH ET AL., 2023)

The four points to determine a Fair Use Exception

- “Fair Use” must be applied on a ***case-by-case basis*** through analysis of the 4 pillars of the exemption.
- It cannot be used as a blanket generalization; what you think is fine may not be.





(Midjourney, 2023)

Yeah, yeah. But why
should I care?
Everyone's doing it.



(Facebook Ad, 2023)

Why should you care what is generated by AI? (1/3)

- **Potential fraud**

- Paying hundreds to thousands of dollars for something you were told was hand-crafted, but were made by a machine in 30 seconds (some as fast as 2 seconds)
- Some items for sale don't even exist.

- **Potential copyright and/or other intellectual property issues in multiple countries.**

- E.g., designing book covers and other commercial-use material using celebrity likenesses, potential derivative content, etc.
- If working in multiple countries, you must be aware of the laws there.

AI images that are made in minutes by a machine are selling for hundreds to thousands of dollars.



22 Mermaids - 007
\$1,750.00



22 Mermaids - 008
\$1,750.00

Scam pages using AI images to sell products that do not exist.

Bed-Bath & Beyond US
Sponsored
ID: 574814964772571

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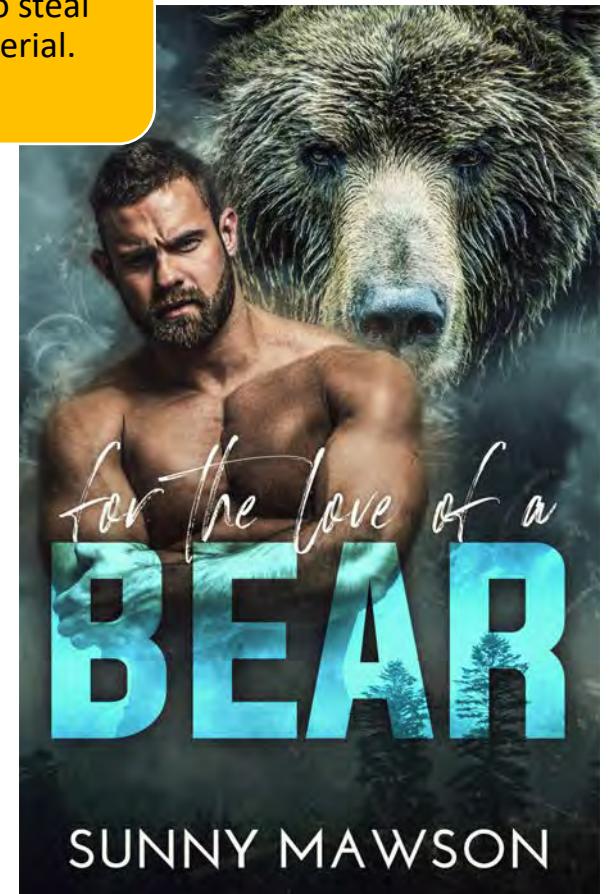
Why should you care what is generated by AI? (2/3)

- Theft of **your** copyrighted content.
 - Due to ease, it is possible to steal traditionally designed book covers, posters, watermarked images, etc. using Adobe's Generative Fill in just a few clicks.
- Remember, AI images have no copyright either.
 - Anyone can take a generative AI book cover and use it for their own commercial work.
- **BE AWARE!!!**



With one click, Generative Fill can be used to steal copyrighted material.

Be aware.



(FuriousFotoG, 2023)

Why should you care what is generated by AI? (3/3)

- Your world-view is already being affected.
 - By consuming and liking AI-generated content that is presented as real, you're conditioned to accept them.
 - So what? They're cute! (Sure, but they aren't real, and you thought they were).
 - This can lead to misunderstandings that have very real consequences.
 - Politics
 - Propaganda
 - Imagine when the tech improves.



Thinking images like the examples above are genuine leads to real consequences like below.

TECHNOLOGY

Market dips briefly after AI image of fake explosion near Pentagon goes viral

BY SARAH POLIS - 05/22/23 5:31 PM ET





(Midjourney, 2023)

So how can I identify generative AI images?

- First check if the use of generative AI is declared.
- **If you're uncertain, there is always the option to ask.**
 - Take note of the artist's willingness to respond.
- There are several signs that generative AI has been used if you cannot see nor get a declaration.
- **Keep in mind that these signs may not always indicate that someone is a grifter using generative AI without declaration.**
- However, if you notice multiple occurrences of these things in a person's portfolio, it is more likely that generative AI is being used without declaration.

How can I identify generative AI grifting in a portfolio if nothing is declared? (1/3)

A SUDDEN APPEARANCE

*Member since
August 2022*

The portfolio is a new account created since August 2022, yet is filled with a large quantity of work.

A WAVE OF UPLOADS

*100 images
per day*

There are frequent uploads of many images per day, every day, which is not possible for a traditional artist to produce. Furthermore, many of these images will be very similar and look finished, as highlighted in the point before.

A PEEK BEHIND THE CURTAIN

Focal length	10.90 mm
Focal length (EQ35mm)	-
Exposure bias	+1 1/3
Flash	No
Detailed EXIF	
Camera Make	Panasonic
Model	DMC-LX100
Exposure program	Aperture priority
Metering mode	Pattern
Flash - detailed	Flash did not fire, Compulsory flash suppression
Orientation	Normal
Max aperture	1.70

If the image is photorealistic, looking at the metadata on their website will let you check on image creation dates, copyright, and/or camera settings. This only works if the metadata is not stripped (like it is when images are posted to Facebook, Instagram, etc).

How can I identify generative AI grifting in a portfolio if nothing is declared? (2/3)

A QUANTUM LEAP IN QUALITY



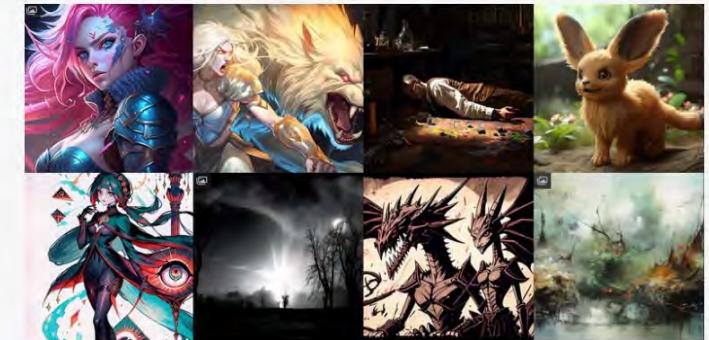
There is a sudden change in quality from stock photos or CG assets (from DAZ, etc) to high-concept illustrative art or fauxtography that makes it seem years of skills were obtained overnight.

A BEVY OF FINALIZED CONCEPTS



The portfolio contains highly detailed "concept" artwork that is clustered in groups, indicating that the person may be using AI to generate multiple versions of the same concept. This is a major tell for pages that share things like "stained glass bathtubs", which all look very similar because they were generated quickly for engagement.

EVERYBODY GETS A STYLE!



The styles used in the artwork differ greatly across the entire portfolio, indicating that the grifter may be using AI/ML to replicate the styles of various artists to maximize exposure and possible sales. This is possible since it's so easy to replicate via AI by simply saying "in the style of {a named artist}".

How can I identify generative AI grafting in a portfolio if nothing is declared? (3/3)

THERE CAN BE ONLY ONE...



BLATANT COPYRIGHT INFRINGEMENT

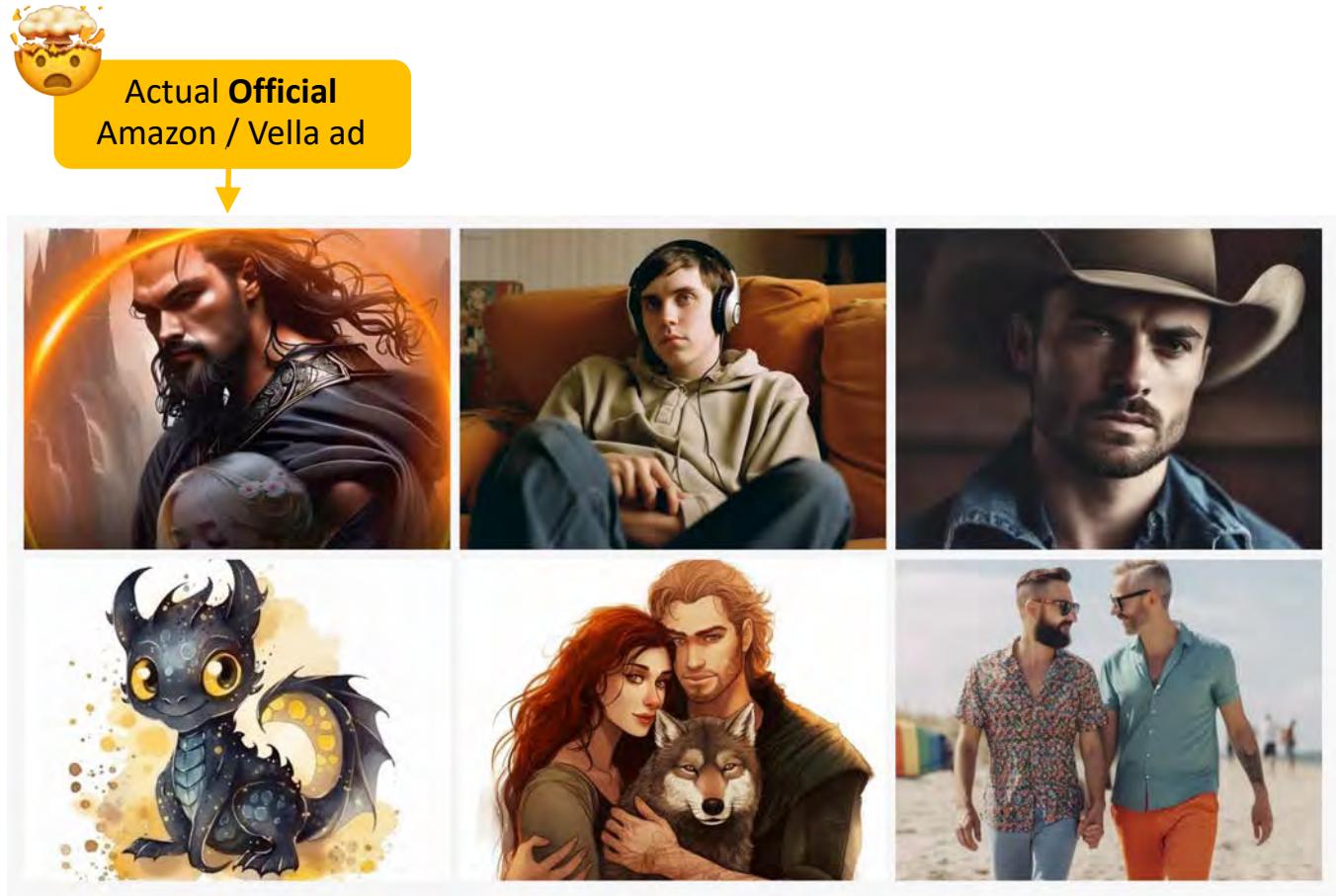


This goes without saying.

If there is a webpage selling products or a FB page with an "amazing photo of ___" that look vaguely AI, a telltale sign is only having one image of each item. Generative AI cannot reproduce the exact same thing (especially complex items) from different angles or lighting conditions.

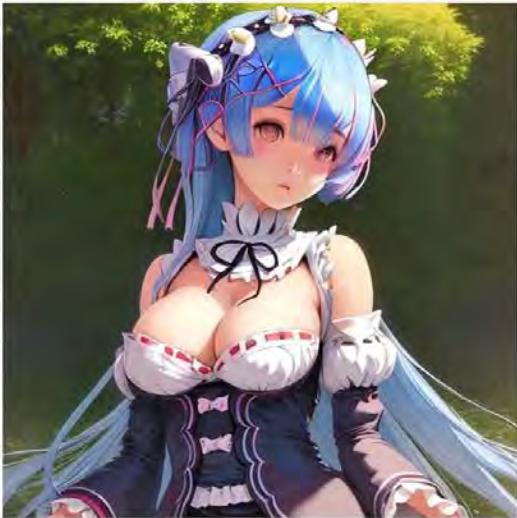
Now about those images...

- As generative software continues to evolve, spotting signs of generative AI use in artwork is becoming increasingly challenging.
- However, there are still some clues to look out for.
- **Remember to ALWAYS ZOOM IN.**
 - The devil is in the details.



How can I identify generative AI images? (1/4)

PROPORTIONS & DYNAMICS



In AI-generated art, figures tend to have exaggerated features such as musculature, buttocks, and bosoms. The skin is often very smooth with wrinkles being the only exception (those are usually overly defined). Women are mostly portrayed in a sexualized, anime-style manner rather than a more empowering one. AI art also lacks any sense of cohesive action and is usually restricted to stiff, stylized poses from the front, side, or at a slight angle.

THE CURSE OF THE SAME FACE



Oftentimes, AI art will generate the same face, likely caused by its recurrence within the original data set.

TONE



Many AI images have an artificial sheen that gives them a surreal, almost "Hollywood" glamour. They could be considered "too perfect".

How can I identify generative AI images? (2/4)

LACK OF ORDER AND PRECISION



AI-generated art often lacks intent and purpose, with elements being placed randomly throughout the image without much precision.

LACK OF FULL, CONTINUOUS PATTERNS



AI-generated patterns tend to be “chunky”, especially in fabrics, resulting in sections that do not bear repeating patterns well or segments where patterns rapidly change. This can also be seen in clothing where buttons suddenly melt into the fabric or other inconsistencies.

LACK OF SYMMETRY



AI often fails to achieve artistic precision with symmetrical elements, as seen in “themed” rooms or architectural renderings.

How can I identify generative AI images? (3/4)

LACK OF CORRECT PERSPECTIVE



Architectural AI often lacks proper perspective, with windows not matching the perspective lines of walls, countertops not aligning, etc.

LACK OF CLOSED CURVES



AI-generated jewelry such as necklaces and bracelets may be lopsided or one-sided.

REFLECTIONS & LIGHT



AI artwork tends to have reflections and lighting that don't match the surroundings. Remember the process stabilizes noise and is not an actual ray-traced render.

How can I identify generative AI images? (4/4)

STRANGE TATTOOS



AI generated tattoos are oftentimes imprecise, overly complicated “blobs”. Tribal artwork is often found due to its more simplistic form, though as previously mentioned AI has trouble with closed curves and patterns.

LOREM IPSUM AND WHATNOT



AI cannot currently generate legible text, such as the patch on his arm.

BODY HORROR



While this is becoming less common with each new iteration of generative software, hasty AI users may overlook disturbing and surreal elements in their images such as hands.



(Midjourney, 2023)

What are some things we can do
in a world of increasing fakeness
caused by generative AI?



(Midjourney, 2023)

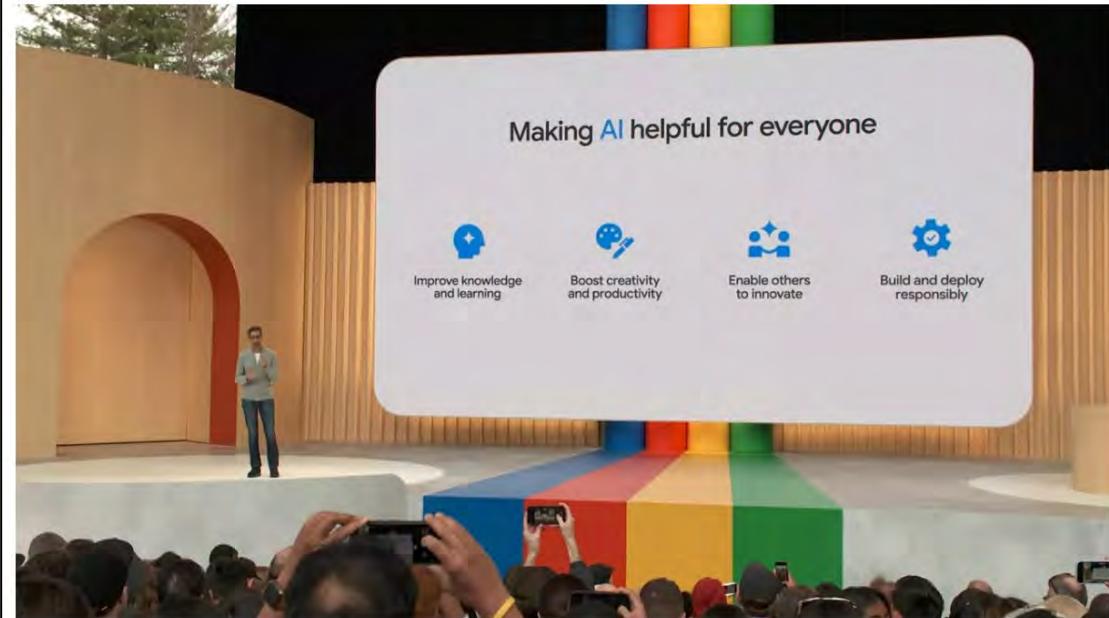
Know that generative AI is here to stay.

- Private companies are integrating it into every facet of their products.
- Public, open-source code is being used to develop generative AI systems that can perform highly specific tasks and functions free of ethical restrictions.

Google AI is about to be everywhere — Search, Gmail, even your phone's wallpaper

By [Shubham Agarwal](#) published 19 days ago

The AI arms race is on for Google



(Image credit: Google)

You'll be soon hard-pressed to not find an AI button in a Google app.



Don't feel pressured.

- Some companies are using generative AI and the tendency of people to fear missing out to drive more sales.
- Other companies may lean heavy into the “adapt to survive, otherwise go broke” mentality to push for more sales.
- Realize that you do not HAVE to use generative AI to be validated.

Sample emails and ads from companies pushing AI via these “guilt trip” methods.

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Here are 3 reasons why you should join this Midjourney Masterclass 💬😊

- 1 The world is changing and you can't stay behind. Master the Art of AI image making.
- 2 A new visual storytelling tool is taking the world by storm. Master it and use it to your advantage in your workflow.
- 3 AI requires knowledge and skill. We have created a formula that simplifies the prompt-writing process.

Sponsored

Want to learn how we're killing it right now with AI books and courses? Join this event and I'll show you specifically what we're doing.

See how you can get involved and profit from this TODAY by [Clicking Here](#).

Alternatively, fear and ignorance will likely lead to poverty for those who think they can ignore this.

Don't ignore AI. Be one step ahead and [proceed here](#).

Ask if someone you plan to use for a service has not declared.

- This can keep you safe from paying an excessive amount for AI-generated content under the guise it is real.
- Avoid potential legalities down the road, should what you purchase be determined to be infringing on someone else's copyright or trademark.

Remember:

Legal battles are ongoing!

The screenshot shows a news article from the website PetaPixel. The title of the article is "Getty Images is Suing Stable Diffusion for a Staggering \$1.8 Trillion". Below the title, the date "FEB 07, 2023" and the author "MATT GROWCOOT" are mentioned. There are also social media sharing icons for Facebook, Twitter, LinkedIn, Email, and a message icon.

Japanese government issues statement on AI and copyright regulation

Artificial intelligence may be used for educational purposes, but commercial use will be restricted without the express permission of the original author.

2023-06-06 10:17 • Alberto Garrido ▾

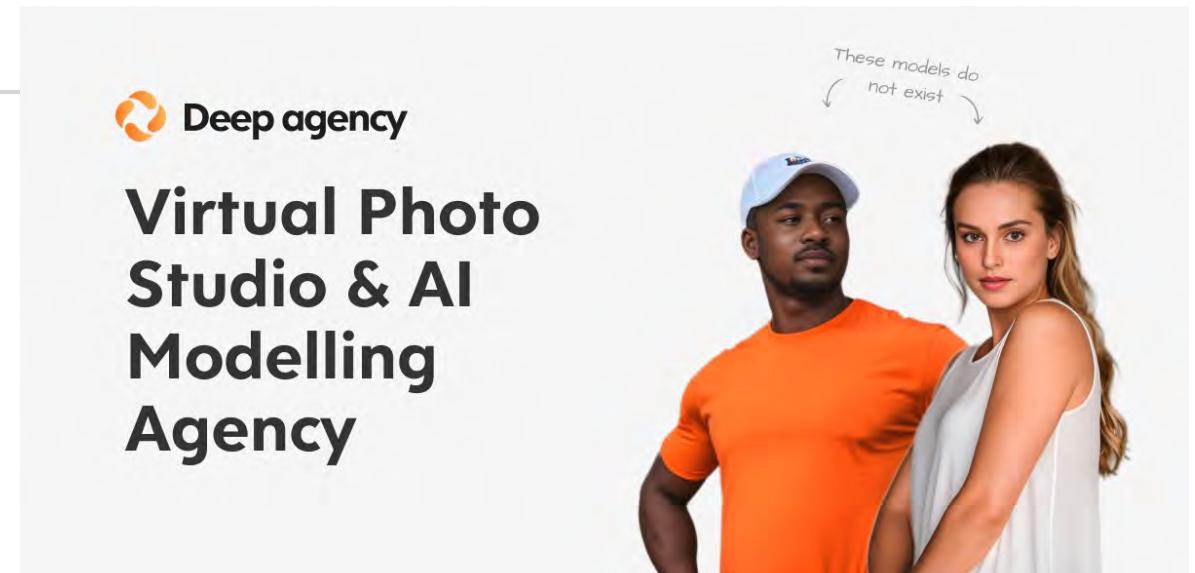
Don't take anything online at face value.

- It should go without saying but be skeptical of what you see online.
- Images have always been Photoshopped or modified, but it is now possible for anyone to do it in seconds.
 - The hurdles of time and skill are gone.
- If you start to believe AI-generated images are real or accept them, there is a real possibility of someone using them against you successfully in your personal life, professional career, or more widespread in politics.



If you are a creator, check contracts for generative AI usage clauses.

- Check if you have automatically been opted-in and what the process is (if any exists) to opt-out.
 - For literature, photography, audiobooks, and narration, training data is used by service providers to further develop those generative AI systems.
 - For acting and modeling, agencies may seek to claim use of your likeness for other future work without compensation such as “virtual photoshoots” or continuing a film series that your current physical contract ended on.



(Deep Agency., 2023)

Add your own declarations to your work.

- It communicates *your* stance.

(The Authors Guild., 2023)

Samples prepared by The Author's Guild that can be customized to best-suit your circumstances

Clause Relating to Authors' Use of AI

Author shall not be required to use generative AI or to work from AI-generated text. Authors shall disclose to Publisher if any AI-generated text is included in the submitted manuscript, and may not include more than [5%] AI-generated text.

Audio Book Clause (For Use With Audiobook Grants)

With respect to any audiobook created or distributed under this Agreement, Publisher shall not permit or cause the Work to be narrated by artificial intelligence technologies or other non-human narrator, without Author's prior and express written consent.

Translation Clause (For Use With Grants of Translation Rights)

With respect to any translations created or distributed under this Agreement, Publisher shall not translate or permit or cause the Work to be translated into another language with artificial intelligence technologies or other non-human translator, without Author's prior and express written consent. For purposes of clarification, a human translator may use artificial intelligence technologies as a tool to assist in the translation, provided that the translation substantially comprises human creation and the human translator has control over, and reviews and approves, each word in the translation.

Cover Design Clause (For Book Contracts)

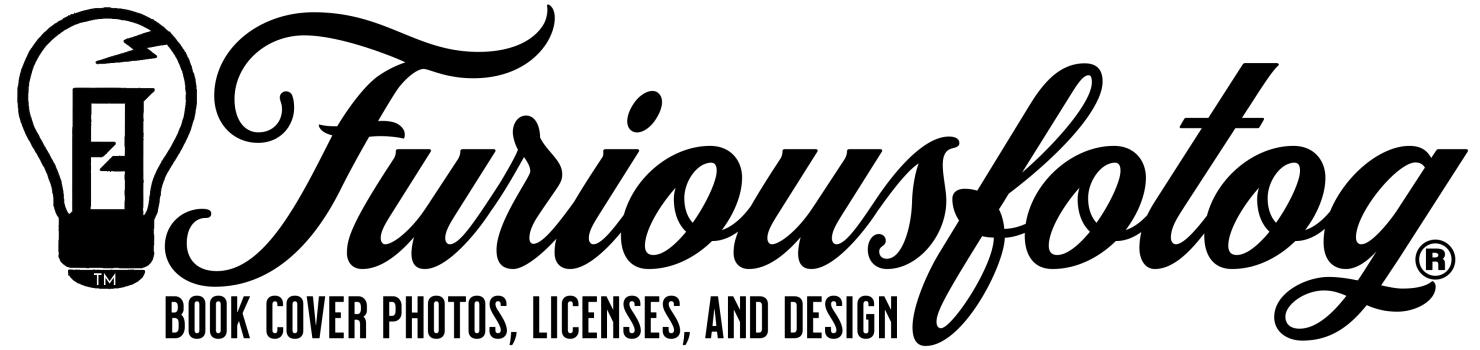
Publisher agrees not to use AI-generated images, artwork, design, and other visual elements for the book cover or interior artwork without Author's prior express approval. For purposes of clarification, a human designer may use artificial intelligence technologies as a tool to assist in the creation of artwork for the Work, provided that the human artist has control over the final artwork and the artwork substantially comprises human creation.

Most importantly!

Continue to support your human-powered creators.



Thank you!



Questions?
