

Copyright Office AI Study

This is a selection of the 16 questions most relevant for creatives (edited for clarity), but for the full list, see the Notice of Inquiry (p12-21) on the Copyright Office AI Study page.

To give some background as to my experience with creative works I am an artist for a hobby and have been commissioned by members of my community a handful of times. I've spent what is most likely 7 years dedicated to this hobby. I am also approaching the age to vote, so I want to make sure that my voice towards these issues are heard and are addressed by the time I reach that age so that I may focus on more pressing matters in the country when I can influence its governance.

General Questions

1) What are your views on the potential benefits and risks of Generative AI systems? How is the use of this technology currently affecting or likely to affect creators, copyright owners, and the public?

I feel as though the benefits of Generative AI systems stem from a more “show don't tell” perspective. It has the potential to be used as a great tool for teaching people basics such as anatomy, perspective, color theory, and more. Unfortunately the systems of today are plagued with art stolen artists from across the internet, creating work that they may not have consented in making, and are used to farm engagement on social media websites such as X or Twitter, Reddit, Deviantart, TikTok and much more. As it stands Generative AI only serves as a detriment to artists that want to feel as though they own what they make, whether to sell or for pure novelty. For copyright owners this new technology is virtually untraceable, as only the person inputting the art medium can see what was put inside the algorithm. As for the public, I fear this will lead to many people settling for less in regards to forms of art that were AI-Generated, as accounts dedicated to these mediums have already started to gain traction across the internet.

2) 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?

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As someone that draws for hobby, the increase of distribution of AI-generated material is demotivating to a degree I have not felt in quite some time. The idea that someone I don't know can take my art and use it to generate images that could be potentially offensive or destructive with just a few clicks is a terrifying thought.

On the use of copyrighted material in training AI:

6) What kinds of copyright-protected training materials are used to train AI models, and how are those materials collected and curated?

Using Image generative Ai models as an example, these materials are collected from across the internet. People may download images of official art by companies such as Nintendo, Sony, Microsoft, or others to feed their model.

6.1) How or where do developers of AI models acquire the materials or datasets that their models are trained on?

Developers of AI models acquire materials depending on what it relies on. Models for writing typically use the responses of people already using the model, such as sites like ChatGTP, Character.AI, or NovelAI's writing model. Models for digital artworks typically are grabbed from the internet and submitted by both the creator and users, with the same applying to musical models.

6.2) To what extent are copyrighted works licensed from copyright owners for use as training materials?

There is minimal research as to how much of the material used to train these models are from licensed copyright owners, [however because the use of copyrighted material is protected by fair use](#), it's reasonable to say that most models have some forms of copyrighted materials within their models.

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9) Should copyright owners have to affirmatively consent or “opt in” to the use of their works in training materials, or is it enough to be provided the means to “opt out” of training?

Copyright owners should always have a say in how their creations are used regardless of what it is. IN regards to AI- the ownership of what is created does not reach them, so if their material is being used they should have to give consent beforehand.

On transparency, which is necessary to achieve consent, compensation, and credit:

15) In order to allow copyright owners to determine whether their works have been used, should developers of AI models and/or creators of training datasets be required to collect, retain, and disclose records regarding the materials used to train their models?

Yes. If there was a genuine reason to hide the work used such as for security reasons, then that alone should raise suspicion as to where they are pulling their data from. It would also act as a just reassurance that the creators of the model are respecting the wishes of those that helped it grow.

On the copyrightability of AI generated outputs

18) Under copyright law, are there circumstances when a human using a generative AI system should be considered the “author” of material produced by the system? Is selecting what material an AI model is trained on and/or providing an iterative series of prompts sufficient to claim authorship of the resulting output?

The authorship of AI generated material should belong to the creator of the model itself. For example workers in a factory can pump out toys for years, however the ownership falls directly into the company, not the workers themselves..

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21) In the Constitution, the justification behind the Copyright Clause is to "promote the progress of science and useful arts." Does this clause permit copyright protection for AI-generated material, and would such protection promote the useful arts?

Copyright protection for AI-generated material would not be promoting the arts, as it would just give people the idea that art only goes as far as pressing a button, when in fact it's far more than that.

On enforcing copyright infringement

25) If AI-generated material is found to infringe a copyrighted work, who should be directly or secondarily liable—the developer of a generative AI model, the developer of the system incorporating that model, end users of the system, or other parties?

I believe that the liability falls on the shoulders of the developer of the system incorporating that model. They are likely the closest to knowing what the system is using and incorporating into the model, where the developer of the generative AI model may have only created the code and left any said project.

On labeling and identification of AI-generated material

28) Should the law require AI-generated material to be labeled or otherwise publicly identified as being generated by AI? If so, in what context should the requirement apply and how should it work?

The law should absolutely require these creations to be labeled as such. In regards to AI-Generated vocal covers, I believe that there should be some kind of constant frequency or other audio inside the content that would be recognizable enough to catch your attention, but not distract from the audio itself. For image generation, watermarks are an obvious choice as they provide a fast and simple way to recognize where the artwork came from. If the company in question has confirmation that their model uses zero copyrighted material, they should be allowed to remove said watermark.