

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?

I have not personally experienced it myself as I am a smaller artist, but professional artists have noted that companies are much less willing to hire new talent, and are sticking with the ones that they know - the ones that they know are human. This makes it harder for newer artists to be able to get a foothold in the industry. Additionally, items such as book covers and/or introduction animations that an artist would receive a commission for are now being generated by AI in some cases.

8.3. The use of copyrighted materials in a training dataset or to train generative AI models may be done for noncommercial or research purposes. (44) How should the fair use analysis apply if AI models or datasets are later adapted for use of a commercial nature? (45) Does it make a difference if funding for these noncommercial or research uses is provided by for-profit developers of AI systems?

That is the system in place, and as a layperson, it appears to be a loophole that training companies have exploited. Copyrighted materials are scraped & used for “research” that then other companies can use that trained model to generate revenue by monetizing images, audio, and text generated by the trained model.

9.1. Should consent of the copyright owner be required for all uses of copyrighted works to train AI models or only commercial uses?

I believe wholeheartedly that consent should always be gotten. Otherwise, it leaves loopholes for non-commercial groups to use copyrighted work in training, and then for others to use that model for commercial uses.

9.2. If an “opt out” approach were adopted, how would that process work for a copyright owner who objected to the use of their works for training? Are there technical tools that might facilitate this process, such as a technical flag or metadata indicating that an automated service should not collect and store a work for AI training uses?

I am not familiar enough with the technical terms to say an exact process, but I would like a straightforward and simple way to remove copyrighted works from a dataset if they were used without consent.

9.3. What legal, technical, or practical obstacles are there to establishing or using such a process? Given the volume of works used in training, is it feasible to get consent in advance from copyright owners?

I believe that it is possible. There are many, many artists & people in the world, and if organizations cast a wide enough net, I am sure they would find many willing participants.

9.4. If an objection is not honored, what remedies should be available? Are existing remedies for infringement appropriate or should there be a separate cause of action?

As it stands, the only remedy is through legal action as far I know, which is inaccessible to most.

12. Is it possible or feasible to identify the degree to which a particular work contributes to a particular output from a generative AI system? Please explain.

In most cases, I don't believe it's possible, however when mimicking the style of an artist or genre, it may be more possible.

13. What would be the economic impacts of a licensing requirement on the development and adoption of generative AI systems?

I don't believe there would be much - there exists a wealth of royalty-free resources on the internet, and many people who would be willing to submit their copyrighted works with informed consent.

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

Yes, I believe that they should.

15.2. To whom should disclosures be made?

I believe they should be publicly available.

15.3. What obligations, if any, should be placed on developers of AI systems that incorporate models from third parties?

An obligation to make sure that third-party AI systems do not include involuntarily included copyrighted works.

16. What obligations, if any, should there be to notify copyright owners that their works have been used to train an AI model?

I believe that there should be an obligation to do so.

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? If so, what factors are relevant to that determination? For example, is selecting what material an AI model is trained on and/or providing an iterative series of text commands or prompts sufficient to claim authorship of the resulting output?

I don't believe a human using a generative AI system should be considered an "author" of an output of a system in any case. They are acting as a trainer, but the AI is the non-human student producing the work, not the human trainer.

20. Is legal protection for AI-generated material desirable as a policy matter? Is legal protection for AI-generated material necessary to encourage development of generative AI technologies and systems? Does existing copyright protection for computer code that operates a generative AI system provide sufficient incentives?

I don't think AI generated material requires any legal protections. Many organizations are exploring it already.

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?

Yes, I believe AI-generated material should be clearly & unambiguously labeled as such. I believe it would help limit misleading material, such as a likeness & voice of a CEO or public figure being generated to tarnish their reputation and being marketed as real to mislead shareholders/the general public.

28.1. Who should be responsible for identifying a work as AI-generated?

The individual who uploads it, primarily. As to secondary parties/hosting sites, I am unsure, as AI images, specifically, can sometimes be difficult to discern from human-made art without close examination.

28.2. Are there technical or practical barriers to labeling or identification requirements?

Identifying what is generative AI and what is human made would likely be a hurdle.

29. What tools exist or are in development to identify AI-generated material, including by standard-setting bodies? How accurate are these tools? What are their limitations?

I believe there are, but they are inaccurate to the best of my knowledge.