

I'm only answering these questions based on my experience in the category of visual arts such as illustrations, animation, and multimedia photo manipulations/ other visual based images and or traditional artworks.

I am commenting on behalf of myself as an individual only.

Q1: I believe generative AI should be used sparingly and shouldn't be relied upon as a heavy lifter in the process of creation. Currently I see many users online (both from the United States and other countries) saying an AI generated image was their own art, which is deplorable. I also see many non artistic people use the generative AI in place of a human artist to get what they want. I think this is okay for personal usage, but for commercial usage it shouldn't be allowed. If someone opts to use an AI generation for their commercial project, it's putting a real person out of a job. Artists deserve credit for their work if it's used in AI training, and they need to be compensated. I don't think it'll be good for the economy if creators are not getting paid for their work meanwhile an AI is training off of it for free.

Q 6: Currently most AI scrapes images off of the public internet. For visual arts this is usually websites like Artstation and DeviantArt, and other similar portfolio sharing sites. All most all of these works are scraped and used without permission. To replicate specific art styles of notable artists, they scrape through their publicly shared images on these portfolio sites. They also use stock image sites and social media.

Q 6.1: As far as I know, the developer of the AI model creates a program that collects data from multitudes of sources on the internet.

Q 6.2: I only know of shutterstock's ethical image generator compensating artists. Shutterstock compensates the artists with a cash fund that pays them royalties, more about this can be read here:

<https://www.makeuseof.com/shutterstock-ai-image-generator-user-impact/>

Q 6.3: To my knowledge most image generation AI models scrape art from Deviantart and Artstation which is full of original art that isn't explicitly stated to be allowed for usage of training AI models. Therefore, it's a very large

percentage compared to the minuscule amount of AI art models that use licensed art.

Q 7.4: To my knowledge, it may be possible to the trained eye, as in if an artist looks at the AI generated image they may be able to figure out whose work was used. However, it is typically not possible just by looking because so many images are used and meshed together that it makes it very difficult to see.

Q 9.1: Only if the usage is for commercial.

Q 9.2: I believe it should be the metadata that indicates when a work is not allowed for training usage. This could work for portfolio sharing websites and social media if a specific button is pressed when they are in the posting gui.

Q 9.3: I think it would be most feasible if each AI model used a specific data library made for them, similar to how shutterstock's generative AI only uses the shutterstock library. However it could also be feasible with an opt-in system. When the author opts their work to be used, they'd be giving permission for their work to be used by the generative AI.

Q 12: For visual art I don't think it's entirely possible because a number of images are used and then blended together, which makes it hard to deviate how much was used of each image.

Q 16: If the generative AI outcome is used commercially, the creators of the data used should be notified.

Q 18: No they shouldn't be granted authorship.

Q 19: In respect to visual arts only: If the artist used generative AI as reference or for inspiration, they should be able to be copyright protected. This is only if they made the work themselves and referenced the generative AI image by looking at it.

Q 28.1: The person who used AI to generate the outcome should be responsible.

Q 28.3: I believe a fine would be a sufficient punishment.

Q32: Yes. Everyone that is a human author of their work should be eligible. I'm not quite sure of the form but a possibility is a printable document that states their work is protected against being used for that purpose.