

October 25, 2023

United States Copyright Office

Re: Artificial Intelligence and Copyright, Notice of inquiry and request for comments.

To whom it may concern:

If I steal one brick from each of 10,000 houses and use them to build a home for myself, I am living in a stolen house.

If AI steals one brush stroke from each of 10,000 paintings or one descriptive clause from each of 10,000 novels and uses them to build an image or a story, it has “generated” a stolen product.

And even if those stolen fragments are as small as a single pixel or a single byte, the same principle stands. It is theft. Or, at the very least, a violation of copyright. Countless copyrights, to be more precise.

One could argue that stealing a single brick won’t significantly hurt the structure of a house. But if enough people build their houses that way, the preexisting architecture will collapse. And ultimately we’ll live in a society where the same bricks are just continuously stolen back-and-forth as houses go up and houses go down. That society will stagnate and see no forward progress.

We cannot let something like that happen to art, literature, and music. We cannot let our artistic works be stripped for parts. And we must protect the artists who create, not just “generate,” them.

AI systems are currently being “trained” on vast swaths of our stolen work. And let’s be clear what that means. Neither a computer nor an AI is not a person. A person can read books or view art, be influenced by them, and then create something new. A computer cannot. When a computer is exposed to training material, it must, even temporarily, store that material in its memory. That means it is making a copy. That means it is violating copyright.

And AI companies have programmed their chatbots to claim no knowledge of their training data. That is, of course, both impossible and absurd. You can’t simultaneously be familiar with something and also claim to have no idea whether you’ve ever heard of it. This deceptive programming practice is clearly a measure put in place by these companies to conceal their theft and copyright violations. Call it fraud. Call it destruction of evidence. Call it obstruction of justice. But, no matter what, call it out.

As a published author, television writer, and a long-time member of the Writers Guild of America, I urge you to protect the past, present, and future of artists and artistic works, to disallow any copyrighting of AI-“generated” work, and to treat such things as the product of theft.

Thank you.

A handwritten signature in black ink, appearing to read 'Dan Signer', with a stylized flourish at the end.

Dan Signer  
Writer