

Note: *My comment will touch on the general questions, training, transparency & record keeping, copyrightability, infringement, labeling or identification, and the additional questions. All of this applies specifically to my field of written entertainment, but the underlying arguments apply to any art subject to copyright.*

I am a professional screen and television writer, a member of the Writers Guild of America (WGA) for three years. Though I am considered an early-career writer, I have known I wanted to write for television since I was twelve, and I have been working toward that goal ever since.

I also have a background in tech, and as such my assessment of so-called generative AI comes from both a deep understanding of the creative process — a uniquely human experience — and of the smoke and mirrors deployed by tech companies. As I write this, it is Day 141 of the WGA's strike against the Alliance of Motion Picture and Television Producers (AMPTP). This prolonged labor dispute has many causes, but the one at the forefront, the most existential, is the introduction of "generative" AI models into our industry.

Whisperings of the promise of these models began in January, a conversation starter in the writers' room I was in at the time. We messed around with ChatGPT and its subsequent upgrades to see what it could do, to assess the threat, and explore whether it could be a useful tool. It was proficient at taking inputs and condensing them — collapsing ideas into shorter sentences, but never creating new meaning. As for its "generative" abilities, it was quickly clear to me that it was nothing more than a glorified search engine. The training set for these more advanced "generative" AI models is the entirety of the Internet, and that is its first danger. OpenAI and its competitors have scraped the web, which contains almost every piece of proprietary material ever written. Every screen and teleplay I write gets transcribed on a fan site. Full screenplays are made public during awards seasons. The articles I've written, interviews I've given, they're all training a program that studios would love to use to replace me. This early in my career, the Internet is not nearly as saturated with my work and voice as more accomplished writers. But still, I exist, without my consent or compensation, in these data training sets.

There was never a moment in my explorations with ChatGPT where I felt threatened on merit. These programs are plagiarism machines. I told it to write a synopsis for a crossover episode between SMALLVILLE (2001) and SUCCESSION (2018), and it spit out two existing plots of those shows with flimsy fabrications to create connective tissue. I could tell it searched for plots with overlap, and stole as much in tact as it could. This isn't the fault of the program: there are limitations to AI. It cannot surprise,

it cannot undercut expectations, and it cannot tell a joke (which is, in essence, a subversion of expectation). To get around the limitation, it steals wholesale. For every truly coherent piece of “story” GAI spits out, you can do a thorough reverse Google and find the original text.

So do I think GAI can do what I do? No, absolutely not. But do I trust studios to recognize that? To show critical thought and restraint? I do not. AI companies are pulling the same con that crypto and blockchain companies pulled; I would know because I worked for one. Blockchain leaders obscured the details of the technology under “it’s too complicated to explain but trust us” and used that to oversell its capability. The goal was never to revolutionize, but to leech out as much money as possible until the bubble burst and the con was revealed (see: NFTs). It is my sincere belief that AI companies know there is nothing truly generative about their programs; but rather that they intend to “disrupt” and drain as many industries as they can before they’re found out. I am not willing to lose my career for the five years it will take for studios to implement, test, and fail in producing film and TV using these tools. And they will fail. But in the process, GAI will decimate an entire generation’s film and television career. It will crater the industry. And it will take decades to recover. The economic impact of this hostile invasion, both on a micro and macro level, will be devastating.

The studios’ refusal to provide protections against GAI is not only harmful to us writers, the only actual generative artists in Hollywood, but to themselves. Because unlike other written art forms, us screenwriters do not retain our copyright; we traded it in 1953 in exchange for residuals (which would apply to reuse of our work here). So the AMPTP is fighting for AI companies’ encroachment into our industry, even as the data sets of these companies are stealing from copyrighted material they own, and their competitors own. It’s a copyright liability nightmare. If a studio uses ChatGPT to hodge-podge together a screenplay, the likelihood that it contains copyrighted material from a competing studio is very, very high. Even if we required data sets to be narrower, to be catalogued, credited, and compensated (which we absolutely SHOULD — if an AI model is made better from our work, if that model is licensed, we should profit from it), determining the copyright of the amalgamated material would be a nightmare.

The tech conglomerates leaving you comments are no doubt claiming what we have all heard — that these models amalgamate and transform the data set enough to create something “new.” That these models are “learning” from the data sets, just as humans learn in order to create. But this is a gross and intentional mischaracterization of what goes into authoring a work. AI models connect keywords; that’s all. When I write, I bring to it not just everything I have read and watched, but the things I have

experienced, the way I have processed those experiences, the secrets I harbor, even the memories that are warped or fuzzy at the edges of my consciousness. The author is a lens for the inputs not only of information, but of emotion and sentiment. It is that lens that transforms the inputs of a life to create a voice and a perspective. GAI will never be able to do that, and therefore any of its outputs cannot transform the work it is stealing. Prompts that are input into GAI models to spit out a work should be no more copyrightable as a clever search term into Google should be — for all it gets you is plagiarism. Please do not allow tech lobbyists to convince you to devalue humanity in this way.

AI Companies may tell you that their training falls under “Fair Use” but in fact it violates Pillar 4 of that standard: the commercial use they are putting that “work” to materially changes, and diminishes, the value of our work in the marketplace. Additionally, using copyrighted material may violate certain Berne convention IP laws with regard to damaging the financial outlook of the authors and creators. Make no mistake: they knowingly used copyrighted material to train a tool they planned to monetize — in some cases, to replace the very artists who created that material in the first place. They did not ask permission, and they barely ask forgiveness now. Instead they try to obscure the facts and use the particulars of the technology to confuse people in their favor.

The voice and style of television writers and screenwriters is our currency. It is our resume, our career, our livelihoods. We may not hold our own copyright, but we receive residuals for all re-use and derivative works. To allow a plagiarism machine to steal from us and call it generative is a danger to art. And it will ultimately limit scientific progress because of the devastation it will cause when it's found to be wanting. We have given up so much of our personal data to just to live in this world. Copyrighted work has to be sacred. It has to be protected. I plead with you to see through the posturing and obfuscation of these tech companies.

Thank you so much for what you do, and for reading this comment.