

I am an author and a creator. My life's work has been focused around creating new worlds and stories for people to enjoy. It's a labor of love, requiring long hours of effort and exhausting creativity. I don't do it to get rich, I do it to create something new in the world, hopefully something that makes others happy. Now, my life's work—often my main reason for being alive—is being stolen and smeared and profited off of by others, all because a group of CEOs think that their need for copyright is greater than my own.

Many companies, big and small, have submitted comments asking for copyright protection for their AI outputs. This is ludicrously hypocritical from people who've shown complete disregard for the hard work and property of others. It's a slap in the face to millions of individual creators whose work has been used to train AIs without consent, compensation or credit. These corporations won't respect the work or copyrights of others, but now they want to be able to copyright the pieced-together material their tech generates at lightspeed, undermining true creative expression with an automated solution.

I want to pick apart some of the obfuscation that tech companies have posted here.

Stability AI claims that "AI models have creative, analytic, and scientific applications that extend far beyond "push a button, get an image" or "push a button, get a poem." There's truth to that. AI has made some great progress in medicine, quantum physics and other scientific fields. Unfortunately, Stability and the other tech companies don't really seem concerned about those areas. They may claim they're building their tech for the good of the human race, but facts are facts: the very first thing they spun out wasn't a tech to cure cancer: it was an automated Photoshop bot. They didn't try to solve the energy crisis, they tried to undercut the entire creative market by using the work of hardworking creators against them. Now they want protection for their outputs to "promote the progress of science and useful arts." No. They want copyright to protect their money machines and give them free access to other's labor and creative work.

TechNet doubles down on this rhetoric. They say AI is "breaking down barriers to creative expression, research and communication," and that "Generative AI aligns precisely with the goals of our intellectual property laws." They say it's "a development copyright law should celebrate and encourage, not restrict," and they "urge policymakers to prioritize the preservation of core copyright law provisions that offer technology-neutral safeguards for legitimate rightsholders and innovators..." Aka, they think AI's the best thing for communication since written language. But in truth? So far, genAI has mostly led to an explosion of spam and misleading information, a surge of piracy, highly questionable pornography, and the start of a massive job-loss landslide. Generative AI as it exists now is the antithesis to the intent behind copyright law. Big companies have flat-out stolen data from millions of artists and creators under a misguided definition of "fair use" in order to create billion-dollar money machines for pennies. Businesses and individuals are now using their platforms to blatantly rip off those same artists and creatives. These companies don't want a free and respectful internet. They want laws that protect their own output but give them complete right to vacuum up everyone else's work to feed their tech. They want a total monopoly over media creation and the right to pirate everyone whose lawyers aren't as good as theirs.

Technet was at least honest about their intent. What would they like? Zero legislation. They say that "...calls for copyright-adjacent legislation requiring AI developers to disclose their training data would undermine the ability of American companies to compete..." Nonsense. We require brands to disclose ingredients in their food, active compounds in their medicines and hazardous chemicals in their products. We require inspections of working conditions and foodstock and medical equipment. When the FTC is doing it's job, we also require corporations to disclose information about their financial

workings and force them to practice ethical business. “Ability to compete” isn’t an excuse for harm. Those requirements are there to protect the public and the consumer. They exist to keep formaldehyde out of milk, lead out of paint and children out of factory lines. Saying AI shouldn’t be regulated is like saying the medical industry shouldn’t be either. If their tech is going to have the effects they claim, then it 100% needs guardrails and enforceable regulations to protect the people being impacted by it. This includes copyright protection that punishes organizations which use other people’s work or data without actual consent, fair compensation and due credit. Anything else is just the tech CEOs asking for a return to the days of 6-year-olds in weaving mills.

Meta had a very interesting bit about how they’re all about “protecting the privacy and security of people’s data.” In case you’ve forgotten, Meta is Facebook, one of the most invasive and utterly no-fudge-given-about-your-privacy companies in the history of the world. Meta saying they will protect your data is like the Big Bad Wolf saying he’ll protect your piglets. What they mean is “we will take your data, we will own it, and we will sell it for billions of dollars to anyone who wants to pull a buck from you, whether you like it or not.” Meta needs data, and hasn’t been picky about how to get it. In their response, Meta made the comparison to meteorology, saying that “an AI language model based on a small amount of data will not have enough information from which to derive the...rules, meanings, and contradictions of human language.” That makes total sense. Great, if Meta needs data then let them pay consenting data-producers for it. If they want books to train on, they should have to get consent and then pay for the right to do so. “It’s expensive” is not a valid excuse for pirating other people’s material.

Microsoft went more legal and referenced copyright law. They say “Copyright law has never protected facts, ideas, [etc]...enabling everyone to learn from and build upon the ideas and concepts of others.” They rightly claim that “Copyright law has always permitted humans to read and examine copyrighted training materials to learn how to write, understand scientific patterns, or how to paint or take a photograph.” This is true. You see this in painters like Picasso, who was inspired by Matisse’s style and ended up developing his own in response. But Pablo Picasso couldn’t copy Matisse exactly with a few keystrokes. The sort of innovation Microsoft references comes with time and effort, slowly developing skill and evolving insights about other work. AI isn’t about a user developing their own take on previous work: instead, users can mass produce near-perfect copies of other’s hard-developed styles and work, without any work or insight of their own. If copyright protects a person’s novel but doesn’t protect against someone else generating 99% of the same novel and then calling it a new story, then copyright is useless and creators may as well become accountants.

Like most AI companies, Microsoft likes to believe their creation is almost human. “AI models, like humans, similarly ‘learn’ patterns, correlations, facts, and methods from ingesting training materials.” To be blunt, Microsoft is full of wishful thinking. AI does not “learn” like a human. A human can read an average of 250 words a minute. We have a finite number of books, movies, images, musical works or other expressives we can consume in our lifetime. Studying and learning from a piece takes time. Many college courses are literally centered around one author or painter and a couple of their works. But AI’s aren’t bound by this natural restriction. They can “learn” as fast as Microsoft can scrape new content from the web. A user can “learn” a competitor’s style as quickly as they can hit “Upload.” Comparing an AI’s “learning” to the way humans learn is like saying a fighter jet is fair competition in the Olympics 100-meter because planes and humans both move.

The idea of AI “learning” is also skewed. Over and over, outputs have shown that AI does not understand anything like humans do. It’s a mapping algorithm that uses billions of data points to extrapolate a new data pattern by responding to input. Meta specifically states this in their comment. AI

works by “breaking blocks of text into fragments or ‘tokens’” by “using numerical notations.” They explain that “[humans] understand [the meaning of words] qualitatively,” but that AI’s “understanding” is “expressed mathematically, by plotting the words against each other in a multidimensional space.” There is no “learning,” no “creative process.” AI doesn’t say “hmm, maybe a bit of red would be nice here to represent anger.” It spins up numbers based on the patterns it’s learned and the output may end up with some red, or it may not. It’s just a fancy statistics algorithm powered by millions of servers. They’ve invented glorified text auto-predict, but now they want to claim it’s conscious and should therefore count as a creator. Comparing AI to human learning, and therefore AI “derivative works” to human derivative works, is complete and total nonsense. In truth, AI is a Xerox machine with a big budget.

Just one little personal thing. Can we please get off the whole “AI is just the next iteration of the printing press” thing? No. Just no. The printing press was a machine that automated distribution, not creation. It could print books, but the books still had to be thought out, written and given life by their human creator. ChatGPT is not a tool to augment human creativity, it’s a tool to replace it. It’s built off pirated literature and allows anyone with internet access to mimic and impersonate other writers at whim. It’s a boon to communication and creative expression, it’s a destroyer.

In the short time since AI has exploded onto the market, piracy of other’s work, misinformation, and deepfake porn have spread faster than covid. Copyright is the only thing giving creators and individuals a semblance of protection from exploitation by these big companies and their users. Some responders here want the government to protect big corporations and strip all rights from the individuals who make up the public. They’re not doing this out of any good will toward the human race. They’re doing it because stealing existing work from creatives under “fair use” is a laughably cheap way to rake in billions of dollars. Now they want copyright to protect their new monopolies, despite showing zero respect for the property of others. The public doesn’t need copyright for content generated by spam bots. It needs industry restrictions and guardrails against bad actors, and it needs them yesterday. As you make these decisions, please remember the effects that this technology has already had on individuals whose lives and works have been devastated by the brutal disregard for private property shown by OpenAI, Stability and the cancer of other parasites thriving in their shadow.

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