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Comm-467-002

Midterm paper

QUESTION 1

1. As described above, generative AI systems have the ability to produce material that would be copyrightable if it were created by a human author. What are your views on the potential benefits and risks of this technology? How is the use of this technology currently affecting or likely to affect creators, copyright owners, technology developers, researchers, and the public?

As various generative AI systems enters the public's view, I believe this is a double-edged sword.

The impact of this technology can be divided into two groups. The first group includes creators, copyright owners, technology developers, and researchers. The second group is the public. For the first group, they are the ones most affected by generative AI systems. Their work may be taken over by AI.

For the public, most of them are likely to benefit from generative AI systems. This is because it serves as a shortcut in fields, they are not familiar with, allowing them to easily achieve their goals through AI, saving them time and economic costs in learning.

Furthermore, once images can be generated by anyone through AI, will original creators like designers and artists still be able to sell their work? If clients can create using AI, and even produce better and faster work than the original creators, why would they buy from the original creators? This applies to music, modeling, and scenes as well. All these things will become cheap, and the only beneficiaries will be AI developers. Is this beneficial for economic circulation? From a societal perspective, it exists if it is favorable for societal

development and disappears if not. Right now, with AI just emerging, artwork still holds some value. But once artists are replaced by AI, can they still sell their work, and for how much? Do paintings created by AI have any collectible value? Moreover, the art industry might stagnate and cease to develop, along with other areas that AI can learn. Will this lead to a decline in artistic creativity? Additionally, once businesses can mass-produce the images and music they need at high speed, could this lead to market turmoil and fierce competition? Will the value of the work of human original creators decrease?

All of the above are hypothetical scenarios, and the actual situations need to be explored as we increasingly use these technologies. While these questions might be challenging to address now, the future might unfold in ways we cannot currently imagine. AI undoubtedly brings more possibilities to our future, and while we don't necessarily need to take a pessimistic view, we should strive to find a balance in the law to protect the freedom of original creators and the use of generative AI systems.

QUESTION 2

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 am a graphic designer, and I believe that generative AI systems will undoubtedly have an impact on the future market. As long as works are made public, they are essentially open for public access, appreciation, and learning, and cannot be prevented from being captured by AI design libraries. This implies that the works of original creators, once posted on the internet, are assumed to allow use by generative AI systems. In most cases, the original authors are unaware of this, which indirectly infringes upon the original author's copyright.

If a graphic designer starts to excessively use generative AI systems, can they still progress? Can such work be liked by customers? In such a scenario, generative AI systems become a shortcut, and practice is no longer the only way to create good work; using AI can lead to significant leaps in a short time.

But the question is, will people still want to put in the effort? The cost of learning seems less convenient and quick compared to using AI. However, on the flip side, if AI learning and referencing fall within the legally permissible and reasonable scope, it could encourage creative work and its dissemination, promoting cultural development and prosperity. For newcomers to the field of design or amateurs, using generative AI systems for design is a simple and convenient way to obtain the designs they need. For businesses in need of design, this reduces costs, making it more convenient for non-professionals. Additionally, the emergence of AI-generated art makes the growth cost for designers or artists very high, eliminating the transition from novice to expert. Can novices benefit from relying on AI for their artistic growth? This could potentially lead to capital monopolizing the industry.

Another issue for designers is the difficulty of creating original work and the occurrence of copyright infringement. Most professionals create their work out of passion. If they are unexpectedly subject to copyright infringement, do they need to become well-versed in the still-imperfect AI copyright laws, while plagiarism is easy? With the high threshold for protecting their rights, how many people will still be willing to create original work?

QUESTION 3

5. Is new legislation warranted to address copyright or related issues with generative AI? If so, what should it entail? Specific proposals and legislative text are not necessary, but the Office welcomes any proposals or text for review

I believe it is absolutely necessary to establish new laws to regulate generative AI systems. This is to protect the interests of original creators and also a way to safeguard the market environment.

There should be a clear distinction between commercial and non-commercial use. For

non-commercial purposes, such as practice and learning without dissemination, copyright may not be granted, and scrutiny can be relaxed. However, for commercial works, a strict review should be conducted to ensure that there is no infringement of other original creators' rights.

Another issue is whether AI has copyright, or whether it belongs to the users. I believe AI should not have copyright because generative AI systems typically source and transform existing materials from the internet, such as images and music. Moreover, the original authors of these materials may not even be aware that their work has been used as source material, potentially infringing on their rights. Therefore, protecting the copyright of these original authors is crucial. For users, we should examine whether the works they generate differ significantly from the original materials. If there are still substantial similarities, it can be considered an infringement.

QUESTION 4

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?

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

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

28.3. If a notification or labeling requirement is adopted, what should be the consequences of the failure to label a particular work or the removal of a label?

28.I believe that the law should require materials claimed by artificial intelligence to be labeled or disclosed. This is to prevent the misuse of AI and to address various legal issues associated with it, such as AI collecting facial or voice information for fraudulent purposes. This new form of fraud has deceived many people, and it's time to regulate it.

28.1 When using generative AI systems, developers should be required to adhere to business ethics by generating unalterable watermarks in their creations, which can be automatically detected and labeled when these works are uploaded to social media. Additionally, other

software should implement relevant recognition features to alert users to be cautious about potential deception.

28.2 Given the current state of technological development, if adding watermarks proves difficult, it might be necessary to implement user registration with real identities to ensure traceability to the source. Generative AI systems should also be upgraded to embed watermarks automatically. However, most AI-generated artwork or photos can still be visually distinguished, for example, there may be areas of blurriness in certain parts of a person's hand. But as AI technology advances, the differences visible to the human eye may become increasingly subtle, making transparency more crucial.

28.3 As mentioned earlier, removing the AI label from a piece of work can result in situations where authenticity cannot be discerned, especially in the case of facial and voice information. This could potentially lead to copyright infringement by other creators.