Thank you very much for taking submissions to hear from the public about the issues posed by AI Generative artwork and copyright protections.

I am a hobby artist, who, when they were younger, desperately wanted to enter the industry under the visual development or concept art departments of some video game studio. I never made it due to several extenuating circumstances, but nonetheless I have been drawing for my whole life, and admiring the art other people make throughout. I follow artists of all walks on social media, from fellow hobbyists to freelancers to industry professionals. We are all observing and experiencing the same thing in regard to AI Generative Artwork.

AI Art makes it harder for us human artists to create. The AI Art Programs such as Midjourney take databases full of existent artwork made by human artists – without credit, permission, or reimbursement – and with the help of prompts generate images piecemeal from the database. This is incredibly detrimental to creative fields. The very basis of Images Generated by AI is theft. The bottom line is that the Images Generated by AI are largely being generated from artwork produced by people who never gave permission for their work to be used, and certainly are not being reimbursed or even credited. A recent TV Show made by Marvel Studios makes copious use of AI Generated Art in the credits. Not only does it look terrible, but actual human people could have used the work that assignment would have provided. Worse: The images generated are averages of a multitude of actual human-made images, none of whom saw a penny in reimbursement for the use of their work used by a wildly successful studio.

It seems wholly unfair that the generated result of countless instances of art theft can be protected from theft; that credit must be given to someone who typed a sentence into a text field and instantly compiled hundreds of stolen images into a single image for them to pass off as their own, but not to the artists who had their work scrapped from their online galleries, their professional portfolios, or social media accounts. The hard work and effort of the original human artists made anonymous and profited from without recourse to protect themselves or seek justice. Artists who lost their jobs to programs stealing from them.

I lost access to artists whose work I enjoyed. They took down their entire galleries, or deleted their whole portfolios, for fear of their newer art ending up in the Databases used by AI Generators. I've seen artists lose their jobs, replaced by AI Generation using databases of their own art. I've seen artists quit drawing entirely because there is no way to protect ourselves other than disappearing entirely. There's no way to opt out of scraping. The closest we have is to add an HTML tag #NoAI, a polite request for the artwork to be excluded from the collection that is entirely ignorable.

And it's extending further, into the industries of writing, music production, and even voice acting. Another example of AI Generation taking jobs from actual Human Workers Disney opted to use an AI Generated copy of Mark Hamil's voice for Luke Skywalker – despite the fact that Mark Hamil is a voice actor, portrayed the character originally, and that some people have the talent to mimic the voices of others who could have been hired instead. Why are we allowing this to happen? I don't think Disney should be allowed to trademark the voice of a human being, especially when that human being is still living and seeking work.

On a basic level – AI Generation is a plain violation of intellectual property laws (usually made worse by the entitled tone AI Users have towards the creators making Generation possible for them, we've been called "paintpigs" and "drawslaves"). Upon closer look though, AI Generation is something a little

horrific, with human voices stolen for databases to be used by the whims of others, and even ghoulish as when South Korean illustrator Kim Jung Gi passed away in late 2022, his art was scraped so "fans" could produce "new" artwork "by" him. Kim Jung Gi is not the only deceased contemporary artist whose work has been violated in this way; and next of kin are finding it impossible to make it stop. From your own "what is copyright" page on the copyright.gov site it is defined that "Everyone is a copyright owner. Once you create an original work and fix it, like taking a photograph, writing a poem or blog, or recording a new song, you are the author and the owner."

I would like to add emphasis to "Once you create an original work [...] you are the owner." While I agree, not all AI Generated Art is bad, I must point out that it can only be an Original Work if the database the prompter is using to generate is full of *only* work that *that prompter owns. If the prompter is using a database of stolen work to generate their images, the image is inherently not original, and therefore cannot and should not be protected under copyright law.