Hello,

I will attempt to answer these as best as I can in layman's and might lack in super specificity, but for questions I feel completely out of my depth, I will answer N/A.

These answers come from someone who lives below the poverty line and seeks only a modest lower middle class income at most from a skill I've developed for years, and feels compelled to not have their production used against them when they're already nearly at the bottom, despite having a skill so sought out that it's worth billions of dollars to AI consumers.

This is the first time I've ever engaged with a political/government entity directly to seek change with my own thoughts.

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?

I believe my primary comment this is attached to answers most of this question, but to reiterate, I believe it's going to create immediate short term gain for producers taking advantage of it's gray area (It's really not gray area, laws should already be able to handle this...) which many will undoubtedly answer these sorts of inquiries to explain how amazing the technology is for them, while the long term effects will be humans ceasing to produce anything or develop skills, atrophying human production and creating a dark age of imagination when incentive structures are destroyed and their production turned into informational feed to a system that gives nothing back to them. Generative AI as it functions right this moment pits highly valued individuals and their abilities against "the masses" of people who lack them and want them, and see payment of these skills as a barrier of their own goals. This creates a dichotomy that no individual can deal with when it's propagated through the laundering of AI technology by companies who are attempting to push that responsibility onto the end-users of AI technology, while simultaneously being the one who trained those systems in the first place.

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?

At it's current unhindered trajectory, it will most likely completely demolish the concept of paying for art on the basis of the skill behind the art, and the only way to monetize is likely through social manipulation, or "parasocial" reasons, status, etc. This will kill off the lions share of profitable art in all fields, be it game assets, illustration, or otherwise. The only thing holding many back from using it right this moment is it's "not there yet", or ethical reasons.

3. Please identify any papers or studies that you believe are relevant to this Notice. These may address, for example, the economic effects of generative AI on the creative industries or how different licensing regimes do or could operate to remunerate copyright owners and/or creators for the use of their works in training AI models. The Office requests that commenters provide a hyperlink to the

identified papers.

I want to mostly quash the idea that AI's nomenclature of "learning" and anthropomorphization has any grounding in reality, and that the arbitrary attempt to humanize it to justify how it copies should not be accepted at the cost of humans living in a world where they need to produce value to live.
While I cannot provide papers, I can provide articles and individual researchers on social media.
https://www.tomshardware.com/news/ai-doesnt-learn-like-people-do
https://www.tomshardware.com/news/google-sge-break-internet
https://www.tiktok.com/@ham_made_art/video/7154863972729113899 A video describing the diffusion process, which I feel anyone who has ever done so much as draw a smiley, understands is nothing like the human brain.
https://twitter.com/Eric_Wallace_/status/1620449934863642624 Proof that these models are capable of copying 1:1, and the concept of "overfitting" is a new-speak for "it reproduces what was put into it when it can't interpolate the data."
https://twitter.com/fchollet/status/1563153088470749196 A deep learning Google researcher debunking the ML:human argument.

4. Are there any statutory or regulatory approaches that have been adopted or are under consideration in other countries that relate to copyright and AI that should be considered or avoided in the United States? [40]

I think the claims of AI being "dooms-day" are false-advertising and inherently harmful to this conversation, as any ML researcher would laugh at the notion of these data interpolators becoming sentient. I hope legislative branches focus on the real world impact on workers and the future trajectory of humans and their own copyrighted production and knowledge, skillsets, and more, rather than the far-fetched "what-ifs" of AGI that we do not have.

How important a factor is international consistency in this area across borders?
The US has the potential to set a strong standard of healthy competition worldwide by being the primary source of these systems while simultaneously holding them accountable. I believe other countries will listen to our legal footwork upon realizing the long term effects at stake.

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 personally do not believe so. Algorithmic disgorgement (https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4382254), dissolution of the companies that enabled this and compensation to the groups that they exploited (everyone...?) back into social funds would probably be the most straightforward and have already been done. However, legislation to explicitly codify how data should be trained opt-in by default would be a wonderful standard to set for the future of deep learning and how it relates to the world.

Training

If your comment applies only to a specific subset of AI technologies, please make that clear.

6. What kinds of copyright-protected training materials are used to train AI models, and how are those materials collected and curated?

In many cases, any text ever written by a user, from code, to authorship of books, advice, social media posts, everything that can be turned into text data can and will be used to train language models if not unhindered. X/Twitter has already shown intention to train upon all user's posts to develop an in-house AI. ChatGPT is created this way.|

Image generators are the same, be they family images, art websites where artists undoubtedly have copyright, and anything that can be scraped from the web, up to and including nudist sites containing children that would otherwise be legal, except for the fact that these AI have and are already being used to create synthetic pornography of children likely utilizing this very source data. I am absolutely someone who believes artistic freedom should extend to erotic art of contentious subjects of children and worse so long as there is no genuine victim and it's from imagination. It's for the fact that these generators are likely trained upon actual children that I find them detestable in this aspect too.

6.1. How or where do developers of AI models acquire the materials or datasets that their models are trained on? To what extent is training material first collected by third-party entities (such as academic researchers or private companies)?

In terms of the nature of things like ChatGPT and other language models, they are sources from a wide host of publicly available data (which is both copyrighted, and not, and makes no distinction usually unless manually curated by the creators or designed to explicitly pull from specific data. ChatGPT is the most notorious example, as it's efficacy is purely reliant on the amount of data it has scraped from all sources and centralized within itself.

Stable Diffusion, one of a few image generators started on the basis of the LAION (https://laion.ai/blog/laion-5b/) dataset, which is 5+ billion images and their links scraped from the web and trained upon, most of which are also copyrighted and unattributed once Stable Diffusion was shared. Many of the generators on the market are built upon this from the start, and the future data curated upon that. One of the most notable examples for me personally is "NovelAI" https://novelai.net/ which has curated itself upon the anime art archival website "Danbooru" https://danbooru.donmai.us/ without permission. Even if our work is removed from Danbooru through DMCA, the training that's been done upon my work on there is now forever in the algorithms currently being used to displace me, making it an impossible task as an individual to safeguard my own competitive skill without disgorgement. It is worth noting that others such as Midjourney, Dall-E, and Adobe with it's Firefly system are taking advantage of this game of hot-potato of responsibility to develop their algorithms which also pit users against the masses of re-uploaders instead of being held accountable for permitting it.

6.2. To what extent are copyrighted works licensed from copyright owners for use as training materials? To your knowledge, what licensing models are currently being offered and used?

I have seen and received none outside of what Adobe has very recently attempted. I do not believe Adobe's is ethical, fair, or consistent in their usage of it.

6.3. To what extent is non-copyrighted material (such as public domain works) used for AI training? Alternatively, to what extent is training material created or commissioned by developers of AI models?

Except for very specific uses outside of the populous generative AI uses such as research or in-house development. As the above, I feel statistically relevant answer to this is so few that it's irrelevant.

6.4. Are some or all training materials retained by developers of AI models after training is complete, and for what purpose(s)? Please describe any relevant storage and retention practices.

Many of them will claim that the training data "only needs to be seen once and is then discarded" (this argument wouldn't work with piracy and converting a file-type before deleting the source, so I'm not sure why it's an attempted argument), but they will store their algorithms or build upon them even after a user does something like DMCA confirmed training data, leaving the poisoned fruit accessible and profitable. I do not know the details of how they're stored, but common logic dictates like any other data and algorithms.

7. To the extent that it informs your views, please briefly describe your personal knowledge of the process by which AI models are trained. The Office is particularly interested in:

7.1. How are training materials used and/or reproduced when training an AI model? Please include your understanding of the nature and duration of any reproduction of works that occur during the training process, as well as your views on the extent to which these activities implicate the exclusive rights of copyright owners.

To my knowledge, the layman's between most of these learning technologies is that information is copied, broken up, and given tokens that associate with each other. You can see it described in LLMs like ChatGPT here: https://www.tomshardware.com/news/ai-doesnt-learn-like-people-do
When it comes to image generation, a satirical article coincidentally breaks down most of the process backwards while mocking the idea that humans function the same (https://cyberneticforests.substack.com/p/how-to-learn-like-humans-do), but it amounts to combining diffusion models interpolation of data with this "broken up token" method to associate parts of images to these tokens, allowing them to be interpolated, averaged, and collage together upon prompting to unsettling degrees.

7.2. How are inferences gained from the training process stored or represented within an AI model?

From my understanding, humans initially sowed the seeds of neural networks ability to "identify" the aspects of images and text in images through things like Captcha in the past, and it is used to allow it to automate the future processes for training on Stable Diffusion, with it's efficacy becoming more and more refined as data is accumulated and accurately identified upon pre-existing ability.

7.3. Is it possible for an AI model to "unlearn" inferences it gained from training on a particular piece

of training material? If so, is it economically feasible? In addition to retraining a model, are there other ways to "unlearn" inferences from training?

I don't believe so at this moment, companies themselves claim it's something of a black box and they likely have to go in and "blacklist" things from appearing, however, this does not remove it anywhere a token might use it without hitting the "blacklisted" entity. An artists name may be "blacklisted", but their work and style will still influence generations that are used in general subject matter. I believe disgorgement is the only real solution, and the economic responsibility should rest solely on the people and corporations who chose to train upon this data.

7.4. Absent access to the underlying dataset, is it possible to identify whether an AI model was trained on a particular piece of training material?

Generative AI is incapable of genuine inference, abstracting, imagination as humans generally understand. If it produces something that looks like what you prompted, it is trained upon that subject. Example: as an artist, or even any individual, you can be given one side of something and without seeing the other side, imagine what the other side might look like. AI is incapable of this sort of thinking, only averaging what it already has.

8. Under what circumstances would the unauthorized use of copyrighted works to train AI models constitute fair use? Please discuss any case law you believe relevant to this question.

I am accepting of AI that opens up new fields that do not compete with the field it's training data derives from, such as Nvidia creating technology that increases performance to "regenerate" what already exists on the screen being rendered, despite likely being trained upon all sorts of copyrighted data. The producers of the original data are unaffected for the most part, and the technology is genuinely innovating for the future of efficient computing. This likely is already covered under today's Fair Use laws and is also why predating generative AI like ChatGPT and image generators, we had little friction.

8.1. In light of the Supreme Court's recent decisions in Google v. Oracle America [41] and Andy Warhol Foundation v. Goldsmith,[42] how should the "purpose and character" of the use of copyrighted works to train an AI model be evaluated? What is the relevant use to be analyzed? Do different stages of training, such as pre-training and fine-tuning,[43] raise different considerations under the first fair use factor?

I'm not sure if this is out of my depth, I have a vague understanding of these cases. However, I don't think "level of use" or "stages of use" permit justification when the end result is still a competing entity. Figuratively speaking, if it takes 1% of an individual's production, across 1billion people, to still unfairly compete with those 1billion people, it's exploitative.

8.2. How should the analysis apply to entities that collect and distribute copyrighted material for training but may not themselves engage in the training?

I would prefer a future where they are held accountable for this collection as the current situation is a very obviously game of responsibility-swapping between them. This will probably disrupt a lot of previously mundane archival, however. Maybe the buck needs to be concretely established upon the trainers or those collecting any money from those trainers.

8.3. The use of copyrighted materials in a training dataset or to train generative AI models may be

done for noncommercial or research purposes.[44] How should the fair use analysis apply if AI models or datasets are later adapted for use of a commercial nature? [45] Does it make a difference if funding for these noncommercial or research uses is provided by for-profit developers of AI systems?
Fair use should only apply to consistently non-commercial/research entities, with an added "non-competitive" requirement. If new legislation is made surrounding AI, I hope "non-competitive" is a primary factor. I believe any funds that move between commercial entities and these non-commercial ones should be treated as collaborators and held to the standards of the commercial entities. If AI training is truly democratic, it should never be marketable.

8.4. What quantity of training materials do developers of generative AI models use for training? Does the volume of material used to train an AI model affect the fair use analysis? If so, how?

Obscene amounts, with the best example being Stable Diffusion and LAION5B's billions of images. Other developers build upon these 5 billion with smaller datasets that are biased to their own data (weights). I'm certain most of the profitable systems around function around this dynamic. I don't believe the quantity should impact fair use analysis, as it would muddy the waters into becoming completely unenforceable. It feels weirdly reminiscent of the alleged Joseph Stalin quote, "a single death is a tragedy, a million deaths are a statistic."

8.5. Under the fourth factor of the fair use analysis, how should the effect on the potential market for or value of a copyrighted work used to train an AI model be measured? [46] Should the inquiry be whether the outputs of the AI system incorporating the model compete with a particular copyrighted work, the body of works of the same author, or the market for that general class of works?

I believe every single thing here listed should be measured, but the general class being the most relevant, as it's the most important one of our economic time. https://blog.gitnux.com/ai-replacing-jobs-statistics/ I am repeating myself, but humans should not be displaced by their own production, even if it's another unknown person's data unrelated to the one being displaced. This is essentially letting a machine plagiarize...

9. Should copyright owners have to affirmatively consent (opt in) to the use of their works for training materials, or should they be provided with the means to object (opt out)?

Affirmative consent should be the only way AI systems should ever be trained. I would have never opted into any training knowing this was the outcome or their intentions. Opt-out is an inefficient measure that puts most of the responsibility on individuals to chase and monitor and be cognizant at all times of any use of their data. Companies are riding on the hopes of ignorance of all end-users to swallow up their data to use for AI.

9.1. Should consent of the copyright owner be required for all uses of copyrighted works to train AI models or only commercial uses? [47]

I believe a future of consent should be chased, but non-competitive *and* non-commercial means is a reasonable exemption.

9.2. If an “opt out” approach were adopted, how would that process work for a copyright owner who objected to the use of their works for training? Are there technical tools that might facilitate this process, such as a technical flag or metadata indicating that an automated service should not collect and store a work for AI training uses? [48]

Nope. This question might be referring to Adobe's meta tag ideas, but I believe Adobe is naive of the nature of the internet. Metadata from images has long been established to have a norm of being scrubbed when being re-uploaded between websites for the good reasons of privacy and otherwise. Such a system would not function in any worthwhile capacity and still pits individuals against (theoretically) billions of reposters to chase down for it not to end up in some AI system. They cannot be specifically "untrained" at this time to my knowledge.

9.3. What legal, technical, or practical obstacles are there to establishing or using such a process? Given the volume of works used in training, is it feasible to get consent in advance from copyright owners?

It's feasible to obtain consent through ToS agreements or direct calls for data requests, and I don't believe this are difficult to achieve. What will be difficult is convincing users after this generation of AI to trust any entity to build future AI after this mass plundering of the internet.

9.4. If an objection is not honored, what remedies should be available? Are existing remedies for infringement appropriate or should there be a separate cause of action?

I personally hope companies are terrified of the thought of repercussions, rather than "break the rules, get a slap on the wrist, and keep going." Disgorgement plays a key factor in this, as training is a gargantuan task at this time only capable mostly by wealthy entities.

9.5. In cases where the human creator does not own the copyright—for example, because they have assigned it or because the work was made for hire—should they have a right to object to an AI model being trained on their work? If so, how would such a system work?

The original copyright owner should decide what happens with a work or are otherwise agreed between parties. I don't believe governance needs to get between this dynamic. I have passed copyright to clients with stipulations of no AI training. I hope I understood this question.

10. If copyright owners' consent is required to train generative AI models, how can or should licenses be obtained?

The training, or archival entities, should request this and make it transparent and explicit how data will be used if uploaded somewhere to the internet.

10.1. Is direct voluntary licensing feasible in some or all creative sectors?

I think more power to workers to control how their own labor is used will always be more. Despite illustration being difficult enough to cause many to give up, their work is criminally undervalued to the point of disrespect of the craft. I would hope creatives come out of this stronger than ever before.

10.2. Is a voluntary collective licensing scheme a feasible or desirable approach? [49] Are there existing collective management organizations that are well-suited to provide those licenses, and are there legal or other impediments that would prevent those organizations from performing this role? Should Congress consider statutory or other changes, such as an antitrust exception, to facilitate negotiation of collective licenses?

N/A. I am an individual and am not familiar with much outside of the DMCA system and basic things such as Creative Commons and IP copyrighting procedures.

10.3. Should Congress consider establishing a compulsory licensing regime? [50] If so, what should such a regime look like? What activities should the license cover, what works would be subject to the license, and would copyright owners have the ability to opt out? How should royalty rates and terms be set, allocated, reported and distributed?

I don't think anything new needs to be developed, just for AI to be largely held to the same standards as a direct copy and competition.

10.4. Is an extended collective licensing scheme [51] a feasible or desirable approach?

I believe it's unnecessary.

10.5. Should licensing regimes vary based on the type of work at issue?

N/A

11. What legal, technical or practical issues might there be with respect to obtaining appropriate licenses for training? Who, if anyone, should be responsible for securing them (for example when the curator of a training dataset, the developer who trains an AI model, and the company employing that model in an AI system are different entities and may have different commercial or noncommercial roles)?

I don't believe there are many issues with this when all the entities involved are held to the same standard of the "lowest common denominator" of commercialization. If, for example, one of three entities is commercializing and receiving anything after the non-commercial entity accepts a donation, they should be held to the same accountability for it's later uses by that commercial entity. If it is untenable for one to do something, the other's should have the awareness to avoid the risk of collaborating. If there is zero incentive to make any financial gain (trying to avoid "profit" here, as I want to include donations or otherwise.) then the free market would have no incentive to create these datasets unless genuinely altruistic reasons.

12. Is it possible or feasible to identify the degree to which a particular work contributes to a particular output from a generative AI system? Please explain.

Possible yes, feasible no. The interpolative nature of the technology makes those ignorant of the training data completely unaware that AI systems are "plagiarizing". Those who are familiar with some of training data (recognizing an authors diction, for example, or an actors speech habits) will recognize it when reproduced in their likeness.

Example: We know what an actor/actress looks like, if the generative image AI produces an image like that actor/actress, it was trained upon that persons likeness. If you prompt, for example, "human", that actress is probably somewhere there, but not visible as "human" is being interpolated across so much data. The exact amount however is not possible, to my knowledge. Weights complicate much of it.

13. What would be the economic impacts of a licensing requirement on the development and adoption of generative AI systems?

Retroactively enforcing opt-in licensing with things like disgorgement would dismantle the growing economic reliance on these AI systems. I genuinely think the longer we take to act, the worse things will

be in the future.

14. Please describe any other factors you believe are relevant with respect to potential copyright liability for training AI models.
N/A. I've covered everything I care about: disgorgement, opt-in, and responsibility for liabilities.

Transparency & Recordkeeping

15. In order to allow copyright owners to determine whether their works have been used, should developers of AI models be required to collect, retain, and disclose records regarding the materials used to train their models? Should creators of training datasets have a similar obligation?

Yes, I want this to become a legally enforced requirement.

15.1. What level of specificity should be required?

The exact copy, or nature of the data used, and it's source links or references, if available.

15.2. To whom should disclosures be made?

Publicly available, in the way LAION5B's is. I think LAION5B sets a good example of transparency, even if I loathe the way it's been used with systems trained upon it. I think the systems training upon it should be required to provide as much transparency as LAION5B.

15.3. What obligations, if any, should be placed on developers of AI systems that incorporate models from third parties?

https://haveibeentrained.com/ is one example of a searchable database made from LAION5B, but I would much prefer the developers be required to make one of these in-house for public accessibility.

15.4. What would be the cost or other impact of such a recordkeeping system for developers of AI models or systems, creators, consumers, or other relevant parties?

I don't know, other than it will definitely cost creators (and maybe consumers down the line for commercial uses.)
I believe the free market should decide how to handle the costs.

16. What obligations, if any, should there be to notify copyright owners that their works have been used to train an AI model?

In an opt-in system, this would not be necessary as it'll be explicitly coded into a terms of service at the least.

17. Outside of copyright law, are there existing U.S. laws that could require developers of AI models or systems to retain or disclose records about the materials they used for training?

N/A. I hope so.

Generative AI Outputs

If your comment applies only to a particular subset of generative AI technologies, please make that clear.

Copyrightability

18. Under copyright law, are there circumstances when a human using a generative AI system should be considered the "author" of material produced by the system? If so, what factors are relevant to that determination? For example, is selecting what material an AI model is trained on and/or providing an iterative series of text commands or prompts sufficient to claim authorship of the resulting output?

Authorship should only be permitted when one has specific permissions or copyright of all training data used for their algorithms. I've experimented with it briefly, and as an artist, I felt I had zero control of the output unless I had drawn the image already and fed it into it, despite which it was still primarily a game of "being surprised" by what it would do with it, rather than individual creative control. Tools exist to do things such as pose within AI, but they still ultimately do not decide anything fundamental such as how lighting is painted around a subject, the exact shade of color used, the lines that define specific anatomical features, etc. They are at most compositional cues in the same way a client would sketch a stick-person for use by an artist. I would assume copyright already has an answer to that.

19. Are any revisions to the Copyright Act necessary to clarify the human authorship requirement or to provide additional standards to determine when content including AI-generated material is subject to copyright protection?

I don't believe so, copyright exists to protect individuals in a society built for humans. Simply ignoring the attempts to anthropomorphize AI systems which are mere algorithms would be just enough to maintain the previous copyright protection.

20. Is legal protection for AI-generated material desirable as a policy matter? Is legal protection for AI-generated material necessary to encourage development of generative AI technologies and systems? Does existing copyright protection for computer code that operates a generative AI system provide sufficient incentives?

I think it might be desirable to protect when all training data is ethically obtained and will guide companies on the right path of fair competition. At this time, I understand that the algorithms built by training upon data are not in the control of humans who created the initial code, so the algorithms should not be protected until training data dilemmas are handled.

20.1. If you believe protection is desirable, should it be a form of copyright or a separate sui generis right? If the latter, in what respects should protection for AI-generated material differ from copyright?

I would prefer it stay under the current form of copyright, those who play fairly should be allowed to protect their output.

21. Does the Copyright Clause in the U.S. Constitution permit copyright protection for AI-generated material? Would such protection "promote the progress of science and useful arts"? [52] If so, how?

Ultimately, I don't believe AI needs to be protected by copyright to promote science and useful arts.

Infringement

22. Can AI-generated outputs implicate the exclusive rights of preexisting copyrighted works, such as the right of reproduction or the derivative work right? If so, in what circumstances?

I'm not sure I understand this question, but if it means to ask if an output can be controlled by a copyright owner(s) of it's training dataset, I would like to see this as a default, as I believe it would enable those who've been trained without permission the power to individually do things like DMCA generations they know came from infringing generators.

23. Is the substantial similarity test adequate to address claims of infringement based on outputs from a generative AI system, or is some other standard appropriate or necessary?

I don't believe similarity is adequate for this, and the training data should be the sole factor, as the training data has a very inherent relationship with the efficacy of AI systems.

24. How can copyright owners prove the element of copying (such as by demonstrating access to a copyrighted work) if the developer of the AI model does not maintain or make available records of what training material it used? Are existing civil discovery rules sufficient to address this situation?

I don't believe current rules cover this, and is the primary reason I wish to see datasets required to be transparent. It will be impossible to prove the element of copying when companies hide this information, such as Midjourney's likely scraping of art across the internet.

25. If AI-generated material is found to infringe a copyrighted work, who should be directly or secondarily liable—the developer of a generative AI model, the developer of the system incorporating that model, end users of the system, or other parties?

DMCA currently is implemented in a way that companies will often remove users who create too much pressure on them, I think AI would be handled the same way with companies adopting widespread AI-wary terms of services when they will be held accountable alongside the end user who causes these issues. In short, I would like to see whoever receives revenue held responsible, even if it's multiple entities.

25.1. Do "open-source" AI models raise unique considerations with respect to infringement based on their outputs? [53]

I think at the very least, open-source should be standard. However, it can and will still be used to compete with the dataset producers, so those who use them to profit should be held accountable.

26. If a generative AI system is trained on copyrighted works containing copyright management information, how does 17 U.S.C. 1202(b) apply to the treatment of that information in outputs of the system?

In reference to if the system interpolates the data in an inaccurate manner? There is no intent in the AI, but intent would have to be proven on the developers part.

27. Please describe any other issues that you believe policymakers should consider with respect to potential copyright liability based on AI-generated output.
N/A

Labeling or Identification

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?

As much as I'd like to see this, I question it's feasibility. It would help with enforcement, functioning identically to being under oath, however. I personally do not care to see such a label required when AI is ethical by my standards, but I will answer the following anyways.

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

Those responsible for making it visible to the public, of which those are who benefits from it's posting. The end-user and their relationship with the place it's being posted.

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

Labeling through metadata or other automated means will be scrubbed both by accident, negligence, or malicious intent. I don't think most infractions of this would be easy to enforce.

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?

N/A

29. What tools exist or are in development to identify AI-generated material, including by standard-setting bodies? How accurate are these tools? What are their limitations? Additional Questions About Issues Related to Copyright

Tools such as Hive's identifier exist https://thehive.ai/apis/ai-generated-media, however, my intuitive guess to how these function is they only generalize based upon specific weighting. I've seen works that are entirely human creative/knowledgeably drawn obtain high confidence in being from Stable Diffusion simply for having high quality lighting accuracy that Stable Diffusion has thanks to it's many photographs. I don't believe systems like this can be used for anything other than to identify a "red flag" to be examined within deeper contexts. I don't know of others, but I would not be surprised if they existed for text or otherwise.

30. What legal rights, if any, currently apply to AI-generated material that features the name or likeness, including vocal likeness, of a particular person?

I assume that the right of publicity dependent on location applies to AI generations, although the specifics of if it's been successfully won in a court are unknown to me.
https://higgslaw.com/celebrities-sue-over-unauthorized-use-of-identity/

31. Should Congress establish a new federal right, similar to state law rights of publicity, that would apply to AI-generated material? If so, should it preempt state laws or set a ceiling or floor for state law protections? What should be the contours of such a right?

I would prefer to see this for consistency across the country as a floor, I think whatever precedence has been set for impersonators (not the illegal kinds, but the coincidental look-alikes like popular Elvis Presley ones) can be used to parallel with AI, or rather even give AI an exemption to these protections, as the AI is not a human and doesn't require such protections.

32. Are there or should there be protections against an AI system generating outputs that imitate the artistic style of a human creator (such as an AI system producing visual works "in the style of" a specific artist)? Who should be eligible for such protection? What form should it take?

I would like this, but only for AI. I am fine with humans fairly competing with and being inspired by other humans, with their own intricacies, needs, desires, and opinions. There is no real direction when an AI copies training data to achieve this, among all of it's other factors, and for a future with AI, style might be all humans will have to protect when ideas are cheap and plentiful.

33. With respect to sound recordings, how does section 114(b) of the Copyright Act relate to state law, such as state right of publicity laws? [54] Does this issue require legislative attention in the context of generative AI?

N/A. I will let audio producers speak their own voice.

34. Please identify any issues not mentioned above that the Copyright Office should consider in conducting this study.
N/A. You all are way smarter and well-rounded than me.

AI is an extremely promising technology, we've already seen it's use benefiting unexpected fields, but it's nature is being abused at this moment for gross profit at the cost of individuals. I am not anti-AI, but because of the lions share of it which surrounds me and my peers, I feel I have no choice but to be as harsh towards it as I do.

I hope we can come to a future where my hairline doesn't recede another inch over it and I will be able to use it with confidence and see it truly bring real fruit to technological progress and society, and not be used as an exploitative, cheap replacement. I'm not sure how I will be able to handle a future where this is permitted to happen to us unhindered.

Zack Herrod