"*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?*"

The benefits from this technology is that it increases the ability for the average individual to create works that can compete with multi-national corporations. The average person does not have access to the exclusive talent pools that companies like Disney, Sony, Warner Bros., and Toei (Just to name a few) are able to hire for work. Generative AI systems level out that playing field as a person is then able to access programs that would, at the very least, improve their ability in creating works. Best example is that, instead of requiring the staff and education needed to form an entire animation studio, one or two people could handle the most important work and hand all the derivative tasks to a generative AI system.

One country that displays this being the inevitable result is Japan. Back in 2004, two decades ago, the musical corporation Yamaha and the software developer Bplats released the Vocaloid program into the market. It's a voice synthizer program designed for creating music. While the software didn't gain much traction in the West, it became a smash hit in Japan, spawning a massive wave of music being created and launching the careers of innumerable musicsians and artists in that country. All that generative AI systems would do is result in a similar cirumstance in the West.

As for the risks of this technology, there are practically none that exist. The only issue that can be labeled as a potential "risk" is the issue of privacy caused by companies hosting generative AI systems rather than an average person hosting their own AI. However, this is the same risk that exists with using social media, or even opening a bank account, in today's society. Any other complaint that can be made exists as a result of people either being literally too stupid to survive in society in the first place, or people complaining about how they're going to "lose their job". An example of the former is a software company relying solely upon generative AI systems to program their flagship software, never having a real person test (Or even review) the code that the AI wrote, and launching a terrible software product that crashes any computer that attempts to run it. In this instance, the company is the one at fault, not the AI. However, you don't even need to look at this hypothetical scenario as a solely AI related problem when software companies have **already** been launching broken computer programs. As for the complaint about it "taking your job", that's not anyone's problem. Technological progress always makes certain occupations redundant and no longer needed. Because of the introduction of cars and electricity, modern cities no longer need lamp lighters and horse manure cleaners. Even then, it's logical to assume that Japan suffered from similar innumerable complaints from the music industry in response to the popularity of the Vocaloid software, yet their entertainment industry is still flourishing.

To put it simply, generative AI systems do nothing but benefit the average person.

"*How is the use of this technology currently affecting or likely to affect creators, copyright owners, technology developers, researchers, and the public?*"

As stated in response to the previous question, the only creators who would be effected by generative AI systems are those who cannot compete in the evolving market in the first place, which is no different than how the market currently operates. Copyright owners would also see no difference in regards to how business is conducted. The most blatant example of this circumstance is the increased access of the internet to the average person. One of the results of this expansion has been the explosion of fan works across websites, ranging from stories to art to even video games and movies. And the overwhelming majority of this fan content being already created without permission nor legal authorization of the appropriate copyright owners.

Technology developers will probably be the most effected of the categories listed, however this comes about as an extremely irrelevant exception, with the greatest effect being almost entirely relevant to the area of video games. As far back as the 1970's, video game developers have been looking for the magic formula to create the "ultimate" system for procedurally generated content, where a developer would input all the features that a game has and leaves it to the program to create a world using all this content. The most popular example of this type of game is *Minecraft*. However, this is already happening concurrently and independently with the rising prominence of AI, so it becomes a moot subject.

Researchers using AI have two problems that the researchers cause by themselves. The first is that, the end of the day, generative AI systems are still just a program and are not and never will be **actual** intelligence. You feed the generative AI program data, and it outputs a result based on the data it received and nothing else. To use a silly example, a generative AI system that is fed data about transformer specifications and calculations will not create a response related to cooking the perfect omelet. At least, not unless it's programmed to, which leaders to the second problem. Because generative AI systems are a program, that means they are designed to interpret responses based upon however they are programmed. Generative AI chatbots are the most basic example of this, where a generative AI chatbot designed to imitate Donald Trump would provide different responses than a generative AI chatbot designed to imitate Joe Biden. Researchers would face a similar issue, where they have to make sure that the AI system they are using is programmed properly for the task they doing, and make sure that they are feeding any and all relevant data to the generative AI system in

order to receive the proper response.

That only leaves the question of how the public will be effected, but this is where the topic becomes apparent that it's a waste of time to discuss. As was said regarding all of the previous categories, there will be practically no change in how people will live their life due to generative AI systems being the next natural evolution in technological advancement. The only problem that could occur with the public is all in relation to beaches of privacy or censorship of topics, which have absolutely nothing to do with generative AI systems. The problem for both of these categories lies entirely with companies performing those actions in the first place.

"*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?*"

The only regulatory approach that the United States should take is entirely hands off as any and all issues "created" by generative AI systems already existed **prior** to the adventure of generative AI systems.

"*How important a factor is international consistency in this area across borders?*"

There is absolutely zero importance that should be placed upon creating a law that's consistent with other countries as each country governs differently and cares about different issues.

"*Is new legislation warranted to address copyright or related issues with generative AI?*"

There is zero legislation that needs to be created to address copyright created by generative AI systems as previously laws would already apply to 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.*"

The only proposals that the copyright office should undertake is making the entire copyright system less restrictive, such as lowering the ownership date from 120 to 50 years, and making it more clear what does and does not count as a derivative work.

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

The material used to train AI models is content that is no different than what one would use

when researching a topic for a report. Or finding inspiration when writing a book. Is there any copyright questions to be had about Andrzej Sapkowski's *The Witcher* containing awfully similar content to Michael Moorcock's *The Weird of the White Wolf*? Or the Youmex anime *Bubblegum Crisis* and Konami video game *Snatcher* containing content directly lifted from the Warner Bros. film *Blade Runner*? Or the Games Workshop board game *Warhammer 40,000* containing story elements taken from the Frank Herbert novel *Dune*? Or the Ubisoft video game *Watch_Dogs* using the protagonist, images, and concepts from the CBS series *Person of Interest*? Or the Fox film *Avatar* and George Lucas' *Star Wars* being directly referenced as following Edgar Rice Burroughs' *John Carter* book series?

"*To the extent that it informs your views, please briefly describe your personal knowledge of the process by which AI models are trained.*"

The person creating the AI designs it to process data for the purposes of creating a certain outcome. Then the person feeds that data into the AI model as examples of what the person wants the outcome to create. Following, the person then describes what outcome he wants the AI model to generate, and the AI attempts to create that content based upon the way it is designed and examples of the content that it has been provided.

If the AI model fails to provide the desired outcome, the person either reports to the AI model about the error made, rebuilds the AI model to better process the data and reach the desired outcome, or doesn't touch the AI and adjusts the output material to suit his needs.

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

No.

"*Under what circumstances would the unauthorized use of copyrighted works to train AI models constitute fair use?*"

The same exact circumstances that would result from someone using copywritten works to make their own work without the usage of AI. How else are creators suppose to create original works of good quality if they are unable to view, for themselves, other copyrwritten works? The process is no different to how an AI model would generate content. If it would be seen as copyright infringement or not protected by copyright without the usage of an AI model, then the same rules would apply with the usage of an AI model. For all intents and purposes, the generative AI systems and AI models are tools.

"*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)?*"

The question is a waste of time as it does not matter. AI models will be trained upon copywritten works the same way that a student learning the arts is trained upon copywritten works. Is a current owner of the RKO film *Citizen Kane* capable of objecting to a college film course using that movie for training students about filmmaking?

"*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?*"

The issue that would be created by such a system is that no entity would be capable of proving that their AI model was trained on a specific system unless the entity was required to do so in court, which would lead to a massive increase in illegitimate lawsuits. Or, would require that any system classified as an "AI" would be absolute incapable of receiving any form of data.

"*Is it possible or feasible to identify the degree to which a particular work contributes to a particular output from a generative AI system?*"

No because identifying the degree of contribution gets into the semantics of what defines regular copyright infringement.

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

The economic impact that would result is the status quo remaining the same since the licensing would only result in multi-national companies having almost exclusive access to AI systems since they would be the only entities who could pay for the licensing fees.

"*Please describe any other factors you believe are relevant with respect to potential copyright liability for training AI models.*"

From what I have seen and heard, the only entities who are trying to make a fuss about AI models violating copyright are companies who sell software that identifies copyright infringement, ironically through the usage of their own AI model.

"*What obligations, if any, should there be to notify copyright owners that their works have been used to*

train an AI model?“

Zero obligation as it's job of the copyright owner to protect their work.

“*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?*”

Yes, court issued warrants.

“*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?*“

Yes, whenever the person modifies the product output by the generative AI system.

“*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?*”

No

“*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?*“

Yes

“*If you believe protection is desirable, should it be a form of copyright or a separate sui generis right?*”

It should be a form of copyright.

“*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?*”

The only party that should be held liable is the individual who retains ownership of the worked deemed to be copyright infringement, and no one else.

“*Do “open-source” AI models raise unique considerations with respect to infringement based on their*

outputs?"

No.

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

The only policy issues that exist is policymakers wasting their time writing new laws that are already being enforced through the usage and existence of laws already on the books.

"*Should the law require AI-generated material to be labeled or otherwise publicly identified as being generated by AI?*"

No.

"*Who should be responsible for identifying a work as AI-generated?*"

The customer who's deciding if he/she wants to spend money on the work.

"*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?*"

No consequences should occur.

"*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?*"

The most accurate tool is the human eye, which (Even then) still haw flaws as some artist cannot tell the difference between a genuine artist's work and the work created by a generative AI model.

"*Should Congress establish a new federal right, similar to state law rights of publicity, that would apply to AI-generated material?*"

No.

"*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)?*"

These protections already exist for regular artists who are imitating the style of other creators.

Nothing changes.