

Helen McKay (submitted comment on AI use).

I'm probably the odd man out on this subject, as so many people are against copyrighting works which used AI. But my side of the debate needs to be heard, too. Maybe my situation is unique compared to what the uproar is about. Either way, I deserve my work to be copyrighted and I'll explain why.

Some commentators are worried that AI will take over the art world and they will lose money or be replaced. I believe AI, if used properly, won't necessarily replace, but enhance an artist's or illustrator's work, and perhaps save them some time.

That said, here's my story: I am not an artist. I am a writer. But I also learned, by taking courses in college and by my own trial and error, to be a graphic illustrator.

I wrote several children's books that now need to be illustrated. My literary works came from my imagination and my heart, but I've had a hard time finding an illustrator/artist, who could "feel" my words the way I do.

Since writing my children's books, I have paid numerous illustrators to bring one single page of just one of my books to life, so I could pick the right person to illustrate all of my books. I spent a year and a lot of money, "testing" different "artists" that claimed they drew their own images, but I found out they didn't.

Those illustrators had monthly subscriptions to *stock graphic image websites* and were just putting stock graphic images together into a scene and sending it to me (along with complete copyright "licenses" to do what I wanted with the illustration). Nearly every piece of work I paid for looked like the others, because they all used the same "popular" stock images to design the illustrations. Not one of them drew my illustration from scratch, and not one of them came even close to seeing what I thought or what my heart felt the illustration should look like for the book I wrote.

*They didn't put themselves into my storybook.*

After realizing this, I almost paid for a subscription to a stock image website, deciding to do the illustrations myself. But I soon realized even though I would be doing the illustrations, I would be stuck using the same stock images as everyone else used, so my book illustrations still wouldn't be unique.

Then came AI. I played around a little with it and AI gave me some images, albeit not perfect ones by any means, that were close to what I was looking for with the words I input into the program.

So I took a chance and input the *EXACT words I wrote* from a page in one of my books.

What I got in return, were more unique graphics that I could use pieces of (clipart) to build my story, than I got from the previous "illustrators" I had paid to do the full graphics for me.

I could then manipulate, change, subtract from and add to those pieces to make a complete illustration that would fit my storyline.

For example, I input "Melted chocolate everywhere" into an image generator, which are the exact words from one of my books. I gave AI the task of sending me some generic blobs of melted chocolate, which it did. From those generated clipart pieces, much like if I had bought into stock images, I manipulated the chocolate into a theme-park type ride children were having fun on and I added even more details.

So, AI did *NOT* make the image for my book. I did. AI jumpstarted my imagination with those pieces and I was able to bring my story to life the way my heart saw it, with the *HELP* of AI.

With the age of technology, computers and programs such as word processors, calculators, and graphics programs, have helped many people complete a project without actually doing *ALL* the work themselves. If I type my manuscript in a word processor, and then print it out on a printer, does that make my story void of copyright?

If I let “Grammarly” correct my mistakes, does that mean I didn’t do my own work?

If I use a stock graphics website or graphics software, why would an illustration I might design with AI graphic images be any less copyrightable than an illustration I or someone else designed from stock image websites that sell memberships for the use of their images?

I find it highly unlikely that any artist hasn’t used some, if not many, of those available tools, programs and help to produce their artwork, whether to draw the lines, color the images or texturize some parts.

I’m curious if every piece of art registered in the copyright office from the past, was actually hand-drawn by the person who claimed it was their own work, without ANY HELP or PROGRAM, or MACHINERY, or TOOL?

And how was that proven before issuing the copyright?

Should we go back and make all those people show their step-by-step work? I wonder how many registered works would still be eligible for copyright if that were done? (Food for thought.)

Contrary to what some think, AI is all of what I just mentioned. AI is not a person that needs recognition. AI is a *program*, which I used on a *machine* as a *tool* to help me jumpstart my work in building my own book images. Therefore, my image work should be allowed to be copyrighted along with my literary works.

If the debate is how to pay the artists whose works were used to train AI, then the question isn’t about my work and its copyrightability. The question to ask is how are stock image website owners compensating those that upload their graphics, and can the same compensation be applied to the works that were used to “train” this new program?

And if the big panic is about an artists’ work being “stolen”, then a lot of people have no clue what has been happening in their world around them.

Other countries outside of the U.S. don’t respect copyrights and don’t think our copyright laws pertain to them. Look into China. Alibaba, AliExpress, Temu, Wish, and even AMAZON and WALMART.com are saturated with sellers from China who have pirated American images and produced something with them in one form or another. As one designer told me when I inquired if she knew manufacturers in China were making metal dies from her graphics, “I can’t do anything about it. They are too big to fight.”