

Hello. Thank you for giving this opportunity for the public and especially creatives to give their thoughts and concerns on generative AI. As of now, it has felt like the only ones getting a say are AI tech companies. I am a motion graphics designer based in Los Angeles. I have been a professional motion designer for 13 years, and primarily work in television, film, and advertising. I went to school for graphic design, and then a post-graduate program for character animation, both of which I loved (other than still paying them off). I make my living entirely off of my design and animation work, so I am very interested and concerned with the explosion of AI and the issues surrounding copyright, training data, and generated outputs. I post both professional and personal art routinely to the internet as this is how I find new work and connect to other artists in my field. I have paused posting personal art since finding out about datasets and training for generative AI models. I am very confident that both my professional artwork and personal have been used to train models without my consent, credit or any form of compensation. Some of my designs took me weeks to make, and are the culmination of years of training and practice. A company being able to scrape those works, train a model on them, and release outputs that I then have to compete against in my market should be illegal. It feels as if we are being punished for sharing our own work, and trying to further our careers with the efforts of our past. If artists, writers, actors, and other creatives could have seen into the future, we would have all locked off our work and shared much less of ourselves. But AI seems to have popped up overnight, and there was no way to protect ourselves. Big tech AI companies are trying to move as fast as possible to normalize the mass appropriation of craft and labor. They are literally using the fruits of our labor as their secret sauce: a secret sauce they didn't get permission to use, and have no plan on compensating for. It feels like my past work has been stolen and weaponized against my future career. Having one's work copyrighted does nothing to protect against this exploitation. AI companies are pushing the false narrative that AI models learn the same as humans; they don't. They don't have the same biological anatomy and limitations of humans, and they can't be inspired by art, because they don't understand the "why" of it, and do not appreciate it. They reduce the work to computational statistical patterns. It's an extreme version of what is known as lossy compression. These models are IP/Copyright washing machines. I have never had an issue with another artist viewing, and being inspired by my work. That's because they are human. They are not a large algorithm owned by a company reducing my work to data to create a product to compete against me in my market and eliminate the scarcity of my hard-earned skill. These companies (StabilityAI, Midjourney, OpenAI, to name a few) have released multiple models trying to monetize my labor with zero consent, credit, and compensation. They have offered broken olive branches to artists in the form of convoluted opt-out processes for their future models; notably absent is that you can't opt out of models that have already been released. These models need to be disgorged and all models being trained going forward need to be opt-in. There is no other way to develop an AI model ethically. The USCO made the right decision by denying copyright to AI outputs with no

human authorship. Thank you very much for that decision! It needs to be solidified by legislation. Any output that has significant AI-generated contributions should also be denied copyright, especially when copyrighted works in the datasets were not protected in scraping and training. It frightens me to think of what would happen if AI outputs could receive copyright, and the copyright farming that would be sure to follow. I completely agree with the Supreme Court's decision in *Andy Warhol Foundation v. Goldsmith*. Fair use should not apply regardless of the output in AI copyright infringement cases. The outputs might be transformative, but they absolutely will have the same commercial purposes as the original works. On top of there being no human authorship, the outputs are all derivatives of the images in the dataset. Full images from training data have been extracted from AI image generators. I will attach a link to the study that demonstrated this. AI work devalues human artistry and sets up competition for artists against their own plagiarized work. I ask that the USCO do everything within its power to end this plagiarism and further protect creators' rights against generative AI. Thank you for hosting this survey and taking the time to read my comment. Also attaching this ^ comment as a file.

Link: <https://arxiv.org/abs/2301.13188>