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Submitted to Consultation on Copyright and Artificial Intelligence
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Basic Information

1 What is your name?

Name:
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2 What is your email address?

Email:
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3 What is your organisation?

Organisation:
N/a

Copyright and Artificial Intelligence

4 Do you agree that option 3 - a data mining exception which allows right holders to reserve their rights, supported by transparency measures - is most likely to meet the objectives set out above?

No

Please give us your views:

A data mining exemption only ensures that rights holders see their work stolen in the largest possible scale imaginable to fuel the profits of organisations that seek to supplant those very rights holders. It's an enormous threat to the creative industries and cannot be allowed to occur if British Arts are to continue to be world-leading.

5 Which option do you prefer and why?

Option 1: Strengthen copyright requiring licensing in all cases

Please give us your views.:

"AI Development" does not require the mass data scraping of intellectual property and copyrighted material. This only seems to be a requirement for specifically Generative AI firms, and only a subset of those firms making baseless promises about utility, profitability, and productivity that have so far proved imaginary.

There is plenty of open source data, ways of licensing data fairly, funding required to provide adequate compensation where required.

Wider AI development beyond Generative AI is in no way so restricted by the nature of their data collection practices and you need to stop pretending, or issuing consultations as if, Generative AI is representative of all AI technologies.

Our proposed approach: Exception with rights reservation

6 Do you support the introduction of an exception along the lines outlined in section C of the consultation?

No

Please give us further comments.:

This would be catastrophic to the creative industries and essentially render the rights of authors and artists null and void. Their work will continue to be taken from them without consent or compensation and used to drive Generative AI designed to replace them.

Our creative industries will be replaced by cheap indistinct Generated sludge and the already precarious careers of British creators will cease to exist. This could be achieved in just a few years and take decades to recover from.

7 If so, what aspects do you consider to be the most important?

Please give us your views.:

N/a

8 If not, what other approach do you propose and how would that achieve the intended balance of objectives?

Please give us further comments.:

Strengthened copyright regulations preventing Generative AI firms from collecting copyrighted and intellectual property data without consent or compensation.

9 What influence, positive or negative, would the introduction of an exception along these lines have on you or your organisation? Please provide quantitative information where possible.

Please give us your views.:

It would render the concept of having a career based on writing obsolete. My current, small, income from writing would cease to exist.

Despite working as a software engineer I see no real benefits to my organisation or work in that field. The number of careers in Generative AI are negligible, the profits and productivity gains are non existent. Even the GenAI firms themselves don't make a profit. The impact is only negative.

10 What action should a developer take when a reservation has been applied to a copy of a work?

Please give us your views.:

Not using it.

11 What should be the legal consequences if a reservation is ignored?

Please give us your views.:

Fines, and if systematic, bans for the directors of the company.

If the entire enterprise is based on such ignored reservations the company itself should be dissolved on top of fines and charges of theft.

Fines should be compensated to those rights holders who were stolen from.

12 Do you agree that rights should be reserved in machine-readable formats? Where possible, please indicate what you anticipate the cost of introducing and/or complying with a rights reservation in machine-readable format would be.

Please give us your views.:

This becomes irrelevant if you abandon this destructive approach and instead make rights reservation automatic. Such cost then becomes nill.

Technical Standards

13 Is there a need for greater standardisation of rights reservation protocols?

Please give us your views:

Yes, given that they seem to be completely unenforceable at present.

14 How can compliance with standards be encouraged?

Please give us your views.:

Fines based on percentage of revenue and consequences for the directors of companies engaging with non-compliance.

15 Should the government have a role in ensuring this and, if so, what should that be?

Please give us your views.:

Yes, it's the government's job to enforce laws including those on copyright and intellectual property.

Contracts and licensing

16 Does current practice relating to the licensing of copyright works for AI training meet the needs of creators and performers?

Please give us your views:

No, given they're ignored completely by Generative AI firms and the Government has done nothing about it.

17 Where possible, please indicate the revenue/cost that you or your organisation receives/pays per year for this licensing under current practice.

Please provide further evidence.:

£0, as its taken en-masse without consent or compensation.

18 Should measures be introduced to support licensing good practice?

Please give us your views:

Yes, it's the government's job to enforce laws around licensing. This should be the duties of a regulator to enforce.

19 Should the government have a role in encouraging collective licensing and/or data aggregation services?

Yes

20 If so, what role should it play?

Please provide further comments:

A single regulator should have responsibility over oversight and enforcement.

21 Are you aware of any individuals or bodies with specific licensing needs that should be taken into account?

Please give us your views.:

Everyone involved in creating any kind of data used by these organisations including art and literature.

Transparency

22 Do you agree that AI developers should disclose the sources of their training material?

Please give us your views.:

Yes

23 If so, what level of granularity is sufficient and necessary for AI firms when providing transparency over the inputs to generative models?

Please provide further comments:

Every distinct piece of data and creator of that data should be identifiable

24 What transparency should be required in relation to web crawlers?

Please give us your views.:

Who web crawlers are owned by, what they are used for, and whether they ignore Robot.txt instructions

25 What is a proportionate approach to ensuring appropriate transparency?

Please give us your views.:

Lack of adequate transparency should be fined at a percentage of corporate revenue and directors barred and/or companies banned from practice if they continue to systematically ignore transparency rules

26 Where possible, please indicate what you anticipate the costs of introducing transparency measures on AI developers would be.

Please indicate the anticipated costs of transparency measures.:

Low. Sufficient charges for breaches of transparency should be an adequate deterrent. Given that the UK Government already successfully chases non-compliance with BBC TV Licences on a wide scale such an operation should not be especially difficult or expensive

27 How can compliance with transparency requirements be encouraged, and does this require regulatory underpinning?

Please give us your views.:

It requires regulatory underpinning. Without it such a compliance regime would be meaningless and completely ignored by companies it is meant to require compliance from. It should be enforced with fines and corporate consequences.

28 What are your views on the EU's approach to transparency?

Please give us your views.:

Better than the UK's, given there actually is one

Wider clarification of copyright law

29 What steps can the government take to encourage AI developers to train their models in the UK and in accordance with UK law to ensure that the rights of right holders are respected?

Please give us your views:

Sufficient investment in research and development in software and hardware, especially at universities, is sufficient to achieve this. Serious AI developers will follow academic success and the student expertise provided by these efforts.

Nothing is needed for Generative AI developers, a relatively small slice of AI's broad potential. This is a bubble likely to burst and further investment will likely be wasted rather than being an investment into successful AI development.

30 To what extent does the copyright status of AI models trained outside the UK require clarification to ensure fairness for AI developers and right holders?

Please give us your views:

Use of data covered by rights by developers outside the UK should face the same regulatory regime as those within the UK - given that by scraping from creators in the UK they are operating here.

31 Does the temporary copies exception require clarification in relation to AI training?

Please give us your views:

Yes, it shouldn't apply to technologies that then keep the data from the copies as training data, as this is clearly not temporary.

32 If so, how could this be done in a way that does not undermine the intended purpose of this exception?

Please provide further comments:

See above

Encouraging research and innovation

33 Does the existing data mining exception for non-commercial research remain fit for purpose?

Please give us your views:

No, given OpenAI claimed to be non-profit until it suited them not to me. Such an exception should only apply for charitable and academic purposes.

34 Should copyright rules relating to AI consider factors such as the purpose of an AI model, or the size of an AI firm?

Please give us your views:

No, as they frequently lie about the purpose. This is how the existing Generative AI firms have gained such a significant level of investment, by lying about what they are capable of delivering with that investment.

CGW Policy Option 0: No legal change, maintain the current provisions

35 Are you in favour of maintaining current protection for computer-generated works? If yes, please explain whether and how you currently rely on this provision.

Yes

Please give us your views:

Generative AIs don't create, there is no human owner of their products

36 Do you have views on how the provision should be interpreted?

Please give us your views:

It should continue to not apply copyright to the product of Generative AI models

CGW Policy Option 1: Reform the current protection to clarify its scope

37 Would CGW legislation benefit from greater legal clarity, for example to clarify the originality requirement? If so, how should it be clarified?

Yes

Please give us your views:

If a majority of an image is the product of Generative AI then it should not be covered by copyright. If the majority is original work independently created then it should be

38 Should other changes be made to the scope of CGW protection?

Please give us your views:

No

39 Would reforming the CGW provision have an impact on you or your organisation? If so, how? Please provide quantitative information where possible.

Significant negative impact

Please give us your views:

Allowing GenerativeAI products to be copyrightable will allow people to functionally use these models to recreate the work of authors and artists almost exactly, then copyright it as if it's their own, creating a legal mess over ownership.

Generative AI firms have the finances to fight such cases. Authors and artists largely do not.

CGW Policy Option 2: Remove specific protection for CGWs

40 Are you in favour of removing copyright protection for computer-generated works without a human author?

Yes

Please give us your views:

Without a human author there is no person to own copyright.

41 What would be the economic impact of doing this? Please provide quantitative information where possible.

Please provide further comments:

The status quo. It would prevent harm to the arts industry.

42 Would the removal of the current CGW provision affect you or your organisation? Please provide quantitative information where possible

Significant positive effect

Please give us your views:

It would prevent the eradication of the arts community by Generative AI prompters.

Infringement and liability relating to AI-generated content

43 Does the current approach to liability in AI-generated outputs allow effective enforcement of copyright?

No

Please give us your views:

There currently isn't any effective enforcement of copyright in this area

44 What steps should AI providers take to avoid copyright infringing outputs?

Please give us your views:

Given they have access to all of the text and images they used to train their data it would be simple for them to have a comparative algorithm that compared generated data to that training data and prevented its publication if they had a very high level of similarity to the point it would be copyright infringement.

AI Output labelling

45 Do you agree that generative AI outputs should be labelled as AI generated? If so, what is a proportionate approach, and is regulation required?

Yes

Please give us your views:

As long as the metadata of an image captures that it is AI Generated that should be sufficient for general imagery. For anything that replicates real people or places it should be clear visually that it is AI generated. For AI generated creative products it should be clear before consumption of the product.

46 How can government support development of emerging tools and standards, reflecting the technical challenges associated with labelling tools?

Please give us your views:

The important thing is for there to be a clear and universal standard that Generative AI companies must abide by. That should be set by Government or a Government supported regulator.

47 What are your views on the EU's approach to AI output labelling?

Please give us your views:

It should be broader than the relatively narrow regulations on specific usage of Generative AI

Digital replicas and other issues

48 To what extent would the approach(es) outlined in the first part of this consultation, in relation to transparency and text and data mining, provide individuals with sufficient control over the use of their image and voice in AI outputs?

Please give us your views:

They wouldn't, given you're suggesting that unless someone actively reserves the rights to their own image and voice then they lose it. This right should be automatic and permanent, with any permissions granted being revocable.

49 Could you share your experience or evidence of AI and digital replicas to date?

Please give us your views:

They are now widespread, used to create misinformation in politics and harassment of individuals (both public and private). They are a menace to our society.

Other emerging issues

50 Is the legal framework that applies to AI products that interact with copyright works at the point of inference clear? If it is not, what could the government do to make it clearer?

No

Please give us your views:

There isn't any, so any clarity would be an improvement.

AI companies should need to check whether supplied data is copyrighted and reject it if so.

51 What are the implications of the use of synthetic data to train AI models and how could this develop over time, and how should the government respond?

Please give us your views:

Synthetic data is a positive development and should be encouraged as it reduces the use of copyrighted and intellectual property data.

52 What other developments are driving emerging questions for the UK's copyright framework, and how should the government respond to them?

Please give us your views:

Social media platforms are becoming platforms for the sharing of generated misinformation produced by Generative AI. These platforms should be expected to take action against such practices.

Generative AI regulations should also apply to publishers and platforms for those products, such as Amazon.