

I am submitting this written response to the consultation to express my deep concern over the proposals. I will outline my specific objections below, but I wish to object to the official questionnaire which is quite clearly aimed at those involved in the AI industry and completely inappropriate for the majority of the millions of people who create the copyrighted material these AI companies wish to use without a license.

However, I have outlined detailed responses to the questions raised by the question and answer survey which is far too onerous to be a meaningful consultation of the average copyright holder. However, these proposals pose an existential threat to our livelihoods and the right to control our intellectual property so I wish the objections detailed below to be included in the consultation as they directly address the specific issues raised.

Using our copyrighted work to produce work which will directly compete with our own creative work is devastating on an individual level and will be catastrophic for the cultural sector as a whole. It is a world leading sector which contributes £125bn to the UK economy and employs more than 2.5m people. What's more, it is hugely unfair to rights holders to require they opt out: most will not hear about the scheme or know how to use it, and even those who do will face a huge administrative burden. AI companies should be required to get opt-in consent from rights holders.

The law does not need to be updated. Commercial generative AI training requires licensing. The law is clear: commercial generative AI training on copyrighted work without a licence is illegal. The government must ensure this law is enforced. A data mining exception would be hugely detrimental to the country's creators and creative industries. Unlicensed generative AI training is a "major, unjust threat" to people's livelihoods. It would allow AI companies to build highly scalable competitors to the country's creators by using their work, without asking permission, which would be incredibly damaging to the creative industries. The proposed rights reservation is unworkable and extremely unfair on creators and rights holders. The proposed changes to copyright law should be dropped if the government values our creative industries.

Any weakening of copyright will disproportionately negatively impact small creators - those not represented by large companies or groups. They will be less likely to realise they can opt out, and less likely to have the resources to opt out.

Generative AI competes with me as a creator. However imperfect generative AI models are, they are so quick and cheap to use that it is inevitable that they will compete with me. Many creators are already feeling the effects of this. Introducing an exception would let them build highly scalable competitors to me, using my works to do so. The rights reservation mechanism would not protect me: I don't believe it would be possible to effectively opt out my works from training, given that I wouldn't be able to opt out

downstream copies of my works, and given that even after I opted out it is likely that AI companies would not retire or retrain their models immediately. Reserving your rights in machine-readable formats would in many cases require an understanding of systems that I'm not otherwise expert in.

The best approach to achieve the intended balance of objectives is the existing approach, which is a requirement that training data be licensed. It is perfectly possible for AI companies to license the data they need: a number of AI companies already license all their training data. If they break the law developers should immediately retire any model that uses my work. They should also retire any synthetic data generated by models that used my work, and any models trained on that synthetic data. And large fines should be awarded against any company breaking the law.

I believe the UK which has 'gold standard' copyright protections should continue to hold that position preserving our world beating creative economy. The EU's Code of Practice for the AI Act does not yet detail what exact transparency requirements will be made of AI companies. Even the US has a better fair use copyright exception, a nuanced copyright exception that is much more fair to rights holders than the UK's proposal. We must maintain and strengthen the current provisions to preserve our leading role in the global creative economy.

We should not maintain the current protection for computer-generated work. Many computer-generated works are created using a simple text prompt, using AI models that are trained on other people's work, to compete with those people. People prompting a model should not be afforded copyright protection. On the other hand, there is a good argument that the creators of the training data should own a share of the copyright in any output.

Computer generated work should not be given copyright protection. The proposals are going in entirely the wrong direction. Preserving the current creative industries and individual creators of copyright material is crucial in the digital age. None AI companies do not have exemptions yet have created the second biggest sector of the British economy. The proposals amount to state sponsored theft, and allow AI companies who can be based abroad, be unregulated and contribute nothing to the exchequer to have an unfair competitive advantage over some of our most successful businesses, and at the same time devastated the lives and careers of our artists and creators who will have to compete for work which is based on their own endeavors.

The whole basis of this is financially illiterate. I disagree with the statement in the consultation that generative AI "is unlikely to generate a copy of a specific work that it was trained on". There are many documented instances of precisely this happening, and it is a well-known phenomenon of generative models. I also disagree with the statement that "it is not clear how effective [steps to avoid outputting protected works] are in practice." It

is in fact clear that they are ineffective, since I believe every major generative AI model has been shown to replicate its training data.

Copyright infringement could easily be avoided by not training computers without a license. Labelling of AI material is clearly needed and regulation is required as this is not being done voluntarily. If AI developers use synthetic data to train their models, and this synthetic data comes from models themselves trained on copyrighted work without a licence, AI developers are essentially laundering copyright. This must be stopped. The way to do this is require that any data used to train models used to create synthetic data also be licensed, and ensure that transparency requirements cover sources of synthetic data. Separate legislation is required for controlling the use of people's image and voice in AI outputs but I believe this should be legislated separately.