

## So, AI Can Make Creative Works. Do They Get Copyright Protection Now?

Movies made us believe that artificial intelligence would take over the world, and I never believed in that hype. I specifically never believed technology would ever advance to the point of independent artistic or sophisticated creation needed to take over the world. However, I am now going back to that belief. [Here is the article](#) that has changed my outlook on the capabilities of artificial intelligence. With corporations like Microsoft, Adobe, Github, and other companies using programs like text-to-image, AI is getting to the independent artistic or sophisticated level I never expected. Now, with the realization that AI can create a high caliber like humans, the question becomes whether AI-produced work should be given copyright protection as humans do. The answer, I am not sure where I fall just yet, will change everything.

On the one hand, why shouldn't they? Section 102 of the Copyright Act says, in short, a work must be an original work of authorship with a minimum level of creativity fixed in a tangible medium of expression longer than a transitionary period. Most, if not all, of the work created by AI meets the second requirement; in some cases, many also meet the first requirement. There is nothing in that that says that this only applies to humans. Therefore AI should have copyright protections when they meet those requirements. That seems fair to me.

But then, why should they? AI is a creation in and of itself. They are programmed to do this. They don't operate on independent wants and need d for creativity and innovation, so what good would copyright protection do for them? Furthermore, the question of how original work can be when it is an amalgamation of thousands of other works, which the article makes a point to explain. Is there anything creative and original about spitting out an image based on the text? This is also fair to me.

It can go either way for me, but as a law student, there should be strict rules. If AI can receive copyright protection for its work, it can also commit copyright infringement. Which, then, should fall on the creator of the AI because they have the authority here. Then, why not just give copyright protection to the creator of the AI? To that, I say, sure, but why. By that logic, anything you and I create should be credited to our parents because they made us. Who would want that?

I am excited to see what AI comes up with next, but I am more excited to see what the law does with all this. That AI takeover may be closer than I ever imagined, and my sincerest apologies to the film industry.