

## DO WE NEED COPYRIGHT?



*Image Caption: AI Generated image of photocopiers overflowing with paper*

Let's set a scene:

You're an artist, making something like your masterpiece or whatever, how much are you worrying about copyright?

You might think copyright is important, especially when you're coming from the point of an artist, I mean, it's the thing that PROTECTS you, right? It's what gives you legal recourse whenever your art is taken and reproduced without your permission. Without it, nothing could stop someone from taking the work you make right as you post it, and start making money from it! It should be pretty cut and dry that any legal protections you can get are pretty useful, right?

I mean yes, having protections specifically for art and art reproduction seems pretty useful, but it's not as simple as that.

First off, most of the time you as an artist are ever gonna encounter copyright isn't because it's some kind of knight in shining armour for you. What's more likely is that you as an artist, will connect the dots that art is unique and original to the person who made it. And maybe as you grow and learn, you'll learn that not only is this something aspirational for art, but something enforced, both from your peers and from those who own IP, that what you make shouldn't have what already exists in it. You're stepping on the toes of some other person or group who OWN the work, and your existence being so close to their work is **THEFT!** What may be even innocent, simple infringement, something that the artist did for personal entertainment, or to appreciate what inspires them, is technically illegal.

But what do you get in return? Well, as an artist, if you start making this pure, *truly* original work, as soon as you've made it, you have copyright over it. You get immediate control over how your work ends up being remade or reproduced and (assumedly) sold after. But it's pretty easy to break copyright, and what if you want to—**DON'T CARE, CLEARLY YOU SHOULD JUST HAVE NOT DONE THAT, OR SOMETHING.**

the reality of modern copyright is whenever you start making real money, or work for a company, this starts becoming an issue. Your creativity is not something that can be guaranteed to not be influenced by something that came before, that someone else made and now owns. That's fine! We're all a patchwork quilt made of us, our experiences, our friends, our circumstances. Taking from our experiences is something that we all do as artists, whether consciously or not. That's just being alive. But when your influences are **INTELLECTUAL PROPERTY**, this gets harder, and you HAVE to become more individual in how you see and make art.

One of the hallmarks of the last 30 to 40 years of culture is the postmodern approach of remixing and repurposing the world around us. Nostalgia cycles, ironic reuse of McDonalds, the post-ironic sincerity of McDonalds' architecture analysis....

The most obvious example of this is the emergence of hip-hop, a genre born out of sampling, where an artists tastes and influences can be used and reused to make something new **[STEALING! WHERE ARTISTS HARD, HARD WORK IS STOLEN! BY UNGRATEFUL HACKS! JUST TAKING LIKE LEECHES]** and despite **[BECAUSE]** the music industry's attempts to extract money **[ENSURE RIGHTFUL CREDIT]**, it's persevered to become one of the most successful genres going still **[AND SOMETHING THAT WAS ALLOWED IT TO BECOME MAINSTREAM]**

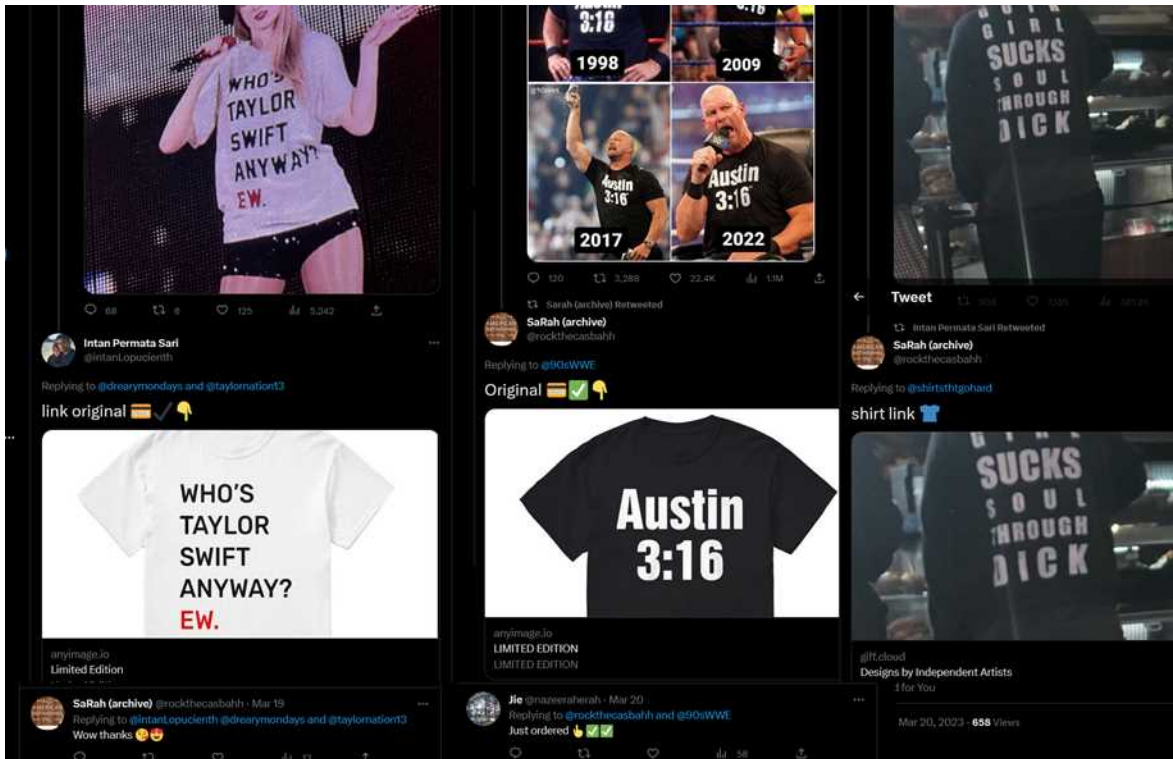
Okay, maybe I should jump to my question here: what do you gain from copyright as it is right now? I mean. All it does is make it harder for artists

to be able to engage with the work around them, and make money. Most IP holders have no issue with your bootlegging of popular “IP”, others art and music, but only as long as you don’t make money (for them, it’s free advertising!). BUT!!!! You wanna make something AND make a living off of it? All copyright does is make you watch your step. And all so, should it become your turn, you can do the same thing to those now below you?

So should we take this argument, I guess the next argument is, what would a world without copyright look like then? Well, I find this a bit tough, mostly because both copyright and capitalism are interlinked, and it’s a little hard to try imagine a modern understanding of a non capitalist world, hundreds of years deep into one. The history of copyright is long and kind of fragmented, but to me it’s not suprising they both emerged as concrete ideas around the same time. They’re both a means of defence on the concept of random people owning shit that doesn’t *actually* exist like *~ideas~*, or *~land~*. So it makes sense they end up around the same space. Exploring ideas outside of that is near science fiction to our current brains, cooked with the society made from hundreds of years of capitalist hell.

So I find imagining copyright just not existing nearly feels as foreign as imagining no capitalism. You can say well without capitalism you probably won’t need to sell art, since some assumed replacement of capitalism doesn’t require you to constantly work, and make money, to live. So all of a sudden owning an idea to exploit it’s money making capabilities is not just contrary to the system, but frankly a waste of your energy fighting for it.

Or maybe we could imagine a world where copyright goes, and capitalism stays. It’d be bootleg heaven! Where anything you make is immediately stolen! We see this now, bots scrape the internet and take any individual’s work and then immediately flip it on to a print on demand t-shirt, or into an AI dataset, so the next tech can just copy YOU for ALL your info, and do *whatever* with it? In this world, nothing is worth selling because as soon as you try, someone else has already made a copy and undercuts your price using sweatshops and th—  
wait no that already exists that’s our world.



*Image Caption: 3 different cases of bots taking t-shirts from existing memes, and setting up quick print-on-demand shopfronts for them.*

Look how bots are CURRENTLY used to sell shirts from scam artists under peoples tweets. Or how many times designs end up on 10 bajillion different people's shops.

**[WELL CLEARLY YOU SHOULD JUST HAVE A TEAM OF LAWYERS WHO ARE PAID TO CHASE THEM WITH DMCA'S AND CEASE AND DESIST LAWYERS ALL DAY]**

BUT WHO HAS THAT THOUGH??? Especially considering this is something that maybe doesn't affect Taylor Swift or so on, but definitely does affect artists who are just working online, preying on the wishes of fans to support art they like.

And for the sake of both our time and sanity, this is where I'll say the current development of AI art lies, too. People stealing other people's art so it can be laundered for their own profit is a BIG business, and with the entire internet at the disposal of the people developing AI art and writing systems, there's effectively no opting out.

# A Photographer Tried to Get His Photos Removed from an AI Dataset. He Got an Invoice Instead.

A German stock photographer tried to get his photos removed from the AI-training LAION dataset. Lawyers replied that he owes \$979 for making an unjustified copyright claim.



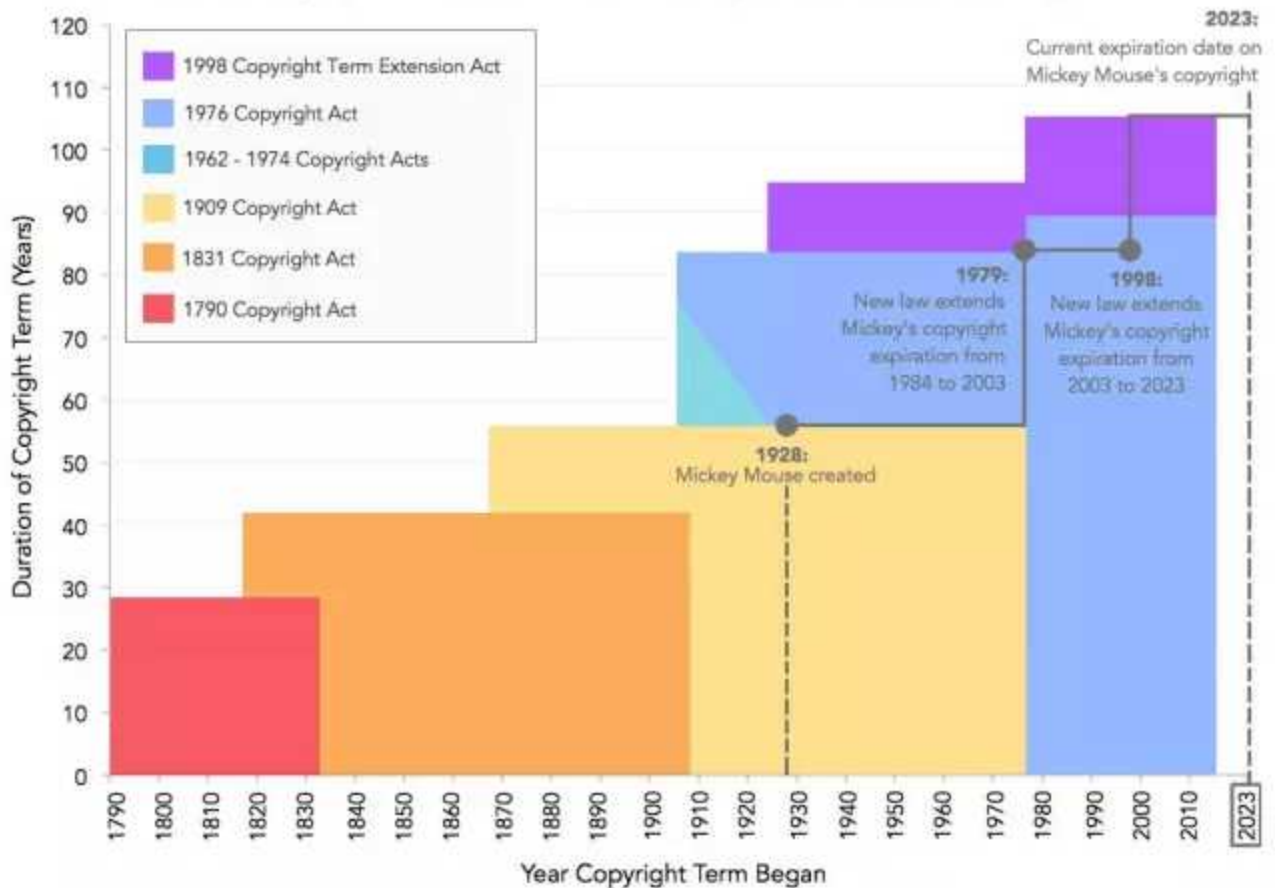
*Image Caption: A headline from Vice.com, dated 28 April 2023 .*

So am I acting like we should abolish copyright for the sake of pure, unrestricted creative freedom, or enforce copyright as a way of defending us little guys whenever the big guys decide our art project will be perfect for Nike's next big advertisement campaign?

Eh. It's complicated. This has boiled down not to whether copyright is important, but how class can affect copyright. Copyright and other systems are capitalist systems exist as a defence of capital. The fact copyright *can* be useful for us every now and then is a nice upside, but when you look at how the laws for copyright are changed via companies like Disney lobbying for changes that suit them, well. I don't think these are rules made with the humble artist in mind.

# Mickey Mouse's Effect on U.S. Copyright Law

Every time Disney's copyright on Mickey Mouse is about to expire, the law magically changes



*Image Caption: A graph, displaying how the duration of copyright after an artist's passing has increased, especially in recent times, with Mickey Mouse nearly going into public domain.*

I hate to be the sort of person to lob questions into the ring and then not answer them in any definite way, but when I think of the theme for this magazine, "Anarchy", I think about how anarchy can be both a liberating force, one that takes down unfair hierarchies, ensuring that everyone is getting an equitable share of their workplace, community, and life. However, it can also be a free-for-all, one which can actually further bolster the power imbalance that already exist. I guess my position lies more in wanting an equitable society, and the pessimism that any changes to the existing copyright system will be ones that may materially leave artists in a worse place than they were in.

Maybe some day we will have a good answer to this, but until then, you're probably just gonna have to suck up with whatever hand you're

given, and try work around the hassles involved with being an artist and dealing with copyright.

Or you know, just ignore them. I'm not gonna rat you out.

Jayde D.

[end of article]