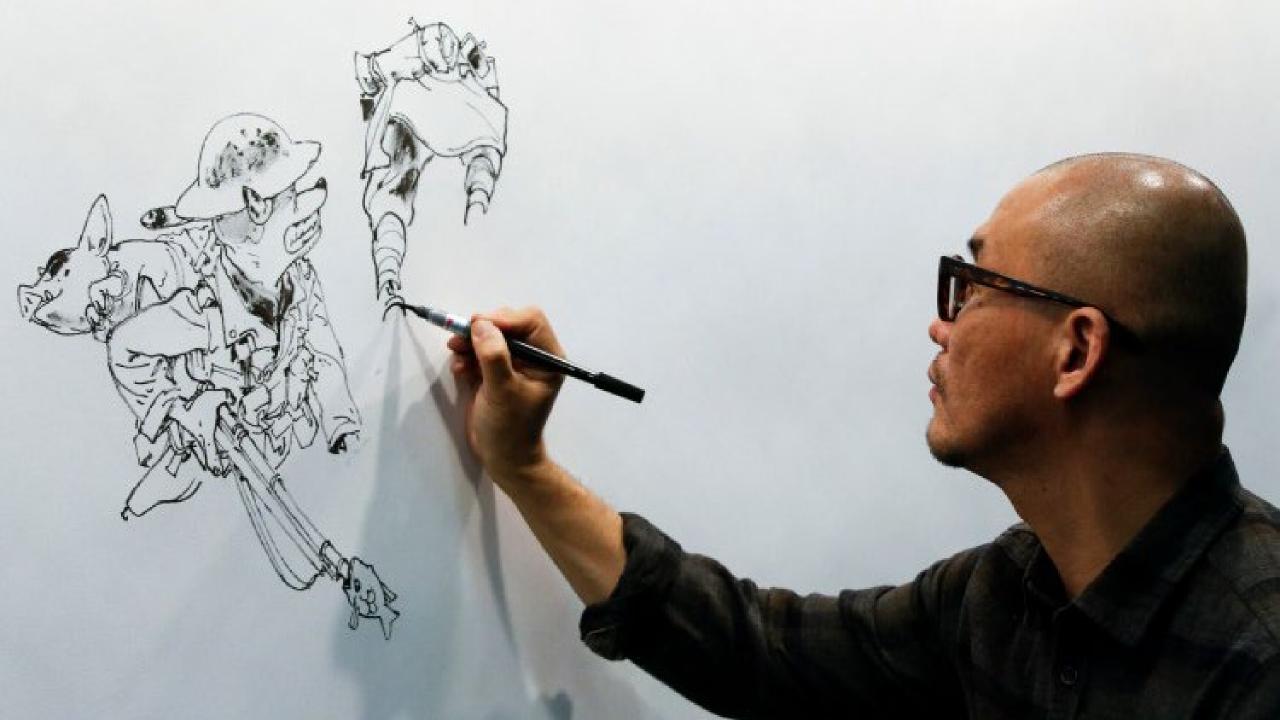# The New Art Forgers

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5You
@BG_5you

Hi! I just trained a model to draw in the style of the late Kim Jung Gi, as an hommage.

I'm fairly happy with the results, given how complicated is his style.

Hope you like it, feel free to use it by yourself (credit plz) :
drive.google.com/drive/folders/…

#KimJungGi #stablediffusion

6:13 PM · Oct 6, 2022

3.7K   5.9K   2.3K   998

Scenario	Named author	Harm to Gi	Category	Remedy
5you generates and distributes AI art in the style of Gi	Unattributed	Erasure of labor and legacy	Non-attribution	Training data transparency
	5you	Erasure of labor and legacy	Non-attribution	Training data transparency
	Gi	Reputational damage	Misattribution	False designation of origin under section 43(a)

Problem

1
AI is creating an unprecedented attribution problem:
- artists are losing control over their personal brands
- consumers cannot distinguish dupes from authentic works

2
Artists have 2 distinct attribution interests:
- disclaim authorship of AI art generated in their distinctive style
- receive credit for the use of their work as training data

Causes

1 Erosion of technical barriers to style imitation (unprecedented technological mimicry)

2 Ineffectiveness of community attribution norms as a form of AI regulation

Remedies

1

Copyright law provides no remedy
- style is uncopyrightable
- VARA only protects limited edition paintings etc
- DMCA prohibits removal of CMI but intent standard is hard to meet

Why Attribution Matters

1

Individuals
- strong norms against plagiarism
- personhood interests in creative expression
- capture goodwill associated with labor

2

Society
- reduce consumer search costs
- enhance public capacity for aesthetic evaluation
- satisfy consumer preferences for authentic art
- reduce misinformation from model hallucination

Remedies

1   Copyright law provides no remedy
- style is uncopyrightable
- VARA only protects limited edition paintings etc
- DMCA prohibits removal of CMI but intent standard is hard to meet

2   Trademark function of authorship (Greg Lastowka)
- designations of authorship serve same social functions as marks
- incentivize creation of high-quality goods + reduce consumer confusion
- consumer protection function (even if author protection is unconvincing)
- restore capacity of copyright owners to bring claims for false designations of origin under section 43(a)

Limitations

1

Cannot remedy non-attribution
- affirmative duty of attribution would be unworkable
- powerful rights holders might weaponize attribution requirements to chill similar expression; limit relief to affirmative misrepresentations, not mere omissions

2

Cannot remedy dilution (if you consider this to be a harm)
- not a prohibition on style imitation
- trade dress protection for style is not a good idea

Thank you.

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