



# Public Domain and Open Source: Key Factors in the Generative AI Ecosystem

Kyungjin Choi

President, Korea Association of Artificial Intelligence and Law

Professor, Gachon University College of Law



IDEA



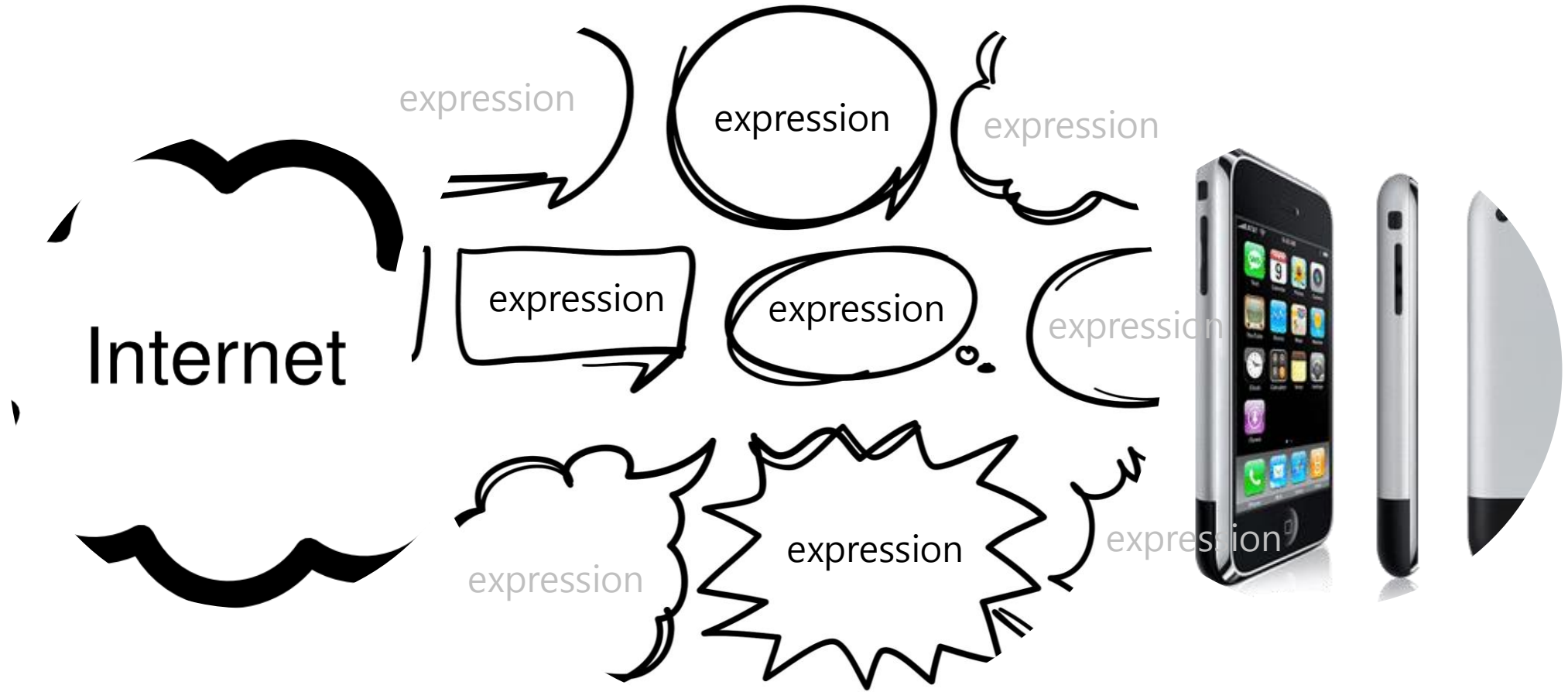
Kyoungjin Choi



# Language

---





Anno Octavo

# Annæ Reginae.

An Act for the Encouragement of Learning, by Vesting the Copies of Printed Books in the Authors or Purchasers of such Copies, during the Times therein mentioned.



Whereas Printers, Bookellers, and other Persons have of late frequently taken the Liberty of Printing, Reprinting, and Publishing, or causing to be Printed, Reprinted, and Published Books, and other Writings, without the Consent of the Authors or Proprietors of such Books and Writings, to their very great Detriment, and too often to the Ruin of them and their Families: For Preventing therefore such Practices for the future, and for the

Encouragement of Learned Men to Compose and Write useful Books: May it please Your Majesty, that it may be Enacted, and be it Enacted by the Queens most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the Tenth Day of April, One thousand seven hundred and ten, the Author of any Book or Books already Printed, who hath not Transferred to any other the Copy or Copies of such Book or Books, Share or Shares thereof, or the Bookseller or Bookellers, Printer or Printers, or other Person or Persons, who hath or have Purchased or Acquired the Copy or Copies of any Book or Books, in order to Print or Reprint the same, shall have the sole Right and Liberty of Printing such Book and Books for the Term of One and twenty Years, to Commence from the said Tenth Day of April, and no longer; and that the Author of any Book or Books already Composed and not Printed and Published, or that shall hereafter be Composed, and

- The world's first copyright law: The Statute of Anne of 1710

"An Act for the Encouragement of Learning, by vesting the Copies of Printed Books in the Authors or purchasers of such Copies, during the Times therein mentioned"

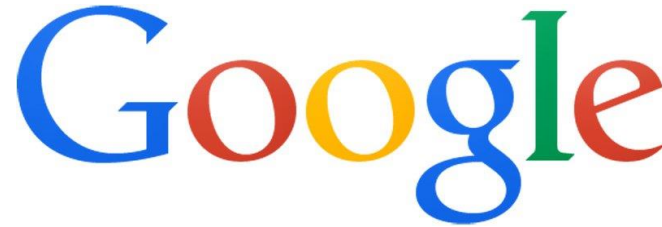
Copyright

Rights of  
Database  
Producers



Alibaba.com™

NETFLIX







COPYRIGHT



FAIR USE



CREATIVE COMMONS



PUBLIC DOMAIN

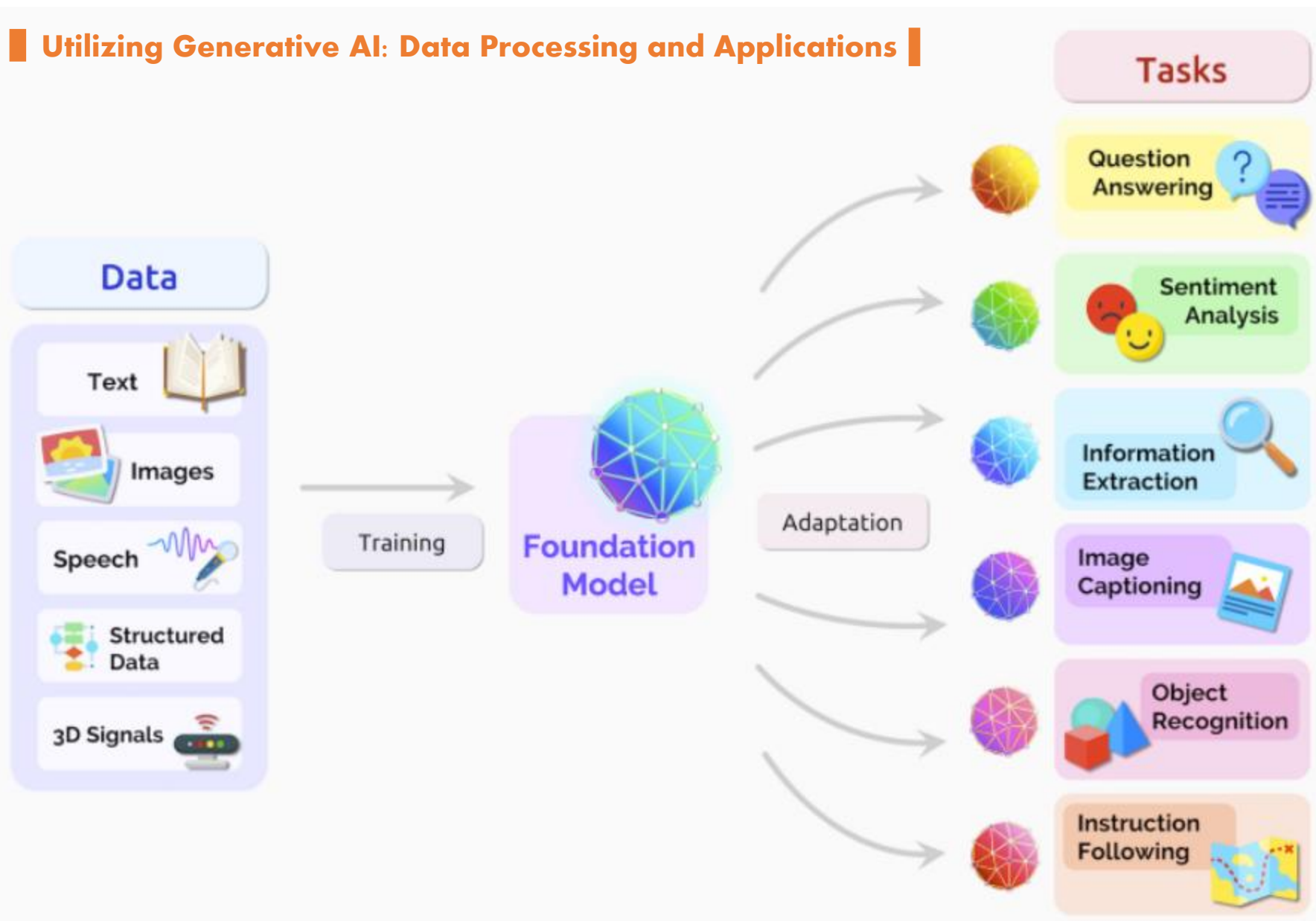


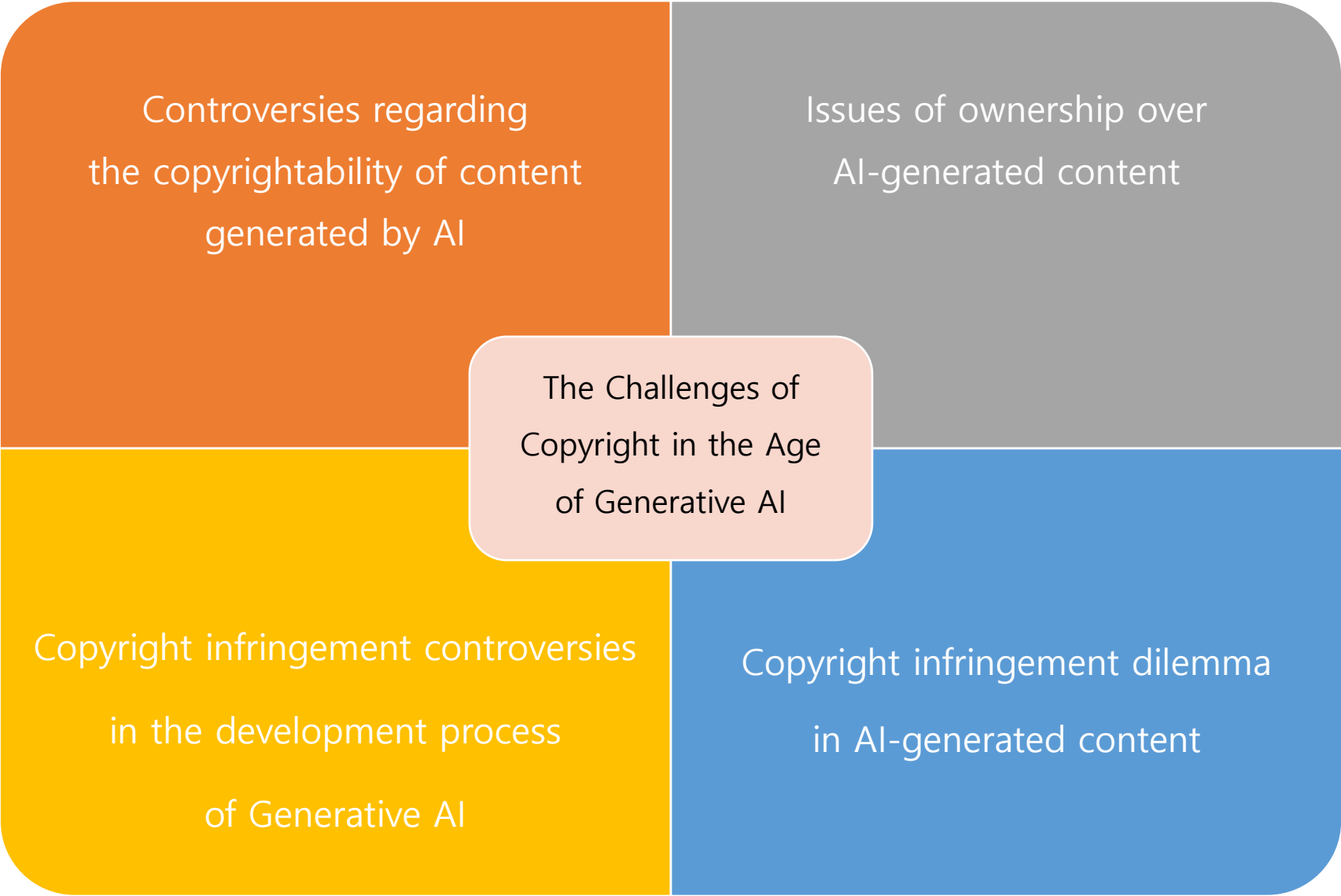
OpenAI



**ChatGPT**

## Utilizing Generative AI: Data Processing and Applications







*Sui Generis* approach

Korea



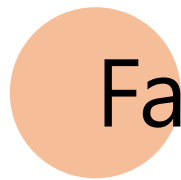
Japan



EU



UK



Fair Use approach

# Getty Images sues AI art generator Stable Diffusion in the US for copyright infringement



An illustration from Getty Images' lawsuit, showing an original photograph and a similar image (complete with Getty Images watermark) generated by Stable Diffusion. Image: Getty Images

/ Getty Images has filed a case against Stability AI, alleging that the company copied 12 million images to train its AI model 'without permission ... or compensation.'

By [James Vincent](#), a senior reporter who has covered AI, robotics, and more for eight years at The Verge.

Feb 7, 2023, 1:56 AM GMT+9 | [16 Comments](#) / [16 New](#)



---

# Generative AI Litigations

Andersen et al v. Stability AI Ltd. et al, Docket No. 3:23 cv 00201 (N.D. Cal. 2023)

---

GETTY IMAGES (US), INC. v. STABILITY AI, INC. (2023)

---

J. DOE 1 and J. DOE 2 v. GITHUB, INC., MICROSOFT CORPORATION (2022)

---

Clarkson v. Open AI & MS (2023)

---

Paul Tremblay, Mona Awad v. Open AI (N.D.C.A., 2023)

---

Sarah Silverman, Christopher Golden, Richard Kadrey v. Open AI(N.D.C.A., 2023)

---















Richard Kadrey, Sarah Silverman, Christopher Golden v. Meta Platform (N.D.C.A., 2023)

---

# AI webtoon boycott case in Korea

## 실시간 인기 도전만화

- 1  UP AI웹툰 보이콧  
okl0\*\*\*\*
- 2  ai웹툰 보이콧  
시아웃
- 3  팝콘예술고등학교  
황우
- 4  [신개념ani외툰]도시전설누이바  
JJDLABB
- 5  UP AI웹툰 보이콧  
▲1 웹툰자까
- 6  재벌의 세상  
▼1 ye\*\*\*\*
- 7  UP 창작자의 권리를 침해하는 ...  
lim0\*\*\*\*
- 8  UP AI웹툰 보이콧  
tjsd\*\*\*\*
- 9  UP ai웹툰보이콧  
akfl\*\*\*\*
- 10  UP ai웹툰 보이콧  
AI웹툰 거부

- |   |   |  |
|---|---|--|
|  AI웹툰 보이콧<br>산상병<br>★ 9.27 @ 37        |  LOVE-23<br>tsmh****<br>★ 8.83 @ 51  |  AI웹툰 보이콧<br>grea****<br>★ 8.10 @ 48  |
|  ai웹툰 보이콧<br>a간대<br>★ 9.55 @ 150       |  ai웹툰 보이콧<br>kix****<br>★ 9.77 @ 176 |  ai웹툰 보이콧<br>gong****<br>★ 9.65 @ 108 |
|  ai 웹툰 보이콧<br>hayn****<br>★ 9.79 @ 330 |  ai웹툰 보이콧<br>audt****<br>★ 9.51 @ 90 |  ai웹툰 보이콧<br>toot****<br>★ 8.60 @ 48  |
|  ai웹툰 보이콧<br>on_d****<br>★ 8.20 @ 67   |  ai웹툰 보이콧<br>van****<br>★ 8.71 @ 75  |  AI웹툰 보이콧<br>rgk45<br>★ 8.83 @ 59     |
|  AI웹툰 보이콧<br>zelo****<br>★ 8.50 @ 68  |  ai웹툰 보이콧<br>인간척가<br>★ 8.40 @ 14    |  AI웹툰 보이콧<br>niyo****<br>★ 9.20 @ 11 |



Suzanne Nossel / July 31, 2023

MACHINE LEARNING

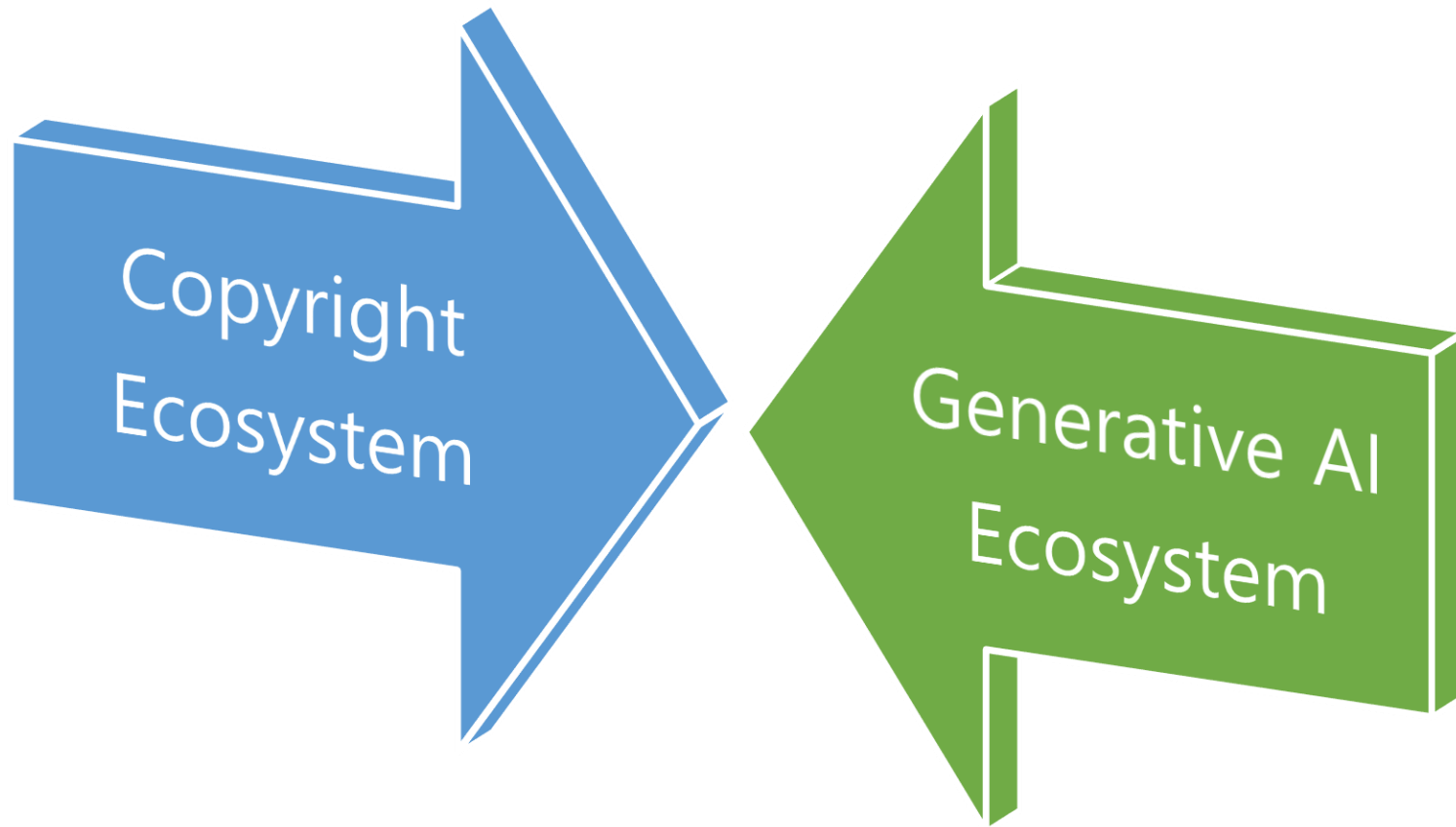
# Hollywood's Fight Against A.I. Will Affect Us All

Screenwriters, actors, authors, and artists are fighting to ensure that human beings are not shunted to the margins of our culture.

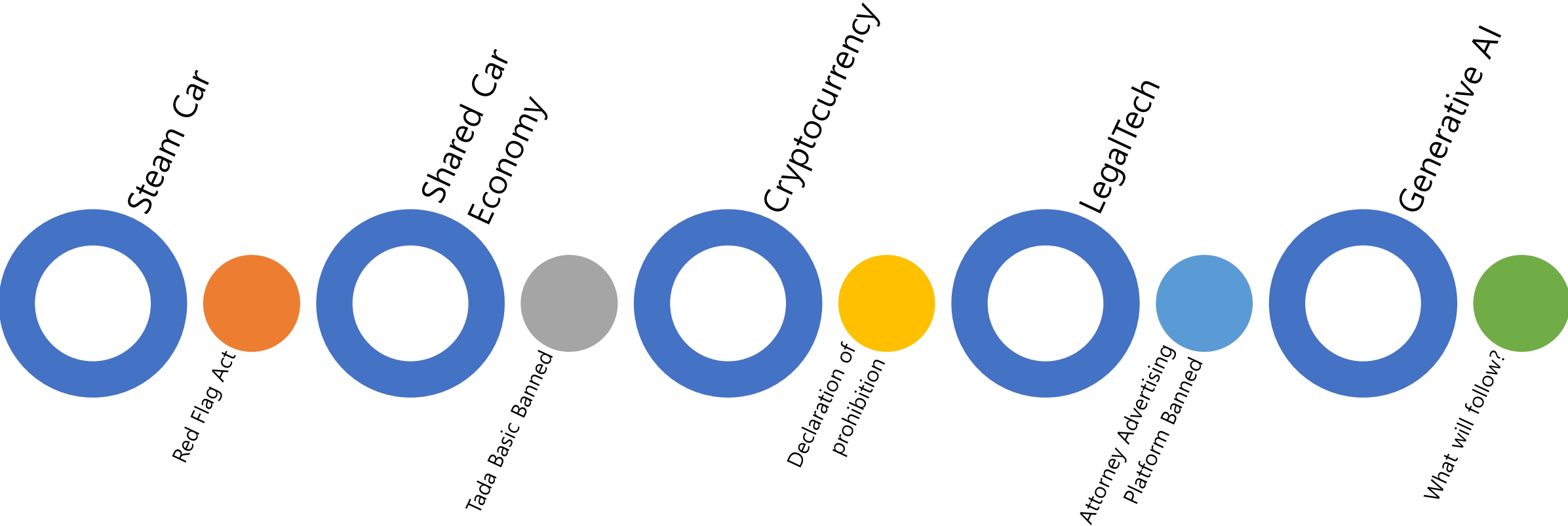


VUK VALCIC/SOPA IMAGES/LIGHTROCKET/GETTY IMAGES





# How to Adapt to Ongoing Innovation?



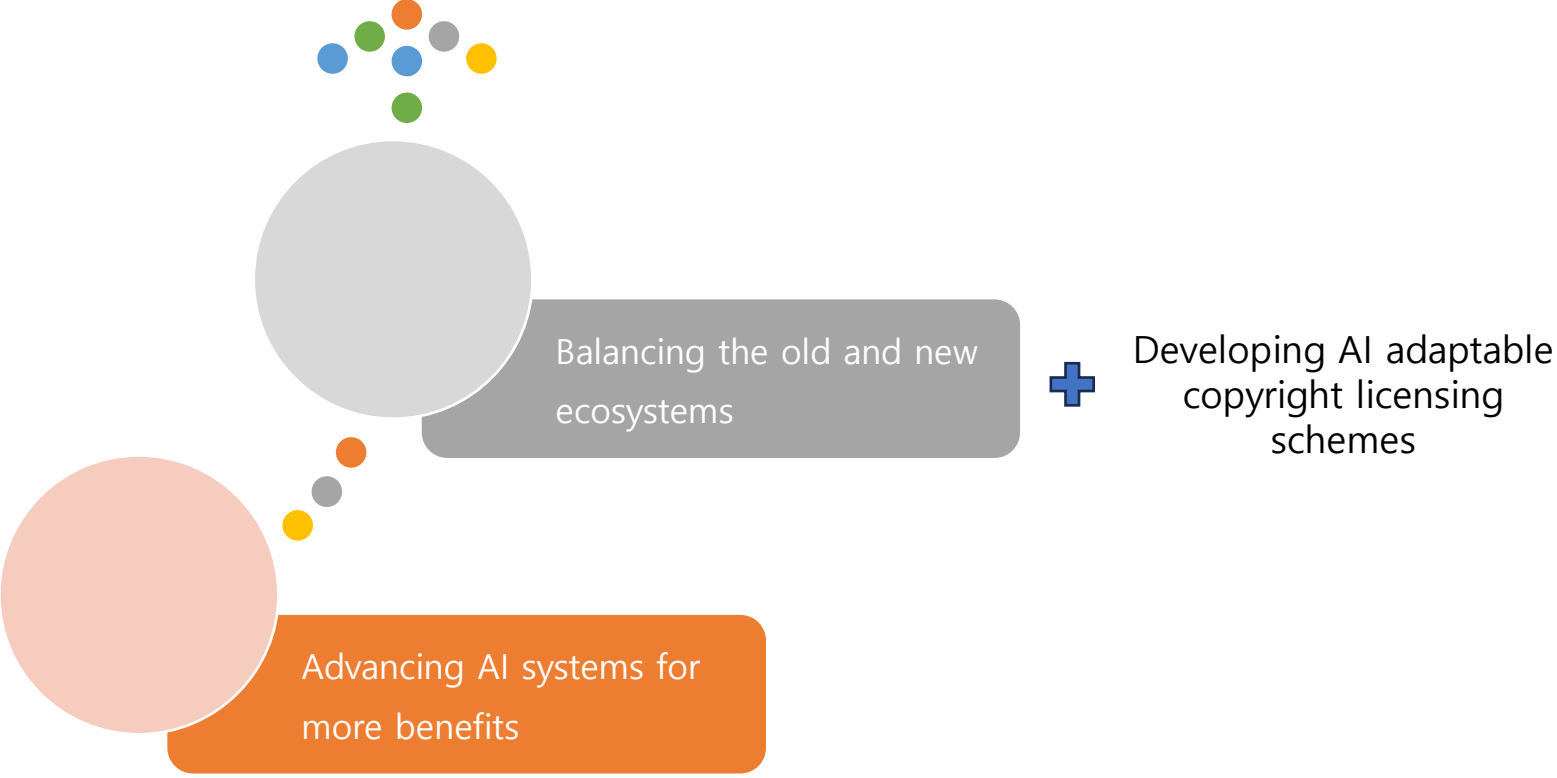
Public Domain

Open-Source AI Models

Public Data

Open Data

Synthetic Data



# Thank you!!!

future

..... closer than  
they appear