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**To:** aipartnership  
**Subject:** Comment to Docket No. PTO-C-2019-0038, Document 84 FR 58141

Answer to Question 1

No, a "work" produced by an AI algorithm or process, without the involvement of a natural person contributing expression to the resulting work, should not qualify as a work of authorship protectable under U.S. copyright law.

First, the US constitution's copyright clause speaks of "Authors and Inventors". An AI is neither.

Furthermore, AI can produce output on a mass scale. Not only could that soon leave little to no room for humans to create works that don't infringe upon existing "AI-works", it would also be impossible for a human to check for prior art before publishing their own creation, simply because the canon would be too large.

Answer to Question 2

Programming the algorithm confers copyright in that code. It should not also lead to copyright in the AI's output.

The US Constitution speaks of conferring exclusive Rights to Authors and Inventors to "their respective Writings and Discoveries." A Writing or Discovery made by an AI is not a Writing and Discovery by an Author or Inventor. Those have to be human.

Answer to Question 3

Outside Fair Use, Authors must give permission for their works to be "ingested" by any AI. When giving such permission, Authors can decide how they wish to be recognized for what manner of use of their works.

Answer to Question 4

No comment at this time.

Answer to Question 5

No entity other than a natural person, or company to which a natural person assigns a copyrighted work, should be able to own the copyright in an AI "work". AI "works" are not protectable under copyright and should not be protectable.

Questions 6 to 13

No comment at this time.

Thank you

