What Does the U.S. Copyright Office's New Guidance on AI Mean for Fashion?

Sourcing Journal spoke with Banner Witcoff shareholder Kirk Sigmon on the new guidance from the U.S. Copyright Office around the copyrightability of work created in whole or in part by artificial intelligence (AI) systems.

Kirk says even with the new guidance, the bar for obtaining a copyright registration remains relatively low. Still, in the fashion and apparel industries, the guidance could stop or slow the pace of novice sellers using AI to generate and sell designs rapidly. He says, "The likely effect of the Copyright Office's guidance would be to discourage folks from trying to use AI to mass-generate fashion designs and purport to copyright them." He further explained, "For example, I probably wouldn't be able to tell ChatGPT to come up with 100 handbag designs and immediately send those designs to the Copyright Office, as I wouldn't have had any creative involvement in the process."

Kirk goes on to discuss how the guidance might incentivize brands previously hesitant about bringing AI into the design process to do so. However, they should ensure their employees understand the best practices of using the technology and should consider protecting creations in innovative ways.

The full article can be found by clicking here.

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