



## **NO FAKES Is NO GOOD for Internet Creators**

You may have heard major labels and industry trade groups claim that the *Nurture Originals, Foster Art and Keep Entertainment Safe* (NO FAKES) Act will help artists protect themselves from generative AI. This is false. NO FAKES is actually a trojan horse bill that will give the major industry gatekeepers what they've wanted for more than a decade: control over online creativity.

NO FAKES creates a new property right in so-called "digital replicas." This would make it easier for major studios and labels to pay a pittance to starving artists and then own and profit from their images. It would also make it harder to bypass the gatekeepers and share your own work online. This Act will both reconcentrate creative power in the major labels and studios, and censor online speech and creativity.

### **Takedowns**

If you create and share content online, chances are high that you've encountered a copyright takedown—when someone claims to own part or all of your work and sends a takedown notice to the platform, which then removes your work immediately.

NO FAKES takes that and extends the same regime to claims that your post contains a "digital replica" of a person that you do not have the rights to. As with copyright, most people are unlikely to take the chance of challenging the rich and powerful and the work will be lost.

### **Filter Mandate**

If you share videos or audio on any major platform, we're betting that you have run into their filters. Whether it's YouTube's Content ID, which will remove a video even if seconds of it matches something in its database, or Facebook taking down classical musicians for sounding too similar to each other, these filters are often the bane of online creators' existence.

As bad as existing filters are, they are not currently required by law. NO FAKES would change that. In addition to the takedown notices, NO FAKES requires platforms to proactively search out and remove any *copies* of images, videos, or sounds. This means platforms will increase their use filters to search out not only exact copies but partial matches as well. No matter the situation, filters cannot tell if, in context, the post is protected by law. Legal speech is going to be taken down.

### **Targeting Tools**

A new aspect of NO FAKES is that it extends takedowns to tools. If someone thinks an app is being used to generate these unauthorized digital copies, they can send a takedown to an app store or repository to remove it. This will make it harder for regular people to make and share things.

**Tell the Senate to throw this bill out and do something that will actually help artists:**  
<https://act.eff.org/action/tell-the-senate-throw-out-the-no-fakes-act-and-start-over>