



Petition for New Exemption Under 17 U.S.C. § 1201

9th Triennial Rulemaking

Please submit a separate petition for each proposed exemption.

NOTE: Use this form if you are seeking to engage in activities not currently permitted by an **existing exemption**. If you are seeking to engage in activities that are permitted by a current exemption, instead of submitting this form, you should submit a petition to renew that exemption using the form available at copyright.gov/1201/2024/renewal-petition.pdf.

If you are seeking to expand a current exemption, we recommend that you submit both a petition to renew the current exemption, and, separately, a petition for a new exemption using this form that identifies the current exemption and addresses only those issues relevant to the proposed expansion of that exemption.

ITEM A. PETITIONERS AND CONTACT INFORMATION

Please identify the petitioners and provide a means to contact the petitioners and/or their representatives, if any. The “petitioner” is the individual or entity proposing the exemption.

Petitioner: Jonathan Weiss
Contact Information: Jonathan.Weiss@Chinnu.com, 720-334-1153

Privacy Act Advisory Statement: Required by the Privacy Act of 1974 (P.L. 93-579)

The authority for requesting this information is 17 U.S.C. §§ 1201(a)(1) and 705. Furnishing the requested information is voluntary. The principal use of the requested information is publication on the Copyright Office website and use by Copyright Office staff for purposes of the rulemaking proceeding conducted pursuant to 17 U.S.C. § 1201(a)(1). NOTE: No other advisory statement will be given in connection with this application. Please keep this statement and refer to it if we communicate with you regarding this petition.

ITEM B. DESCRIPTION OF PROPOSED NEW EXEMPTION

Provide a brief statement explaining the nature of the proposed new or expanded exemption. The information that would be most helpful to the Office includes the following, to the extent relevant: (1) the types of copyrighted works that need to be accessed; (2) the physical media or devices on which the works are stored or the services through which the works are accessed; (3) the purposes for which the works need to be accessed; (4) the types of users who want access; and (5) the barriers that currently exist or are likely to exist in the near future preventing these users from obtaining access to the relevant copyrighted works.

Petitioners need not propose precise regulatory language or fully define the contours of an exemption class. Rather, a short, plain statement describing the nature of the activities the petitioners wish to engage in will be sufficient, as proponents will have the opportunity to further refine or expound upon their initial petitions during later phases of the rulemaking. The Office anticipates that in many cases petitioners will be able to adequately describe in plain terms the relevant information in a few sentences, or even a single sentence, as with the examples below.

PETITION FOR NEW EXEMPTION TO SECTION 1201 OF THE DIGITAL MILLENNIUM COPYRIGHT ACT

Subject: Exemption for Security Research Pertaining to Generative AI Bias

I hereby petition for the establishment of a new exemption under Section 1201 of the Digital Millennium Copyright Act (DMCA) to facilitate essential security research on generative artificial intelligence models and systems, specifically concerning biases embedded within them.

Background

Generative AI models have seen rapid advancements and widespread deployment across a variety of sectors, from content generation to decision-making processes. However, concerns about inherent biases within these models have been growing, as they have the potential to perpetuate or even exacerbate systemic issues related to race, gender, ethnicity, and other sensitive factors.

Reasons for the Exemption

- Public Interest: Investigating bias in AI models is of paramount importance to ensure fairness, prevent discrimination, and safeguard societal values.
- Accelerating Knowledge: This exemption would enable researchers to unearth, understand, and rectify biases without the constant fear of legal repercussions.
- Security Implications: Biased AI systems can be exploited or gamed. Understanding these biases is a crucial step in improving the overall security of these systems.
- Promoting Transparent AI: With the freedom to investigate and publish findings, the AI research community can push for more transparency and accountability in AI development.

Scope

I propose that the exemption covers:

- Circumvention of technological measures that control access to copyrighted generative AI models, solely for the purpose of researching biases.
- Sharing of research findings, techniques, and methodologies that expose and address biases in these AI models.

ITEM B. DESCRIPTION OF PROPOSED NEW EXEMPTION (CONT'D)

Protection Measures

While we advocate for more freedom in this area, we recognize the importance of measures that prevent misuse:

- No Malicious Intent: The exemption should only apply to those who demonstrate that their primary intention is to identify and address biases, and not to exploit them.
- Data Privacy: Any research under this exemption should prioritize data privacy, ensuring that no personal or sensitive data is compromised.
- Collaboration with Stakeholders: Researchers should actively engage with AI developers and stakeholders to address discovered biases.

Conclusion

In an era where AI-driven decisions increasingly impact our daily lives, ensuring these decisions are fair and unbiased is not merely a technical necessity but a societal imperative. By granting this exemption, we can promote responsible AI research, ensuring a more equitable and secure future for all.

Thank you for considering this petition,

Jonathan Weiss
Chinnu Inc.