BEFORE THE
NETWORKING AND INFORMATION TECHNOLOGY RESEARCH AND
DEVELOPMENT NATIONAL COORDINATION OFFICE,
NATIONAL SCIENCE FOUNDATION

Request for Information on the Development of an Artificial Intelligence (AI) Action Plan

Bria Artificial Intelligence Inc. ("Bria AI") appreciates the opportunity to submit the following comments in response to the [request for information](#) (RFI) published by the Networking and Information Technology Research and Development (NITRD) National Coordination Office (NCO), National Science Foundation on behalf of the Office of Science and Technology Policy (OSTP) in the Federal Register on February 6, 2025, requesting input from interested parties on priority actions that should be included in the Artificial Intelligence (AI) Action Plan.[1]

AMERICA'S AI CROSSROADS:
Ensuring Global Influence While Leading Innovation
America's global leadership has always been built on a powerful interplay of **military strength, economic dominance, technological innovation**, and **cultural influence**. While breakthroughs in aviation, computing, and the internet have cemented America's role as a technological superpower, **it is America's cultural exports—its films, music, media, and art—that have shaped global aspirations and values in a way no other nation can replicate**.

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This **soft power is uniquely enduring**—it does not merely project strength, but **shapes worldviews, fosters affinity, and instills American ideals across borders**. People around the world don't just watch Hollywood films or listen to American music—they absorb the perspectives, aspirations, and values embedded within them. This influence extends far beyond economic or military reach, fostering connections that outlast technological shifts.

Technology can be replicated, and economic tides can turn—but **cultural influence is far harder to displace**. China **can and has built** advanced AI models, but it cannot manufacture Hollywood's global appeal or replicate the profound influence of American storytelling. As the AI era unfolds, **preserving and protecting this cultural advantage must be a central pillar of U.S. policy**—because the ability to shape narratives **is as strategic as any military or technological edge.**

If America weakens copyright protections in a misguided bid to "win" the AI race, it risks forfeiting one of its most **enduring strategic advantages**. Copyright doesn't hinder innovation—it preserves the **intellectual and cultural capital** that has defined America's global influence for generations. Without these protections, **foreign adversaries—including China—could freely exploit America's creative legacy**, using it to train AI models that **reshape narratives, redefine values, and repurpose U.S. cultural influence to serve their own agendas**. Instead of strengthening AI leadership, undermining copyright would **hand competitors the very assets that have made America a dominant force in global storytelling, media, and ideology.**

The current policy debate presents a **false dichotomy** between AI progress and copyright protection. In reality, as we will demonstrate, **America's leadership in AI and its leadership in storytelling are not at odds—they are intertwined.**

America's creative industries are not anti-AI—they actively seek integration with these technologies. **Media companies, studios, and creators are eager to participate in the AI revolution and push the boundaries of innovation,** but through **fair licensing models, not unrestricted exploitation.** By preserving copyright's structure, the U.S. can **accelerate responsible AI adoption and development while safeguarding its creative industries.**

The AI revolution **must not be built on theft disguised as innovation**. The fundamental principle that **economic growth and creative rights must coexist** is the only viable long-term strategy for AI success.

Introduction

As a **leading developer of visual generative AI models trained exclusively on licensed and ethically sourced content**, we have **pioneered an AI ecosystem that upholds fair compensation for content creators and rightsholders while delivering high-quality, commercially viable AI models.**

Bria AI, founded five years ago, has offices in **New York City and Tel Aviv** and is backed by **prominent venture capital firms**. We serve the world's **leading marketing agencies, creative platforms, brands, and consumer goods companies**, with **media, entertainment, and gaming companies now increasingly adopting our models.**

Bria AI holds **nine patents** for its attribution technology, which **connects the demand for generated content with the supply of authentic content for training—on a per-asset basis—across image, video, music, and text.** The company recently **closed its Series B round** to expand its **risk-free model offering** to additional content modalities, including **video, music, and text.**

I. Copyright: A Strategic Asset for America's Global Influence and Innovation

America's greatest strength lies in its ability to **shape the global narrative** through storytelling, media, and culture. This **cultural influence—rooted in strong copyright protections—is as essential to national security and economic leadership as military strength or technological innovation.**

From **Hollywood films that inspire global aspirations** to **American music that sets worldwide trends**, the U.S. creative industries **project American values and interests more powerfully than any military or diplomatic effort.**

According to the **International Intellectual Property Alliance**, in 2023, **core copyright industries** were a **major driver of the U.S. economy**, contributing:

- **$2 trillion to GDP**, accounting for **7.66% of the total economy**

- **11.6 million jobs**, representing **5.43% of the U.S. workforce**

- **Trade surpluses across nearly all major global markets**, reinforcing America's competitive edge in creative exports

These industries are not just **culturally influential**, they are an **economic powerhouse**, fueling growth, employment, and global trade leadership.

If copyright protections are undermined, the U.S. risks **surrendering a key pillar of its economic strength**, jeopardizing **$2 trillion in GDP, 11.6 million jobs, and its trade advantage in creative exports**. Weakening copyright doesn't just threaten artists and creators—it **undermines a critical driver of national prosperity and global influence.**

Beyond its role in safeguarding creative industries, **copyright is also a cornerstone of American technological leadership.** While patents often dominate discussions on innovation, **copyright is the primary legal protection for software—the backbone of modern technology.** From **AI models to enterprise software and cloud computing**, copyright underpins the very systems that power the digital economy. Undermining copyright protections doesn't just weaken the creative sector—it threatens **America's broader innovation ecosystem, leaving its technological advancements more vulnerable to exploitation and unauthorized use.**

II. Copyright: A Matter of National Security

Recent developments with **Chinese AI models like DeepSeek** demonstrate that the **technological gap is rapidly narrowing**. However, China still **cannot match America's cultural influence or software innovation**.

If America **gives away** its creative works and software through **unchecked AI training**, foreign adversaries—including China—would be free to **train AI models on America's creative legacy, replicate its technological advancements, rewrite its narratives, reshape global values, and erode the U.S. technological edge to their advantage.** Undermining copyright doesn't just weaken cultural influence—it **exposes critical software innovations to exploitation, jeopardizing America's leadership in the global technology race.**

This is not just an economic concern—it is a matter of **national security**. While the U.S. debates weakening copyright protections, other nations are **fortifying their own content industries** against AI exploitation. **Europe's AI**

Act is advancing strong copyright protections to ensure European creators and businesses are not unfairly used for AI training. Meanwhile, **China has erected strict data barriers**, limiting foreign AI companies' access to its cultural and technological assets while aggressively **scraping global content—including from the U.S.—to train its own AI models.** If the U.S. undermines copyright, it will become an **outlier**, putting its own industries at a disadvantage while foreign governments **shield their creative sectors and extract value from America's.**

The **U.S. creative sector is the most valuable source of training data in the world**, making it a **prime target for AI developers worldwide**. From **Hollywood and the music industry to journalism, gaming, and software**, these industries are not only cultural powerhouses but also **major contributors to U.S. GDP**. Foreign AI developers prioritize U.S. content because **it sets the global standard** for quality, influence, and commercial impact. Weakening copyright would mean **unrestricted access to the world's most sought-after training data**, fueling foreign AI advancements **at America's expense.**

If the U.S. abandons strong copyright protections, it would effectively **grant foreign adversaries—including China and Russia—unrestricted access to American creative and technological assets** for AI training. These nations would be **empowered to develop advanced AI models trained on U.S. intellectual property**, supercharging their capabilities while **undermining the industries that have made America a global leader in media, technology, and software.** Instead of securing a competitive edge, the U.S. would be **handing its greatest assets to global competitors—without compensation or oversight.**

Other nations **would not reciprocate U.S. leniency on copyright.** Instead, they would continue **blocking American AI firms from accessing their content** while freely **harvesting U.S. intellectual property** to strengthen their own AI models. This asymmetry would lead to **foreign AI companies—trained on American culture and technology—outcompeting U.S. AI in the global market.** By failing to protect its creative and technological assets, the U.S. would **cede its leadership in AI and digital media** to competitors **who built their advancements on stolen American innovation.**

If AI developers are required to **license content for training**, it would create a **natural barrier against foreign adversaries gaining AI power at America's**

expense. Licensing is **discretionary**, meaning U.S. content owners would have control over who can access their works, preventing hostile nations from freely using American intellectual property to build competing AI models. **Currently, AI harvesting is unmonitored**, allowing foreign developers to extract high-value U.S. creative and technological assets **without oversight or compensation.** A licensing-driven framework would **not only secure fair compensation for rights holders** but also serve as a **strategic safeguard**, ensuring that **America's most valuable AI training data remains under U.S. control, rather than fueling the AI ambitions of foreign competitors.**

III. AI Leadership is About Data Quality, Not Just Scale

AI companies claim that copyright is an obstacle to progress—but this obscures **an economic calculation rather than a technical necessity**. Many companies understand the value of high-quality data but choose to scrape indiscriminately and filter afterward to avoid licensing costs. This approach is fundamentally inefficient: vast resources are devoted to cleaning and filtering data that could have been properly sourced from the beginning.

This inefficiency manifests in technical performance. Even after extensive filtering, poor-quality data inevitably finds its way into models, resulting in:

- **Misinformation propagation**: Models trained on uncurated web data absorb and reproduce factual inaccuracies, conspiracy theories, and outdated information that filtering processes fail to catch.

- **Privacy violations**: Web-scraped datasets frequently contain personal information that was never intended for AI training, creating risks of exposing private data through model outputs.

- **Harmful content reproduction**: Despite filtering efforts, models trained on broad internet content often reproduce toxic language, extremist viewpoints, and harmful stereotypes.

- **Persistent hallucination problems**: Remnants of unverified information continue to appear in model outputs, creating reliability concerns for enterprise applications.

- **Residual bias**: The biases inherent in broadly scraped internet content often persist in the final models despite attempts at mitigation.

By contrast, starting with properly licensed, high-quality data from reputable sources allows for thorough vetting, clear provenance, and appropriate consent. This approach not only respects creator rights but also provides a stronger foundation for building AI systems that businesses and consumers can trust.

The issue is not merely technical but ethical and pragmatic: cutting corners on data quality to avoid licensing costs creates significant downstream liabilities that ultimately undermine both model performance and public trust.

The "more data solves everything" approach represents outdated thinking from AI's earlier days. Modern research increasingly highlights that **thoughtful data curation strategies often outperform pure scale approaches** for many important metrics, particularly in domains requiring specialized knowledge and factual precision.

Bria AI, Adobe, Getty Images and other responsible AI developers have **proven that models trained on licensed data deliver superior results while respecting creator rights.**

IV. The Flywheel Effect: Accelerating Enterprise AI Adoption and Innovation

The **greatest misconception** in the AI policy debate is that licensing requirements slow AI progress. In reality, **properly licensed AI models dramatically accelerate enterprise adoption**, which directly fuels greater innovation:

- **Legal certainty removes adoption barriers**: Media companies, publishers, and content producers cannot risk implementing AI solutions built on unauthorized use of copyrighted works. The liability exposure, reputational damage, and regulatory compliance issues prevent deployment in these sectors.
- **Trust accelerates integration**: Content-intensive industries—including entertainment, journalism, publishing, and marketing—adopt AI systems significantly faster when those systems have clear data provenance and licensing compliance.
- **Broader adoption drives more real-world testing and feedback**: When enterprises confidently deploy AI across their operations, they

generate invaluable implementation data and use cases that drive the next wave of innovation.

- **Industry-specific customization accelerates**: As content-intensive industries adopt AI more widely, they invest in specialized applications and improvements, creating innovation tailored to real business needs.

This creates a powerful virtuous cycle:

1. **AI developers gain access to high-quality, structured training data** → better model accuracy and reliability
2. **Licensed AI models gain preferential access to content markets** → faster and wider adoption
3. **Widespread adoption generates diverse implementation data** → informing better, more specialized AI development
4. **Innovation accelerates through real-world application** → creating competitive advantage for responsible AI developers
5. **Content producers receive fair compensation** → incentivizing continued creation and partnership

Under the current extractive model, AI companies harvest value from creative industries without reinvestment, ultimately degrading the quality of content available for future training. This approach is **not only unfair but economically short-sighted**.

Lack of transparency in AI training data creates exponential downstream costs that slow adoption and innovation. Without clear provenance, companies must devote significant resources to post-training remediation—content moderation, filtering, guardrails, and legal reviews. **Up to 50% of AI development resources are diverted to these defensive measures** rather than creating new capabilities.

Enterprises cannot fully trust or adopt systems built on unknown foundations. The risks of copyright infringement, privacy violations, misinformation propagation, and harmful content generation create substantial liability concerns that prevent widespread implementation, particularly in risk-sensitive industries. **The uncertainty surrounding models trained on unauthorized content creates a significant barrier to adoption** for risk-conscious enterprises, particularly in highly regulated industries.

As AI becomes more central to business operations, **legal clarity becomes a competitive advantage** that speeds not only deployment and integration but innovation itself. **Transparency and accountability in training data is**

not just an ethical requirement—it's a business necessity that accelerates adoption by reducing the remediation burden and building the trust necessary for enterprise integration.

Instead of AI thriving at the expense of creators, **a licensing-based approach ensures AI and content industries grow together**, maximizing both innovation and value creation across the entire economy.

V. The Economic Double Standard: Why Are Only Creators Expected to Contribute for Free?

Generative AI models **depend on three essential inputs:** computing power, AI expertise, and high-quality training data. Yet, while **hardware providers and AI firms are compensated, content creators—the very foundation of AI training—receive nothing.**

By 2030, the AI industry is projected to generate **over $15 trillion in global economic value**. Without a framework for creator compensation, this would constitute **the largest unauthorized transfer of value in history.**

- **Hardware companies and cloud providers** receive billions for GPUs and computing infrastructure.
- **AI companies generate record-breaking revenues, stockholders profit, and AI researchers and engineers command high salaries and equity stakes.**
- **Content creators—whose works enable AI capabilities—are systematically excluded from this value chain.**

If AI companies **truly believed that all critical AI inputs should be free**, they would demand **free GPUs and compute power** as well. Yet, they readily pay billions for **hardware, cloud services, and AI talent**, acknowledging their value as essential inputs.

At the same time, these companies **fiercely protect their own intellectual property, monetize AI-generated content, and insist on free access to copyrighted works.** This **blatant economic asymmetry**—where AI firms demand compensation for their contributions while refusing to compensate content creators—is **indefensible.**

Adding to this hypocrisy, **some AI firms selectively strike licensing deals with major media companies** while simultaneously invoking **"fair use"** to

avoid compensating **other** creators whose works fuel their models. This **contradiction is not driven by legal principle but by risk management**—choosing to mitigate potential lawsuits from well-resourced media companies while **continuing to exploit independent creators without consequence.**

This model is not only **unsustainable but fundamentally unjust.** A thriving AI industry **must be built on fair compensation, not selective legal maneuvering and unchecked value extraction.**

VI. Policy Recommendations: Strengthening Copyright to Safeguard U.S. Leadership in AI and Creative Industries

To ensure AI innovation **advances without undermining** America's economic, cultural, and technological leadership, policymakers must implement a **clear framework that upholds copyright protections, promotes ethical AI development, and secures U.S. competitive advantages.**

1. Recognizing Copyright as a Strategic Asset

- **Establish copyright as a pillar of U.S. global leadership and economic competitiveness.**
- **Designate cultural production as critical national infrastructure**, granting it protections equivalent to those for energy grids and defense systems.
- **Integrate copyright into national security policy**, treating it as a **strategic asset in AI governance** to prevent exploitation by foreign adversaries.
- **Promote international copyright standards among democratic allies** to preserve U.S. cultural influence and maintain technological dominance.

2. Enforcing Ethical AI Training and Licensing

- **Prioritize licensed data in government procurement**, ensuring federal AI acquisitions favor models trained on properly licensed content.

- **Develop a voluntary federal certification program** to validate AI systems trained on ethical, licensed data—creating a market incentive for responsible AI development.
- **Fund research on efficient learning techniques** that maximize AI performance from **smaller, high-quality datasets**, reducing reliance on indiscriminate web scraping.

3. Closing Legal Loopholes that Enable Uncompensated Value Extraction

- **Reject broad fair-use exemptions for AI training** that allow **free-riding on copyrighted works** while AI firms and infrastructure providers are **fully compensated**.
- **Ensure that AI-generated works trained on copyrighted content under fair-use claims do not receive copyright protection**, maintaining consistency in intellectual property rights.
- **Support voluntary licensing frameworks** that create **a sustainable, market-driven economic exchange** between AI developers and content industries.

By implementing these policies, the U.S. can **secure its leadership in AI while protecting the creative and technological assets that drive economic growth, global influence, and innovation.**

VII. Conclusion: America's AI Policy Must Sustain Both Innovation and Cultural Leadership

America stands at **a defining moment in the AI revolution**—a choice that will determine not only technological leadership but the future of its global influence.

We can allow AI development to proceed as an extractive industry that cannibalizes our creative ecosystem, weakens our cultural influence, and ultimately delivers short-term technological gains at the expense of long-term strategic advantages.

Or we can establish an AI ecosystem built on ethical foundations that respects creator rights, delivers superior technical performance, accelerates enterprise adoption, and strengthens America's position as both a technological and cultural leader.

The right choice is clear.

Responsible AI development isn't just morally correct—it's strategically essential. America's global influence has always been built on both technological innovation and cultural leadership. By protecting copyrighted works while embracing AI advancement, we ensure that both pillars of American power remain strong.

Bria AI welcomes the opportunity to collaborate on AI policies that secure America's leadership through innovation that respects and reinforces our creative industries rather than undermining them.

Sincerely,
Vered Horesh, Chief of Strategic AI Partnerships
Bria AI