



# HCAA Newsletter

A publication of the Hyattsville Community Arts Alliance

## Out and About for the Arts

by Eileen Cave, HCAA President



This past year, I made it a priority to try and stay connected to the arts community as I entered retirement, in addition to spending more time in my own art studio. I co-presented at the Maryland Arts Summit at University of Maryland Baltimore County in early June. I presented the components of a community arts program called “Oasis for the Arts,” promoting the use of public art installations for community engagement, social justice environmental education, and placemaking. Three totem sculptures were fabricated by artist Caryl Henry Alexander, and workshop participants were challenged to explore concepts for creating their own structures and design ideas that had a meaningful message, during a one-hour workshop. It is so important for those of us who identify as teaching artists to continue to demonstrate how these kinds of projects can be completed, while also promoting local artists. In this case, the commitment to nature by the Brandywine community, whose Brandywine Revitalization Committee was one of the event organizers, provided a great example for the teachers, artists, and art administrators attending the conference.

Later in the month of June, Caryl worked with a group of artists to host a two-day “Oasis in the Woods,” where each artist selected a spot in a forest at a local farm in the southern part of Prince George’s County, to create outdoor installations that will remain in their natural surroundings after the event was held. In spite of seeing a long black snake on the path, the biggest dragonfly ever, and what I recognized as poison ivy, it was a peaceful and inspiring experience as artists re-imagined how we work in harmony with our environment.

It is always an inspiring experience to attend the Passageways Studios Open House (also held in June), where HCAA member Delia Mychajluk and many other talented artists share their work and experiences with the community. Visiting a working studio is such an authentic, invaluable time for me, as I am able to relate to the challenge in the process of creating, working through completed works “ready for sale.” Let’s continue to share events and attend as many art activities as possible to keep our creative industry visible and viable!



Participants at the Oasis for the Arts workshop (left) enjoyed collaborating and sharing their own public art ideas. They learned about Caryl’s project that included working with high school students to pre-fabricate shapes that the community helped to paint in October 2022 (right).



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for info on

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- Exhibit registration
- Receptions
- Artwork by Members
- Join/renew HCAA membership
- & more!

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# AI and the Art World: Recent Developments in the Law

by Aimee Doyle

In the last newsletter, I wrote about the potential impact of art generated by artificial intelligence (AI) upon human artists' creativity and legal rights. You may remember that AI programs use artists' images from the internet to train computers to produce computer-generated art. AI art generators work in response to a human prompt, by scouring the internet for existing images and using parts or the whole of these images to create something new. All artists who post art on the internet are potentially vulnerable, even if they have used the current technological tools—such as low-resolution thumbnail images or watermarks—to protect their work from being copied.

The legal issues arise because the artistic images on the internet are free to view, but they are generally not free to use. Companies that use AI art generators have not asked artists for permission to use their work, nor have artists been compensated when their work is used to train an AI program or to create digital art. In response, the law is evolving.

## Recent Legal Developments

In January 2023, a lawsuit was filed in federal court in Northern California. A trio of visual artists, Sarah Andersen, Kelly McKernan, and Karla Ortiz, initiated a potential class action against the billion-dollar company Stability AI Ltd, along with two other art generator makers, Midjourney, Inc., and DeviantArt, Inc., over their use of copyrighted images to train AI tools. The artists argue that the generators downloaded and used billions of copyrighted images without obtaining the consent of or compensating any of the artists. This is the first copyright lawsuit that targets AI training images. The artists are requesting damages and asking the court to prohibit AI generator companies from using artists' work without permission. The court was also asked to limit the number of images the AI tools could ingest for training, which would ultimately affect the content they produce.

Getty Images, a stock photography company, has also recently filed suit against Stability AI Ltd. Their lawsuit alleges that the program copied 12 million images from Getty's database to train its AI model, without compensation or permission. The Getty watermark was sometimes clearly visible even in the finished digital art product.

The difference between the two lawsuits is that the Getty Images lawsuit focuses on copyright and trademark infringement, and the fact that Getty was not paid for the use of these images. Getty routinely licenses the use of its images, and filed the lawsuit partly so the court could determine the rights of business entities and creators. The artists' class action lawsuit, although it also argues copyright infringement, focuses on the occupational harm that AI art generators pose to working artists. For example, the artists' lawsuit refers to Stable Diffusion (an AI art generator) as "merely a complex collage tool," claiming that the new images it generates are derivative works of the images it draws from, and the resulting works compete in the marketplace with originals.

In both cases, the creators of AI art tools generally respond that the training of their software on copyrighted data is covered (in the U.S. at least) by the legal defense called the "Fair Use Doctrine." Fair use permits a party to use a copyrighted work without the copyright owner's permission for certain purposes. Whether a given infringement is "Fair Use" is determined by the courts on a case-by-case basis.

Another interesting development concerns the artistic images used in video games. As of March 2023, many major video game makers have now banned the use of AI-generated art in developing video

*(continued on page 3)*

*(AI and Art from page 2)*

games, due to copyright concerns. Artists are contractually prohibited from using AI-generated art (yes, artists use it too!). This has happened because the creators of video games need to know that they own the rights to all the images used in the games. Because AI generators scrape images from the internet, it is quite possible that a video game company would not own all the rights to the images generated, since human artists hold those copyrights.

### **Current Copyright Issues**

The U.S. Copyright Office has ruled that AI-generated art cannot be copyrighted. U.S. law states that intellectual property can be copyrighted only if it is the product of human creativity, and the Copyright Office only acknowledges work authored by humans at present. Machines and generative AI algorithms, therefore, cannot be authors, and their outputs are not copyrightable.

However, digital artists do have some wiggle room here. The Copyright Office will consider content copyrightable, even when created using AI, if a human author has crafted something beyond the machine's direct output. A digital artwork that was formed from a prompt, and then edited further using Photoshop, for example, is more likely to be accepted by the office. The initial image created using AI would not be copyrightable, but the final product produced by the artist might be.

A key unsettled question is whether copyright law can protect an artist's style. AI tools permit users to create works "in the style of" a given artist, such as works in the style of Van Gogh or Picasso. With living artists, the argument against AI "style of" generation is that it siphons off commissions or licensing of artists' original work that would benefit the artists themselves. "Style of" digital art can result in artwork that competes with the originals.

### **Possible Solutions**

Some legal experts say that a possible solution would be to create a licensing model that would mimic the model that is currently used in music. In the last couple of decades, the music world has moved from file-sharing sites like Napster to platforms such as Spotify or iTunes that license content legally. The musician receives a small royalty when the music is played. In terms of the art world, this would involve programming AI tools to identify the artists associated with internet images. Or artists might be able to register their art on special websites available to AI programs. Then, if the images were used by an AI tool, the artist would receive agreed upon compensation. One issue is that compensation to musicians through Spotify rarely results in a significant royalty to the musician. Artists might face a similar situation. On the other hand, such a solution, with appropriate licensing, compensation, and permission safeguards, might allow artists and AI to peacefully co-exist. Stay tuned for further legal developments.

## **Creativity in the Community Workshops**

### **Patterned Portraits, Hyattsville Library, Sunday, September 24, 2:00–3:30 PM**

Explore the use of shape, color and patterns to create your own self-portrait with artist Eileen Cave. Inspired by artist Pablo Picasso, father of "cubism," learn how to use color theory, symmetry and mixed media to create your own, unique expression of yourself. (It's helpful to have your iPhone for self-portrait observations.) Art supplies will be provided.

### **Infinite Creativity, Hyattsville Library, Sunday, November 5, 2:00–3:30 PM**

Art is a wonderful activity to explore our inner creativity while relaxing. Artist Eileen Cave uses mixed media and the colorful, organic artwork of Japanese artist Yayoi Kusama to inspire each participant's infinite creativity. Art supplies will be provided. Please RSVP directly to [ecaveart@gmail.com](mailto:ecaveart@gmail.com) if you plan to attend. Class size is limited to 12, adults 18 years and older.

# Mosaic Art

## Part of an ongoing series looking at various forms of visual art

by Delia Mychajluk

### History of Mosaic Art: A Brief Overview

Mosaic is an art form consisting of composing an image with pieces of glass, stone, or other materials.

Mosaics have been found dating back to the third millennium BCE. These mosaics were found in a temple in Mesopotamia and were composed, in large part, of locally available materials, including shells, stones, and ivory. Similar mosaics were created independently in the Americas, dating back to at least 250 CE, in the Mayan civilization.

Early in the history of mosaics, mythological themes or themes related to the four seasons were depicted.

Mosaic art flourished in Roman times and throughout many areas in Europe mosaic floors exist going back to Roman times. Decorative mosaics were used by the Romans for fountains and walls, among other uses. During this period, more colors and shades of small stones and glass were used than previously. Generally, the same design and subject matter as the Greeks was continued, with some basic figural work.

With Christianity, the art of figural mosaics greatly increased in popularity. Mosaics were used for the walls and ceiling of churches.

In Italy, mosaic art was influenced by Eastern art. Mosaic art-making in areas like Sicily and Venice remained in fashion throughout the Middle Ages. The interior of St. Mark's Basilica in Venice has elaborate mosaics. Greek masters executed the oldest scenes in the Basilica in the eleventh century, but many of the mosaics were works by local artists in the twelfth through thirteenth centuries. The mosaic art in the atrium of the Basilica was based directly on a Byzantine manuscript brought to Venice in the 1200s. It wasn't until the sixteenth century that the decoration of the Basilica was completed.

In Spain, Antoni Gaudi (1852–1926) used mosaic art in the buildings and public spaces he designed in Barcelona, including work in a Roman Catholic church and in a public park system. The park, designed by Gaudi, was built between 1900 and 1914, and features a mosaic dragon and winding, tile-covered benches. His work popularized the use of found materials, such as broken pottery, in decorative mosaics.

In the United States, Louis Comfort Tiffany created mosaics using the same stained glass as in the elaborate Tiffany windows. The world's largest mosaic installation, including mosaics by Tiffany and others, is in St. Louis at the Cathedral Basilica of Saint Louis. Mosaics are scattered throughout the United States, including the New York subway system and restrooms at rest areas in Texas. In Washington, DC, the Shrine of the Immaculate Conception features numerous mosaics.

*(continued on page 5)*



Third century mosaic of Neptune (Wikipedia)



Antoni Gaudi mosaic from Park Guell (above; FreeIMG) and Tiffany mosaic (below; Wiki Commons)



(Mosaic Art from page 4)

### Mosaic Artist Diane Elliott

Mosaic art is thriving in the twenty-first century and is practiced by crafters as well as by professional artists.

Diane Elliott, a member of HCAA, is an artist who currently specializes in mosaic work. As part of her artistic past, Diane worked in stained glass. She ended up with bins of “scrap” glass and began using them to create glass mosaics. She describes the evolution of her mosaic work as essentially following the history of mosaic. Early pieces were more utilitarian in nature and were flat, and used things such as mirrors and tables as substrates (working surfaces), only later evolving into dimensional art pieces. As an artist, she is interested in color and texture and building with things that already had another life, for example, using things like broken china, old buttons, sea glass, and other discarded items. Her artistic process is to start from a mood, look at textures and color, and essentially start working with the materials that she has amassed. Play and improvisation are essential to her process. She does not have a preconceived idea of the final art piece but rather lets it evolve as she handles the materials. Her latest work is bas relief sculpture, and she sees trying 3D sculpture in the future as a natural progression. Ilana Shafir and Isaiah Zagar are two modern artists identified by Diane as influential for her and for other current mosaic artists around the world.

#### Sources

<https://www.mosaicartgallery.com/history-of-mosaics>

<https://www.britannica.com/art/mosaic-art>

#### Influential Mosaic Artists

Ilana Shafir <https://www.shafirart.com/mosaics.html>

Isaiah Zagar

<https://www.phillymagicgardens.org/about-philadelphias-magic-gardens/about-isaiah-zagar/>



Figure 2, Diane Elliott

## Free Art!

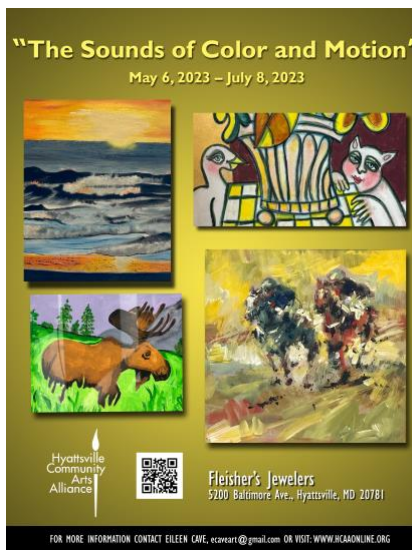
by Diane Elliott

I recently joined a Facebook group, Art Abandonment. Its members make art of all kinds, everything from bookmarks to tiny paintings to jewelry, and leave their creations out in the world for strangers to find. Members are asked to take a picture of the art they're abandoning, in the spot where they're abandoning it, and post the picture on the Facebook page. Each piece of art is accompanied by a tag of some kind (you can make your own or use one of the free templates provided on the Facebook page). The tag invites the finder to take, pass along, or leave the art, and usually includes the Facebook page information so finders can post their reactions. The site hosts say they rarely hear from finders, but the joy for artists is in creating something to give away, finding a fun place to leave it, and imagining the reaction of the person who finds it. I did my first “abandonment” last week, leaving four items around Riverdale/Hyattsville. They were all gone by the end of the day (yes, I couldn't resist revisiting each site). It was very satisfying. I plan to do a round of abandonments (say, four or five items) once a month. Now if only the member who makes little “robots” out of found objects would leave one where I could find it....



One of my first acts of art abandonment

## HCAA Current Exhibitions



### HCAA Calendar

#### July

- Jul 8: 9:00 AM**  
**CHANGED TO Jul 15 BECAUSE OF FIRE**  
 Franklins Installation: "The Shape of Things to Come"
- Jul 8: 9:45 AM  
 Fleisher's Installation: The Shape of Things to Come"
- Jul 16: 2:00 PM  
 PGPC Installation: "Oasis of Colors"
- Jul 30: 3:00–5:00 PM  
 Franklins Reception (this event may be cancelled; please check with Eileen Cave after July 8)

#### August

No Events Scheduled

#### September

- Sep 23: Noon to 6:00 PM  
 Hyattsville Arts and Ales Festival
- Sep 24: 2:00–3:30 PM  
 Patterned Portraits Workshop, Hyattsville Library

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Bladensburg Waterfront Park  
[outdoors.pgparcs.com/Sites/Bladensburg\\_Waterfront\\_Park.htm](http://outdoors.pgparcs.com/Sites/Bladensburg_Waterfront_Park.htm)

Fleisher's Jewelers  
[fleishersjewelers.com](http://fleishersjewelers.com)  
5200 Baltimore Ave., Ste. 103  
Hyattsville, MD 20781  
301-699-5553

Franklins Restaurant and Brewery  
[Franklinsbrewery.com](http://Franklinsbrewery.com)  
5123 Baltimore Ave.  
Hyattsville, MD 20781  
301-927-2740

Prince George's Plaza Community Center  
[Pgparcs.com](http://Pgparcs.com)  
6600 Adelphi Rd.  
Hyattsville, MD 20782  
301-454-1400