Analysis on the Predicament of Future Law and Its Solution Under the Background of Artificial Intelligence

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Abstract: In order to study the potential, unknown and unpredictable legal risks of content technology generated by artificial intelligence, the future legal dilemma and its solution path analysis under the background of artificial intelligence are put forward. The rapid development of ChatGPT has faced legal difficulties in the fields of technology monopoly, algorithm bias, false information, intellectual property rights and data security, so it is not only necessary but also urgent to think calmly about ChatGPT from the perspective of legal regulation. Because risks and regulations often go hand in hand, we should carry out comprehensive management of the whole data life cycle and the whole chain, study and analyze the forward-looking system design, prevent the possible anti-competitive risks such as algorithmic monopoly and abuse of market dominance of AIGC, build a multi-dimensional supervision system including the external supervision and self-supervision of AIGC, create a systematic supervision ecology, establish a standardized supervision system, and adopt appropriate advanced system design. AIGC represented by ChatGPT can be used not only by human beings, but also by human beings.

Keywords: ChatGPT; AIGC; Legal response; Legal dilemma; copyright

1 Introduction

Chatgpt (Chat Generative Pre-trained Transformer) is a chat robot program released by OpenAI, an American artificial intelligence research laboratory, on November 30, 2022. As an artificial intelligence language model, once it was launched, it immediately became the "top stream" in the field of science and technology, and it was successfully out of the circle. Bill Gates bluntly said: "ChatGPT has no less influence than the birth of the Internet and personal computers!" For a time, all kinds of information related to ChatGPT have spread all over the network. At the same time, the advent of ChatGPT set off a new wave of AI Generated Content, AIGC). Since 2018, artificial intelligence technology has emerged in industrial development and social change, and its potential has been widely recognized by countries around the world [1]. The strategic layout of artificial intelligence in developed countries has been continuously upgraded, which

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shows that the development of artificial intelligence is attracting global attention and moving towards a new global pattern. In 2019, a series of events, including the US technology blockade, the start of new infrastructure construction, and epidemic prevention and control, had a far-reaching impact on the development of China's artificial intelligence technology industry [2]. The 14th Five-Year Plan [3] adopted in 2020 pointed out that we should aim at frontier scientific and technological fields such as artificial intelligence, implement a number of strategic national major scientific and technological projects, and at the same time promote the deep integration of big data and artificial intelligence, so as to promote healthy economic development. Artificial intelligence will undoubtedly play an important role in promoting the high-quality development of the national economy.

The world has been "stunned" by waves of AIGC, which not only brings convenience to people's work and life, but also adds fun. However, the embedding of AIGC into multiple social application scenarios makes social life face both opportunities and risks. With the continuous evolution and iteration of technology, AIGC is about to usher in more "anthropomorphic" substitutes, and human society will also encounter profound and multi-dimensional changes [4]. The advance of technology will inevitably lead to potential, unknown and unpredictable technical risks and legal risks. At the same time, at the existing legal level, a few people are driven by interests and knowingly commit crimes, so the legal problems faced by AIGC cannot be underestimated.

2 Literature review

From the perspective of rights protection and incentive effect, some scholars have come to the conclusion that they are opposed to protecting the copyright of artificial intelligence products through copyright law. For example, on the one hand, the rights and interests of programmers have been realized in software copyright protection, and the copyright protection of their output content has the potential risk of hindering public access; On the other hand, in the era of big data, end users enjoy commercial benefits, and whether the works generated by artificial intelligence are protected by copyright or not will not affect the rate of users using programs and publishing works [5]. Therefore, it is unnecessary to obtain copyright protection for works generated by artificial intelligence. The creation of works requires creative labor input, but also requires the creation to reach a certain height [6]. They believe that a work is the crystallization of the author's wisdom and emotion, and it is the manifestation of his ideological personality.

Distinguishing Authors-in-Fact from Authors-in-Law was recognized by scholars in the last century. They think that the factual author and the legal author of the same work are not necessarily the same person. They recognize the authorship of the machine but not its legal status. This is the basic principle of the Fictional Human Author Theory. It holds that if the content generated by computer software can meet the objective requirements of the work, it should be recognized as a work in the legal sense, and at the same time, the computer software should be given the identity of the author, but this identity is not accompanied by the de facto relationship of rights and obligations, strictly speaking, it is only a virtual one. The winner of the ultimate substantive right is determined by the copyright bureau or the referee considering various factors [7]. This practice is more flexible, and it can take into account the interests of many subjects comprehensively, which has been recognized by many experts in the field. In addition, relevant researchers believe that artificial intelligence should be encouraged to obtain new legal person status and become the winner of rights and interests, so as to make up

for the deficiency of the existing system in solving the problem of copyright ownership of works created by intelligent machines [8]. After analyzing the contribution of the main participants in the process of intelligent generation one by one, it is found that it mainly includes programmers, users and intelligent algorithms themselves. And in the framework of English law, the advantages and disadvantages of distributing power to the above three are summarized, but in the end, the only answer to the ownership of rights is not obtained [9].

The essence of artificial intelligence "creation" is a "mechanical" implementation process, which is more a passive reflection of the outside world and can only be a writing behavior, lacking the embodiment of basic ideas and the output of the author's emotions. This feature will lead to the loss of the essence of creative behavior and the accumulation of boring words [10]. Some studies believe that the study of the properties of intelligent products should be based on the delineation of the scope of research objects. For example, products that are not recognized as works will no longer be studied in terms of their properties [11]. On this basis, we insist on denying the nature of the works of intelligent products. In his view, the product is only the operation result of an intelligent program, which has no basic thoughts and feelings, let alone the extension of the author's personality, and does not meet the basic conditions for becoming a work [12].

AIGC has also triggered a continuous hot discussion and thinking about artificial intelligence around the world, either praising it, belittling it, loving it or fearing it. However, human beings have been unable to escape from the Wang Yang Sea of AI. As a legal person, it is not only necessary but also very important to think calmly about ChatGPT from the perspective of legal regulation.

3 Technology Rush and Legal Dilemma

We can understand the generation of artificial intelligence products as the intelligent output of an anthropomorphic algorithm model: firstly, based on massive data materials, we use super computing power to explore the hidden characteristics and their relationships in a large number of data, and finally form an algorithm model similar to the thinking mode of human brain for specific problems to output intellectual achievements. The core stage in this process is deep learning. Figure 1 is a flow chart of artificial intelligence from input to learning to output, to help us understand the operation principle more intuitively.
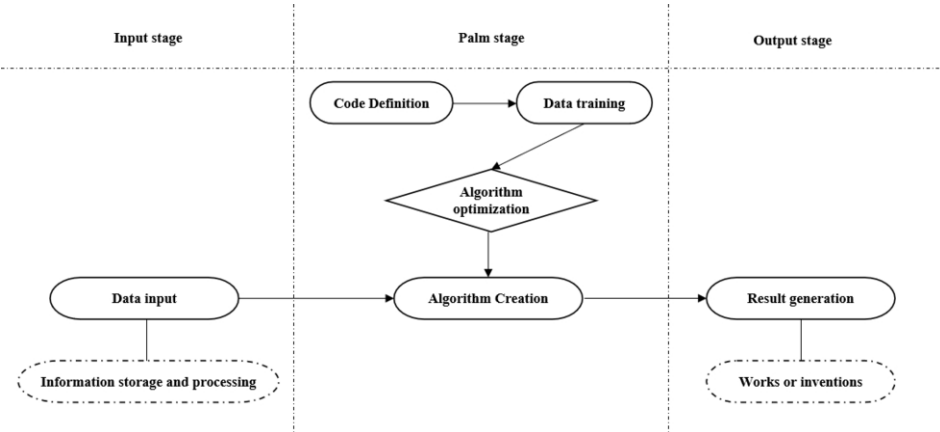

Figure 1 Operation mechanism of artificial intelligence

The negative impact of AIGC on market competition, technological innovation, consumer rights and national security is ultimately manifested in potential legal risks such as technology monopoly, capital expansion, data abuse, algorithm discrimination, privacy infringement and legal dilemmas that are difficult to overcome at the moment.

3.1 Legal Dilemma of Technology Monopoly

The rapid development of high technology will inevitably attract the pursuit and capital blessing of investment institutions. Enterprises with scientific and technological heads can not only quickly graft the original market influence to AIGC track, and then take a dominant position in the new market, but also maintain their dominant position in the new market field by adopting unfair competition behaviors such as technology monopoly and data monopoly [13]. Technology monopoly will not only lead to unfair competition, but also lead to a series of legal problems such as market competition failure, limited consumer choice, unfair price and decreased innovation ability.

3.2 legal problems of algorithm bias

Algorithm governance is related to national political security, economic security, cultural security and the protection of citizens' rights and interests. How to effectively prevent and eliminate the harm of algorithm application is the main goal of algorithm governance at present, and it is also a compliance problem faced by algorithm developers and designers. At present, there are still some technical problems in the algorithm of AIGC [14,15]. For example, the algorithm of AIGC relies on the statistical laws in the training database and cannot crawl the real-time data on the Internet. At the same time, AIGC can't identify and verify the source of data, which is prone to algorithm discrimination and algorithm abuse, thus causing legal problems such as data compliance. In addition, because the training data is limited by the types and contents of the data, if the neutrality and integrity of the data are incomplete, the database is prone to the wrong value tendency, and when the user needs the relevant "answer", the "answer" output by AIGC algorithm may have the wrong content or biased guidance. For example, if the data training set contains discriminatory data such as gender, age, country, belief and race, it will mislead AIGC to make a discriminatory reply and regard the discriminatory reply as the "correct answer" [16]. Therefore, the decision made by AIGC is also discriminatory. Moreover, algorithm bias can easily lead to potential legal risks such as national political security and cultural security.

3.3 Legal risks of false information

Associated with algorithm bias, the problem of false information caused by AIGC is also difficult to overcome. To identify and control the problem of false information, we must first overcome the technical dilemma and legal dilemma of AIGC. Because AIGC is based on the existing natural language text information (corpus) behind AI for probability statistics, the answers to the questions it feeds back are actually "statistical results". In many questions, AIGC may "talk nonsense", which seems to be "correct answers", but in fact it is outrageous false information. If AIGC is applied to customer evaluation or customer complaints of goods or services, false information will be extremely misleading and even lead to serious legal consequences. At present, in view of the fact that AIGC can't break through the above difficulties in the technical level, if AIGC products represented by AIGC are to be applied to search engines, customer complaint systems and other fields, the whole life cycle and full chain compliance of data are essential.

3.4 Legal Debate on Intellectual Property Rights

At present, the discussion on the intellectual property rights of the content generated by AIGC is extremely fierce. At present, the focus of discussion is mainly on two aspects.

One is whether the reply (paper) generated by AIGC is original, that is, the ownership of the copyright of the paper generated by AIGC; The second is whether the reply (paper) generated by AIGC constitutes academic misconduct or infringement.

3.4.1 Can AI become the copyright owner?

According to Article 3 of China's Copyright Law, a work refers to an intellectual achievement that is original and can be expressed in a certain form in the fields of literature, art and science. Obviously, in the framework of China's intellectual property system, originality is the core criterion to judge whether AI can become a copyright owner [17]. At present, in the intellectual property system of most countries, including China, the author of the work can only be a natural person, and AI cannot be the author of the work, which is also confirmed by the relevant judicial precedents in China.

As shown in Figure 2, the court held that one of the controversial focuses of the case was whether the article involved constituted a legal person's work, and the controversial focus was the judgment of the ownership of the artificial intelligence product rights. The court held that the articles involved were presided over by the plaintiff as a legal person and organized relevant teams to form the overall intelligence and then complete the creation. It can be considered that the whole reflects the plaintiff's creative needs and intentions. At the same time, the court held that "this article was written automatically by the robot" at the end of the article involved was an act of signing the work, which had a clear and specific subject orientation, so it could be considered that the article involved was the responsibility of the development company [18]. In combination with the provisions of Article 11 and Article 12 of the Copyright Law, in the absence of clear evidence to the contrary, the court held that the article involved belonged to a legal person work organized and hosted by the plaintiff company, which reflected the plaintiff's needs and intentions and the plaintiff company assumed relevant responsibilities.
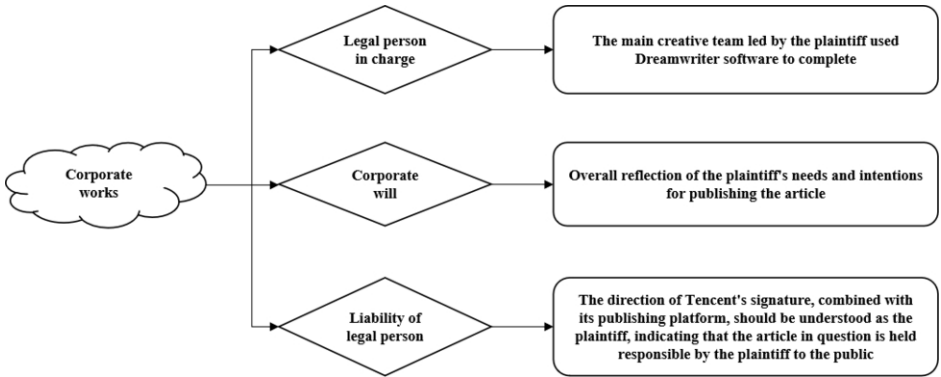

Figure 2 Mind Map of Legal Person's Works Confirmed by the Court

3.4.2 AIGC constitute infringement?

The copyright issue of the content generated by AIGC has also brought great impact to the academic circle, and the possible infringement caused by AI has aroused heated debate and discussion among scholars. At present, some countries and regions have given feedback at the academic level. For example, in order to deeply explore the potential risks that the large language model (LLMs) of AIGC may bring to the academic community and the academic chaos it will cause, the British magazine Nature published two analytical articles on AIGC in a week. Whether there is potential infringement of AIGC and how to effectively regulate the legitimate use of AIGC are the focus and

difficulty of current controversy. In addition, for articles that cite artificial intelligence writing tools as references, the author needs to provide detailed citation arguments. At present, whether AIGC will constitute infringement is still inconclusive [19]. The mainstream view is that AIGC should be regarded as a tool and object used by human beings, and has no personality in the legal sense. Therefore, AIGC itself cannot bear the corresponding legal responsibilities. If the content generated by AIGC infringes on the copyright or privacy of others, the right holder or user of AIGC should bear the corresponding legal responsibilities.

3.5 Legal Concerns about Data Security

Massive data support is the premise and foundation of AIGC operation, and its data mainly comes from reptile data set and human language data set. Although AIGC has taken necessary precautions in data compliance, the inherent technical model of AIGC and the risks in data security are difficult to overcome. First of all, although AIGC will strictly abide by the existing privacy policies and safety regulations when obtaining and storing training data, data security will still be threatened by network attacks and data crawling due to technical limitations, and the security protection of data related to national security, business secrets and personal privacy in the process of flow and sharing should be paid special attention to. Secondly, because AIGC needs to rely on massive database information, if users enter sensitive confidential information such as national security, business secrets and personal privacy during chatting, AIGC will automatically obtain such information and store it in the background, and AIGC will also incorporate confidential sensitive data into the corpus for training [20]. Therefore, AIGC may lead to the legal risk of violating national security and revealing personal privacy and business secrets. Finally, because AI needs to capture data to repeatedly train the algorithm, whether the data captured by AI is legal and whether the capture behavior is infringing will also involve the issue of whether the data is compliant.

4 Compliance Supervision and Legal Response

Although the development of new technology will bring "Colin Grics dilemma", risks and regulations go hand in hand. Only by establishing a standardized supervision system and adopting appropriate advanced institutional innovation can AIGC, represented by AIGC, be brought into a safe and controllable range.

4.1 Basic situation of AIGC supervision

The security risks caused by AIGC have aroused great vigilance and concern all over the world. On March 30th, 2023, the Center for Artificial Intelligence and Digital Policy (CAIDP), a non-profit organization, has filed a complaint with the FTC-GPT-4 is biased and deceptive, which will pose a threat to privacy and public safety. On March 29, 2023, an open letter entitled "Suspension of Large-scale Artificial Intelligence Research" attracted widespread attention around the world. The open letter was signed by more than 1,000 recognized and well-known scientific and technological experts around the world, and the signers included not only the Turing Prize winner Yoshua Bengio. It also includes Elon Musk, CEO of Tesla, Stephen Wozniak, co-founder of Apple, ZacharyKenton, a senior research scientist, and other well-known entrepreneurs, scholars and executives of well-known enterprises in the AI field [21].

Although the appeal of the above-mentioned celebrities may not stop the progress of AIGC, AIGC cannot grow wildly. The global AIGC industry is still in the stage of order adjustment, and the legal policies of various countries are still being explored, and the policies of various countries show obvious differences. For example, only a few states

in the United States have issued laws and regulations on deep composition technology, and these laws and regulations are aimed at regulating the deep composition that affects elections and the deep composition of pornographic works or false information. Through the revision of the Digital Services Law, the European Union requires the platform to carry out deep composition tagging. The EU is relatively cautious about AI, and it hopes to bring the development and application of AI into a definite legal framework, which holds a regulatory attitude. The EUs artificial intelligence path advocates "human-centric", which promotes the development and innovation of artificial intelligence while building a supervision system to prevent risks and protect citizens bas ic rights and safety. At present, the EUs supervision and governance of artificial intelligence focuses on respecting personal dignity, personal freedom and protecting data and privacy. The latest legislative progress is the revision of the Law on Artificial Intelligence by the European Parliament on June 14th, 2023. The method adopts the "risk-based method" to classify artificial intelligence systems into four categories, and sets different compliance requirements. Among them, the generative artificial intelligence system generally belongs to finite risks artificial intelligence system, which needs to comply with the minimum transparency obligation, but it may fall into the category of high-risk artificial intelligence system because of its applicable field and generated content [22]. At the same time, the law also stipulates the compliance obligations of different subjects such as providers, importers, distributors, deployers, and providers of basic models related to general and generative artificial intelligence. According to the nature and severity of the infringement, the relevant parties who do not comply with the Artificial Intelligence Law may be punished with administrative fines of different scales.

In the technical governance of AIGC in the world, Chinas legislation and supervision are not backward. At the policy level, China has successively issued a series of programmatic documents to promote and standardize the development of the artificial intelligence industry, including the Development Plan for the New Generation of Artificial Intelligence, the Ethical Code for the New Generation of Artificial Intelligence, the Guiding Opinions on Accelerating Scene Innovation to Promote High-quality Economic Development with High-level Application of Artificial Intelligence, and the Notice on Supporting the Construction of a New Generation of Artificial Intelligence Demonstration Application Scenes. On the legal level, China has promulgated the Network Security Law of the Peoples Republic of China, the Data Security Law of Peoples Republic of China (PRC), the Personal Information Protection Law of Peoples Republic of China (PRC), the Civil Code of Peoples Republic of China (PRC), the Copyright Law of People s Republic of China (PRC) and other legal provisions, which provide a basic system for the supervision and governance of AIGC. The Regulations on the Administration of Internet Information Service Algorithm Recommendation came into effect in March 2022, and there are specific regulations on the supervision of generating synthetic algorithms in this regulation [23]. On January 10, 2023, the Regulations on the Management of Deep Composition of Internet Information Services came into effect. In view of the importance and high risk of deep composition technology, deep composition has become the first algorithm service type in Chinas algorithm governance. The National Network Information Office, together with the National Development and Reform Commission, the Ministry of Education, the Ministry of Science and Technology, the Ministry of Industry and Information Technology, the Ministry of Public Security and the State Administration of Radio, Film and Television, promulgated the Interim Measures for the Administration of Generative Artificial Intelligence Services, which came into effect on August 15, 2023, aiming at promoting

the healthy development and standardized application of generative artificial intelligence. With the rapid iteration of artificial intelligence, the legal supervision of generative artificial intelligence in China has gradually deepened.

However, both the legal supervision in European and American countries and the legislative practice in China are currently in the exploration stage of laws and policies. Even if the existing legal policies are gradually improved at the legislative level, based on the consideration of political, economic and social rule of law, whether the existing legal policies are feasible and operable remains to be tested by practice [24]. At present, the organization responsible for algorithm filing, evaluation and supervision is mainly the Network Information Office (Network Management Technology Bureau of the Central Network Information Office). At the same time, the telecommunications authorities and public security departments will also be responsible for supervision and management according to their duties. The main compliance obligations for generative artificial intelligence are shown in Fig. 3:
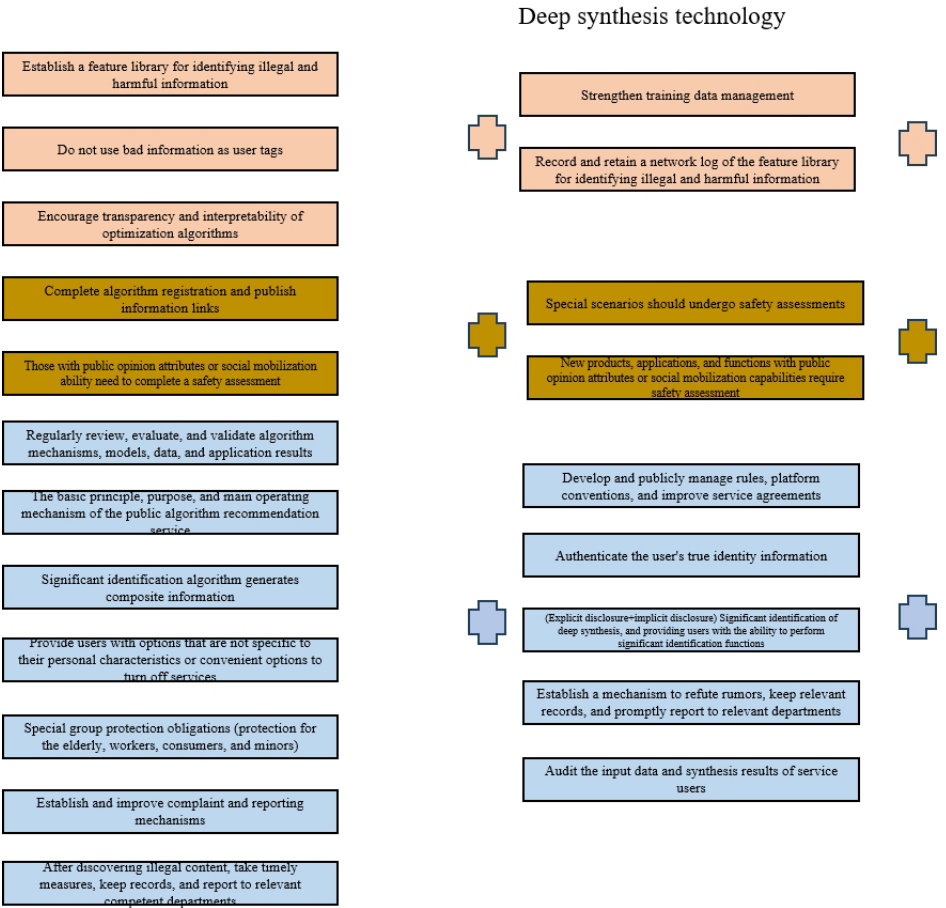

Figure 3 Main compliance obligations of AIGC

As shown in Fig. 4, after the indirect intelligence achievements are recognized in the generation process and the objective criteria for evaluating the products are defined in the generation results, the artificial intelligence products can obtain the status of works and become objects protected by law. In this way, the rights, obligations and ownership

of artificial intelligence products are another key to solving rights disputes and adjusting the interests of all parties.
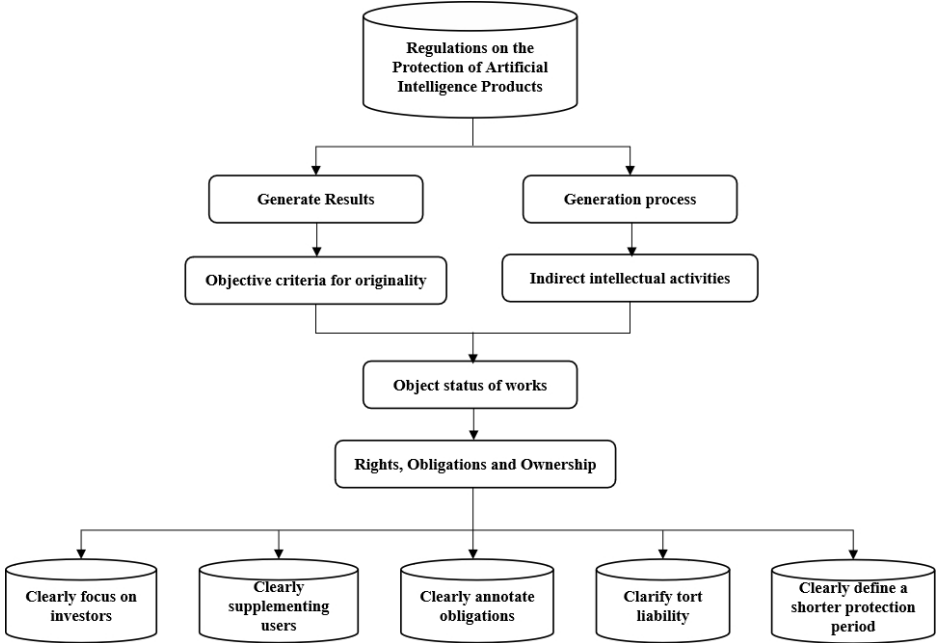

Figure 4 Mind Map of Rights, Obligations and Ownership

4.2 Legal Response to AIGC Supervision

In the face of the rapid development of AIGC technology, the existing institutional regulations are scattered, and there is often "piecemeal" selective legislation in legislative practice, and a scientific regulatory ecosystem has not yet been formed at the level of regulatory implementation. Therefore, in order to effectively prevent the legal risks of AIGC, scientific and reasonable legal regulatory rules must be set up.

First, carry out comprehensive management of the whole chain. In view of the control dilemma of AIGC, it is necessary to start from the whole life cycle of AIGC, from the construction of language model, the establishment of corpus, the labeling of corpus and the training of language model to compliance supervision, and at the same time, the updating iteration of AIGC products after they are put on the market and the exit of the system also need compliance management of the whole chain. Article 13 of the Interim Measures for the Management of Generative Artificial Intelligence Services clearly requires: "Providers should provide safe, stable and continuous services in the course of their services to ensure the normal use of users." In addition, the supervision of AIGC must also combine algorithm supervision with data supervision, and explore the algorithm governance mechanism of scenario and refinement [25]. Article 7 of the Administrative Regulations on Algorithm Recommendation for Internet Information Services stipulates: "An algorithm recommendation service provider shall implement the main responsibility of algorithm security, establish and improve management systems and technical measures such as mechanism review, scientific ethics review, user registration, information release review, data security and personal information protection, anti-telecommunication network fraud, security assessment and monitoring, and emergency response to security incidents, formulate and disclose relevant rules of algorithm recommendation service, and equip professionals and technical support

commensurate with the scale of algorithm recommendation service." This regulation clearly defines the main responsibility of the algorithm recommendation service provider. Regarding the whole life cycle of data, Article 3 of the Data Security Law of Peoples Republic of China (PRC) stipulates: "Data processing includes data collection, storage, use, processing, transmission, provision and disclosure." Data governance should be based on the above-mentioned perspective of full data life cycle, and carry out related work such as policy research, compliance assessment, management system and technical measures.

Second, research and analyze the forward-looking system design. The rapid technical update iteration leads to the compliance supervision of AIGC is also a dynamic adjustment process. However, in order to avoid regulatory gaps or institutional conflicts, the system design should be properly forward-looking. Lawmakers should preset the possible application scenarios of AIGC, and then put each specific application scenario in the existing institutional framework for risk investigation. On the basis of weighing the technical value and social value of AIGC, we should seek the balance point of the legal system, and then formulate feasible regulatory rules. For example, in the supervision of anti-monopoly law in AIGC, due to the lag of traditional anti-monopoly law in supervision, it is difficult to effectively deal with the market monopoly caused by AIGC. At the legislative level, it is necessary to further adjust and optimize the relevant regulatory rules of anti-monopoly law in AIGC, improve the applicability of anti-monopoly laws and regulations in AIGC application scenarios, and prevent anti-competitive risks such as algorithmic monopoly and abuse of market dominance that may occur in AIGC. For another example, in the aspect of AIGC copyright ownership, because AI cant be the copyright owner, we can combine the relevant provisions of Chinas existing copyright law to explore how to determine the copyright owner of AIGC works according to the role of different subjects on the generated content.

Third, build a multi-dimensional supervision system. Constructing diversified supervision system is an important guarantee for effective supervision of AIGC. The diversified supervision system includes two dimensions: the external supervision of AIGC and the self-supervision of AIGC. The external supervision of AIGC mainly refers to the administrative supervision from government agencies. For example, the supervision of the national network information department in the field of Internet information security, the supervision of public security organs on crimes against citizens personal information and computer crimes, and the supervision of the market supervision bureau on safeguarding consumers legitimate rights and interests are all within the supervision scope of relevant administrative departments. In addition, the supervision and feedback from AIGC users also belong to outsourcing supervision. The self-supervision of AIGC includes both internal and external aspects. Internally, there are potential legal risks in data compliance, technical iterative updating and algorithm optimization. AIGC service providers need to establish a series of internal control systems for risk prevention, including key work such as safety operation and maintenance, training and learning, emergency plan, after-the-fact resumption and internal accountability. Externally, AIGC service providers need to establish an early warning system for public use. When public users use AIGC to engage in illegal and criminal acts, AIGC service providers have the obligation to delete or stop these infringements or illegal acts. Article 14 of the Interim Measures for the Administration of Generative Artificial Intelligence Services has a similar provision: "If a provider discovers illegal content, it shall promptly take measures such as stopping generation, stopping transmission and eliminating, take measures such as model optimization

training for rectification, and report to the relevant competent department. If the provider finds that the user uses the generative artificial intelligence service to engage in illegal activities, it shall take measures such as warning, restricting functions, suspending or terminating the provision of services to him according to law, keep relevant records and report to the relevant competent authorities. " Only when external supervision and internal supervision participate together, and the government and the platform coordinate and supervise each other, can we build an effective mechanism to prevent the potential legal risks of AIGC.

As shown in Fig. 5, it is necessary to formulate special protection regulations for artificial intelligence products in combination with the technical characteristics of artificial intelligence, so as to solve its legal problems more pertinently and improve the existing copyright law system. Item 9 of Article 3 of the newly revised Copyright Law sums up "other intellectual achievements that conform to the characteristics of works" in the category of works. This major revision is to change the mode of "statutory types of works" implemented in the original Copyright Law into the mode of "open types of works". It is not impossible for artificial intelligence products that meet the characteristics of works to obtain the object status of works. Although artificial intelligence products are not clearly defined as works by legal provisions, as long as the content expression of artificial intelligence products does not violate the legal provisions, does not harm public interests, and conforms to the characteristics of works required by the Copyright Law, they can theoretically be recognized as "other intellectual achievements that conform to the characteristics of works" and thus become the object of legal adjustment and protection.
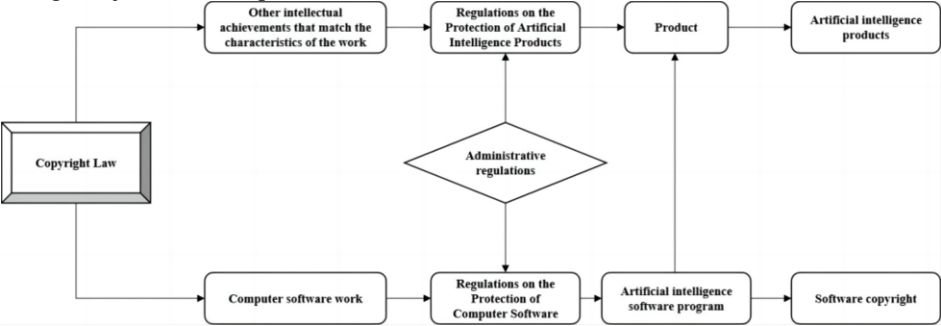

Figure. 5 Mind Map of Formulating Special Protection Regulations

Fourth, build a systematic regulatory ecology. The potential risks brought by AIGC technology cant be fundamentally solved only by the system construction at the legal level, and at the same time, it cant be supervised by the temporary supervision moveme nt overnight. In the AI era, it is necessary to give full play to the internal driving force of technical governance and the external regulation of legal regulation, and at the same time give full play to the value orientation led by culture, create a multi-dimensional systematic supervision ecology of technology, law and culture, and build a solid guarantee system for the safe application of AIGC with a benign and interactive supervision ecology. First of all, we can give full play to the advantages of the technology itself and set up an internal monitoring system when developing AIGC application scenarios and related products. For example, the self-monitoring function of the system can be realized by embedding corresponding algorithms, programs or codes to mark and report suspected forged false information when capturing input data and generating

digital content. Secondly, in view of the inherent risks of technology-driven, it is necessary to accelerate the special research on artificial intelligence legislation at the legal level, and promote legislation and law revision on the basis of learning from the legislative achievements of artificial intelligence in the United States and the European Union. Finally, in order to further create the cultural atmosphere of AIGC risk prevention, AIGC developers should promote the cultural system construction of network security and data security, enhance the awareness of legal risk prevention of relevant institutions and personnel through cultural construction, and lead the value pursuit of AIGC products with risk prevention culture.

5 Conclusion

The rolling wheel of technology development is unstoppable. AIGC technology represented by ChatGPT has great development prospects, and more people are willing to accept and embrace the convenience and new development opportunities brought by technology. In this rapidly changing era, people are more willing to believe that technology will bring happiness to mankind rather than disaster, but we must also face up to the potential legal risks behind ChatGPT explosion. If human beings cannot effectively prevent and resolve the potential risks behind technology, technology development may also evolve into disaster. AIGC, represented by ChatGPT, has become a new competition track in the AI field in the world. Mastering the right to speak and make rules in AI governance and forming new national competitive advantages first has become the goal of all countries. On this track, China should not lag behind, but should be at the forefront of the world.

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