

**Responses of Adobe Inc. to Questions on Notice**  
**Parliament of Australia**  
**Senate Select Committee on Adopting Artificial Intelligence**  
**16 July 2024**

*Question 1*

*Senator SHOEBRIDGE:*

- a) Is it correct that under Adobe's terms of service—under which people are licensing the use of their images—if somebody suddenly becomes concerned about the potential use of their image under an Adobe licence agreement, they can't terminate the agreement unless it is in the last 30 days of a 12-month subscription?*
- b) People might be concerned that the images they've uploaded in Adobe may be being used by Adobe—subject to the licence conditions and permissions that they've granted—but they can't stop it by terminating their subscription with Adobe unless they are in the last 30 days of their subscription. Is there any other remedy for those people who do not want the images they have uploaded to Adobe being used by Adobe and its AI?*

As is clearly shown in our commerce pages, customers can cancel at any time during their subscriptions, as we disclose to our customers through our Terms of Use and the Subscription and Cancellation Terms. We also disclose this information during the customer purchase process, by email and in customers' accounts during their subscriptions, and in help articles on our website that customers can access at any point. Depending on which plan they subscribe to, a fee may apply. Customers can choose a monthly commitment plan, from which they can cancel at any time, with no fee. If customers select an annual plan for a lower price, there is a fee if they break their contract early.

We do not, and have never, trained generative AI on customer content, other than the licensed content submitted into our Adobe Stock marketplace by stock photography contributors.

*Question 2*

*Senator SHOEBRIDGE:*

- a) Would it be technically feasible to implement in Australia a model similar to South Korea where a prohibition is placed on the generation and use of deep fake material using either current politicians or candidates or past political players in the lead up to a federal election?*
- b) For example, if there was a library of images and the Australian parliament said, 'These images cannot be used to generate deep fakes in this election period,' would*

*that be something that Adobe would have the capacity to operationalise in, say, Firefly?*

- c) *If there was an uploaded image of the chair - or someone who looks like him, would it be technically feasible to prevent deep fakes not just using that as the core image but using the chair's likeness?*

Adobe abides by all legislative and regulatory requirements in all the countries that it operates. In addition, Adobe has been focused on working with both policymakers and elected officials to help them understand how they can use open-source Content Credentials to help deliver campaign content that can be trusted by citizens. In the U.S., Adobe has engaged directly with the Federal Elections Commission (FEC) to recommend the publication of national standards and best practices that encourage the use of Content Credentials and related technologies in digital campaign content. In addition, Adobe has directly engaged with the White House to have a requirement that provenance be used in the Federal Government's content creation be added to its Executive Order on Artificial Intelligence last fall. We would be happy to have further meetings with you and other members of the Australian Government to discuss how we could support similar initiatives in Australia.

### *Question 3*

*Senator SHELDON (Chair):*

*What is Adobe's view on how effective or otherwise the South Korean legislative model on the prohibition of the use of deep fakes in political campaigns?*

At Adobe, we believe that government should consider legislation to address the challenges of deepfakes, taking into account the role that digital provenance tools could play in promoting transparency for consumers. Specifically, we believe that an audio or visual political advertisement that can be viewed, heard, or accessed online should carry digital provenance (such as the [C2PA open technical standard](#)) as a means of disclosing its origins and how it was edited, including whether an AI tool was used.

Adobe also supports the critical role of government in enabling digital literacy. This includes public safety campaigns to help users, specifically students, understand (a) that they cannot trust everything they see and hear online and (b) that there are tools available to view and verify the provenance of content before consumption. As part of the Adobe-led Content Authenticity Initiative, we collaborated with education experts to develop free and publicly available [Media Literacy Curricula](#) designed to help students develop critical and visual literacy skills, enabling them to better navigate the changing digital information

landscape. We encourage governments to establish a similar program to educate consumers, users, as well as businesses about the potential harm caused by the misuse of AI tools and digital forgeries. This program could include tools and information resources such as workshops and public safety outreach campaigns. The goal is to ensure that the public is better informed about the prevalence of misleading information online and the transparency solutions and standards (such as digital content provenance and watermarking) available in the market. These measures will empower users to verify and trust content before consumption.