



Lowenstein AI: A-I Didn't Know That Video 2 – When Does AI Violate Copyright Law? Recent Cases and New Causes of Action

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Bryan Sterba:

Hi, I'm Bryan Sterba, and welcome to another installment of "[A-I Didn't Know That](#)."

As generative AI continues to advance, it's essential that companies seeking to harness its potential understand the legal landscape surrounding its usage, perhaps no more importantly than in copyright and fair use.

Generative AI refers to artificial intelligence that learns patterns from existing content and uses that information to create new content. While this technology offers numerous benefits, it also raises significant legal challenges. Some of the key areas of concern include IP rights, the right of publicity, and data privacy.

There are several current examples of active litigation involving generative AI as it relates to copyright and fair use:

- Several lawsuits have been filed against companies using AI to generate content that closely resembles copyrighted works. These cases are testing the boundaries of copyright law and the extent to which AI generated content can be protected or challenged.
- High-profile right-of-publicity cases involving celebrities highlight the legal battles going on over the unauthorized use of a person's likeness.
- Companies using AI are facing lawsuits for failing to protect personal data adequately. These cases emphasize the importance of robust data security measures in compliance with the privacy regulations.

In light of these cases, businesses should adopt these best practices when using generative AI.

1. Conduct legal audits where counsel reviews AI-generated content for potential legal issues, including copyright infringement and right of publicity violations.

2. Implement data protection measures with robust data security protocols to ensure compliance with data privacy laws.
3. Stay informed by monitoring ongoing litigation and regulatory developments as this legal landscape continues to evolve.

Thank you for watching. Join us next time on "[A-I Didn't Know That.](#)"