Blikshteyn in CNN and Bloom in The Washington Post and The Hollywood Reporter: New York Times Sues OpenAI and Microsoft for Copyright Infringement

By Dina Blikshteyn, Jason P. Bloom | December 28, 2023

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Haynes Boone Partners Dina Blikshteyn and Jason Bloom spoke with *CNN*, *The Washington Post* and *The Hollywood Reporter* on *The New York Times* suing OpenAI and Microsoft for copyright infringement.

“I think there are going to be a lot of these types of suits that are popping up, and and I think eventually [the issue will] make it up to the Supreme Court, at which point we’ll have some definite case law,” Blikshteyn told *CNN*, adding that, right now, “there is nothing specific to large language models and AI just because it’s so new.”

“Technically, doing that can be copyright infringement, but it’s more likely to be considered fair use, based on precedent, because you’re not publicly displaying the work when you’re just ingesting and training” with it, Bloom told *The Washington Post*.

“You have to show an example of an output that is substantially similar to your work to have a case that’s likely to survive dismissal,” Jason Bloom told *The Hollywood Reporter*. “That’s been really tough to prove in other cases.”

To read the full article on *CNN*, click here.
To read the full article in *The Washington Post*, click here.
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