

George in Legaltech News: Is OpenAI's Video Generator Sora Uncharted Territory for the GDPR?

Gavin George

PRACTICES Intellectual Property, AI and Deep Learning, Privacy and Cybersecurity

Haynes Boone Partner [Gavin George](#) was quoted in a *Legaltech News* article discussing the upcoming results of an investigation into OpenAI's video generator Sora by Italy's data protection authority, which could test the legitimate interest exemptions generative AI companies may rely on for data processing.

"I thought about this as sort of the difference between [search engine] cases and the Clearview AI cases," said George, referring to facial recognition database Clearview AI. "So you have on one side, the search engine cases, which are the Google and Bing and whoever, who we have some historical precedents under the GDPR, saying that, in large part, as long as the search engines are taking some precautionary steps, you can go out and index the entire internet, including all the personal information, some photos of it, and offer that as a search engine. That seems to be okay under the legitimate interest exception."

Still, since the early releases of generative AI tools on the U.S. markets, many privacy and tech law professionals have debated whether looking at these offerings through the lens of search engines was an effective analysis—including in cases of defamation claims or whether chatbots could benefit from Section 230 protections, for example.

"Italy is looking at Sora through this lens, through the lens of the search engines, through the lens of large language models that largely grab text-based personal data. And we really haven't figured that out yet," George said.

To read the full article on *Legaltech News*, click [here](#).