

Haynes Boone IP Lawyers Provide Insight on OpenAI's Alleged Scarlett Johansson Imitation

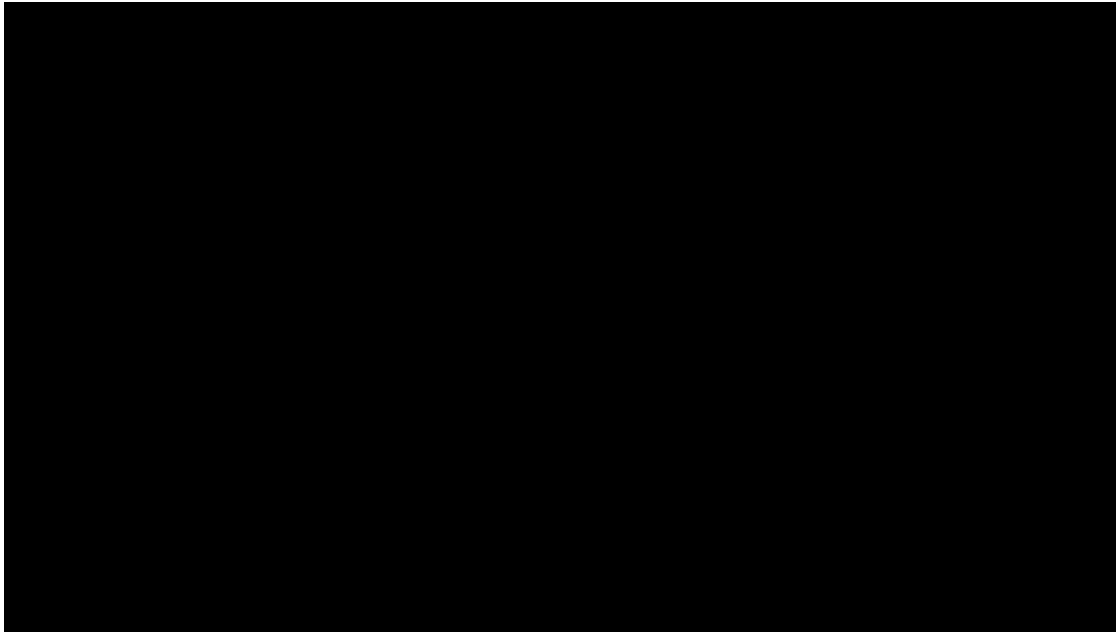
May 23, 2024 Purvi Albers, Joseph Lawlor

PRACTICES AI and Deep Learning, Intellectual Property Litigation, Intellectual Property

Haynes Boone Intellectual Property Partners [Purvi Patel Albers](#) and [Joe Lawlor](#) spoke with several media outlets after Scarlett Johansson said OpenAI tried to hire her to voice an AI assistant for ChatGPT, and when she refused, forged ahead with a similar voice.

Watch and read coverage below.

CBS News - [The Daily Report with John Dickerson](#)



The Hollywood Reporter - [Scarlett Johansson's AI Legal Threat Sets Stage for Actors' Battle With Tech Giants](#)

Albers says OpenAI's solicitation of Johansson's services is vital to whether the company violated her publicity rights. "It's clear that was the voice they were going for," she adds. "They wanted to piggyback off of her husky voice."

The Guardian - [Scarlett Johansson's OpenAI Clash Is Just the Start of Legal Wrangles Over Artificial Intelligence](#)

"Generally, a person's right of publicity can be deemed violated when a party uses the person's name, image, or likeness, including voice, without his or her permission, to promote a business or product," said Purvi Patel Albers.

Wired - [What Scarlett Johansson v. OpenAI Could Look Like in Court](#)

Other lawyers see OpenAI's behavior as so manifestly goofy they suspect the whole scandal might be a deliberate stunt—that OpenAI judged that it could trigger controversy by going forward with a sound-alike after Johansson declined to participate but that the attention it would receive from seemed to outweigh any consequences. “What’s the point? I say it’s publicity,” says Purvi Patel Albers, a partner at the law firm Haynes Boone who often takes intellectual property cases. “The only compelling reason—maybe I’m giving them too much credit—is that everyone’s talking about them now, aren’t they?”

The Verge - [Lawyers say OpenAI could be in real trouble with Scarlett Johansson](#)

“There are a few courses of actions she can take, but case law supports her position,” says Purvi Patel Albers, partner at the law firm Haynes Boone with a focus on trademarks and copyright.

After demoing updates to ChatGPT last week, OpenAI spurred commentary and headlines noting that the voice of its AI assistant — named Sky — sounded a lot like Johansson, especially her performance as an AI assistant in the movie *Her*.

Albers says that Johansson and other celebrities can invoke right to publicity laws, which protect identifying features of a person from being used without their permission. “If you misappropriate someone’s name, likeness, or voice, you could be violating their right to publicity,” Albers says.

World IP Review - [Why Scarlett Johansson’s Objection to ChatGPT’s ‘Eerily Similar’ Voice is a Rallying Cry](#)

Albers believes that Altman’s decision to allegedly use Johansson’s voice was for publicity purposes.

“The storyline is wrought with ‘bad guy facts’ when it comes to intentionality to capitalize on her name and the movie *Her*,” said Albers.

ABC7 Bay Area - [How does AI copy a celebrity's voice? Here's a demonstration](#)

