

News & Insights

IP Attorney Randy McCarthy for TechCrunch - What the US' first major AI copyright ruling might mean for IP law

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TechCrunch

<https://www.hollywoodreporter.com/business/business-news/reuters-ross-first-ai-copyright-case-lawsuit-1236133743/>

Randy McCarthy, a U.S. patent attorney at the law firm Hall Estill, said Bibas' focus on the "impacts upon the market for the original work" could be key to rights holders' cases against generative AI developers. But he also cautioned that Bibas' opinion is relatively narrow and that it may be overturned on appeal.

"One thing is clear, at least in this case: merely using copyrighted material as training data [for] an AI cannot be said to be fair use per se," McCarthy told TechCrunch. "[But it's] one battle in a larger war, and we'll need to see more developments before we can extract from this the law pertaining to the use of copyrighted materials as AI training data."

Attorneys

- Randall K. McCarthy

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