

# OpenAI faces pivotal moment in AI copyright battle

Article

**The news:** In a move that may have broader implications for intellectual property and publishers' bottom lines, **OpenAI** is allowing authors suing the company, including **Sarah Silverman**, to inspect data used to train its AI models.

- The lawsuit accuses OpenAI of [using copyrighted works without permission](#), alleging these were harvested from the internet to train ChatGPT.
- The review will occur under strict security at OpenAI's San Francisco office, as the authors aim to prove their works were used unlawfully.

**Why it matters:** This marks the **first time OpenAI has opened access** to its training data.

- This case has the potential to set legal precedents on how AI models can use copyrighted works.
- As AI tools proliferate, companies like OpenAI are facing increased scrutiny over how they source their training data.
- If the court sides with the authors, it could force the entire AI industry to rethink how datasets are compiled, potentially shaking up development processes.
- Per reports from **Reuters**, OpenAI's claim that this falls under fair use may not be enough to shield it from liability.

**Zooming out:** Major content platforms are resisting AI data scraping due to revenue loss and IP concerns.

- OpenAI's **SearchGPT** has faced [pushback from major publishers](#) like The New York Times, highlighting tensions over unauthorized data use and the need for clearer guidelines.
- Major publishers are also opting out of Apple's web crawler, **Applebot**, [to protect their content](#) from being used in genAI training. Many have signed exclusive content deals with other AI companies, highlighting the high stakes and value of content access.
- In a new interview, **Meta CEO Mark Zuckerberg** told The Verge he believes creators overestimate their content's value for AI training.
- The news of authors being allowed to inspect OpenAI's data comes as its competitor, [Perplexity, gets ready to introduce in-chat ads](#) that will allow brands like **Nike** and **Marriott** to bid for sponsored answers.

**Our take:** This is about more than just one lawsuit—it could ripple through the tech industry.

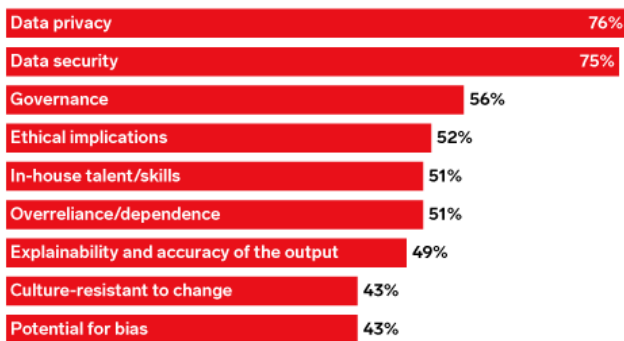
- AI companies are operating in a legal gray zone, and this case might push them into clearer, more regulated waters.

- OpenAI’s willingness to allow inspections signals that they are ready to fight, but also that they know their precarious position.
- Authors like Silverman aren’t just standing up for themselves—they’re standing up for an entire creative industry. If they win, AI developers might have to get more creative with their data sourcing.

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**Concerns About the Usage of Generative AI (GenAI) According to IT Professionals Worldwide, April 2024**

*% of respondents*



Source: SAS, "Generative AI Global Research Report: Strategies for a Competitive Advantage" conducted by Coleman Parkes Research, July 9, 2024

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