

## Jennifer Maisel Quoted in Financial Times Article on IP Risks Associated with Generative Artificial Intelligence

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Partner Jennifer Maisel is quoted in a Financial Times article titled "Lawyers keep an eye on copyright risk with generative AI" by Miriam Rozen published on June 14, 2023.

As the use of generative artificial intelligence (AI) rises, lawyers are keeping a close eye on their regulation and the potential risks associated with intellectual property (IP) violations.

"Amid the uncertainty about which rules will become effective and how courts will interpret them, vigilance over contractual obligations will go a long way to providing protection for generative AI users and developers," Jennifer told the Financial Times.

"As a first step for users, [Jennifer] advises: 'Look at your agreement with the software provider,' to determine what warranties exist about the content that the generative AI was trained upon — and whether it reassures that guardrails are already in place to prevent third-party copyright infringement claims. Given the fierce competition for market share among generative AI tool developers, she believes that such clauses will start turning up in users' contracts. 'We've seen this in other software contexts,' she says, 'liability tends to be pushed to the software owner.' But if, or while, such assurances are absent, she believes users should take 'risk-mitigation measures' including establishing audits or indexes, as much as possible, for the sources their generative AI tool trained upon before spitting out its creation."

To read the article "Lawyers keep an eye on copyright risk with generative AI" by Miriam Rozen in its entirety, please visit the Financial Times website.

### Key Contact

Jennifer B. Maisel

### Related Areas of Practice

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### Technologies

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