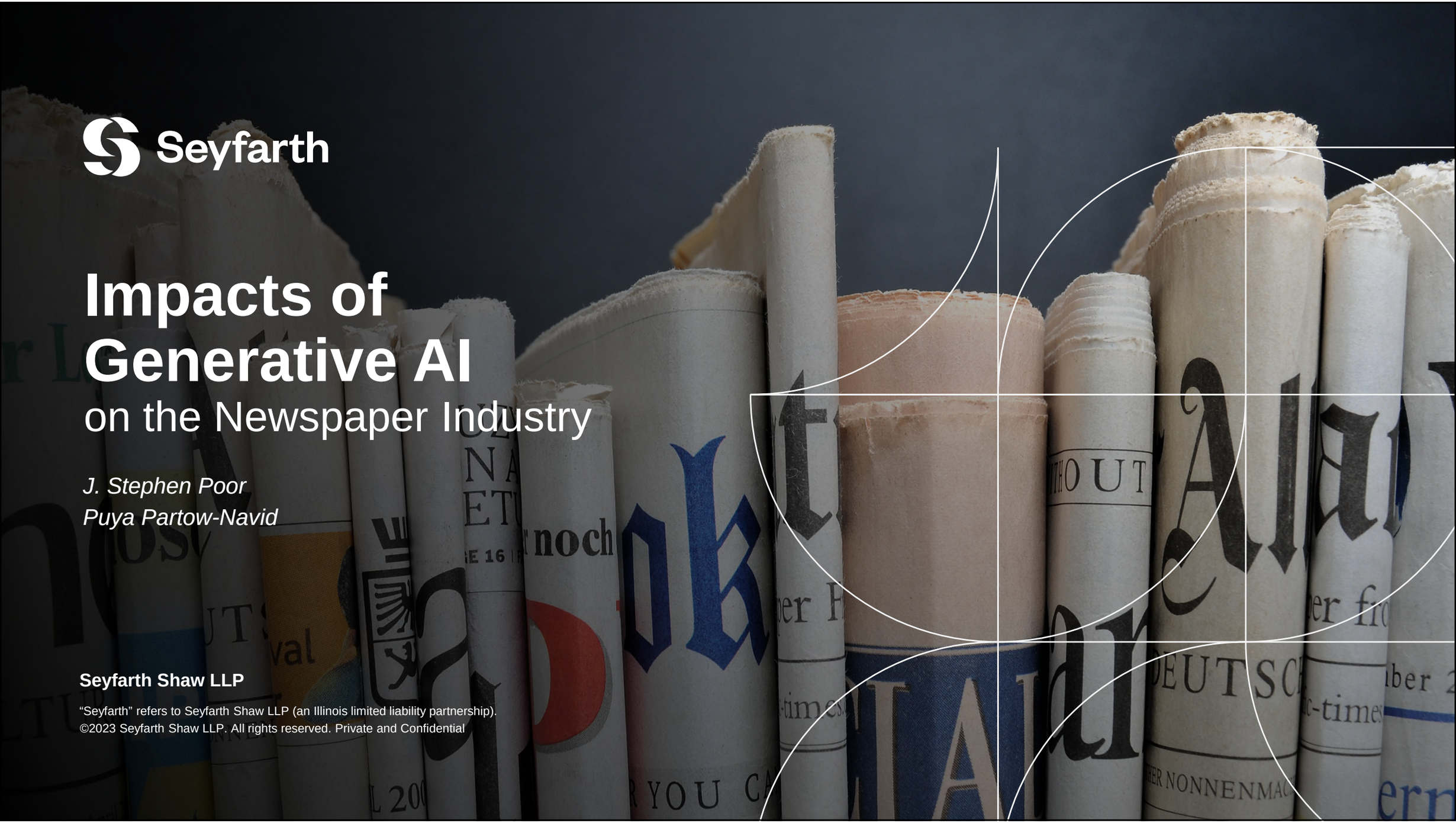

Seyfarth

Impacts of Generative AI
on the Newspaper Industry

J. Stephen Poor
Puya Partow-Navid

Seyfarth Shaw LLP

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Some things stay the same.

1955

1985

2015

2022

Some
things
don’t.

The Basic Terms

- Artificial Intelligence
- Machine Learning
- Large Language Models
- Generative AI
  - Automation->Augmentation->Generation
- ChatGPT

AI in the News Industry

- Automation: Automation of data-driven news stories
- Augmentation: Using ML and NLP to analyze large data sets and look for trends
- Generative AI: Generates new content from existing data.

Types of Generative AI

- Text Generation
- Video Generation
- Music Generation
- Image Generation
- Multi-Modal Generation

The Basics of ChatGPT

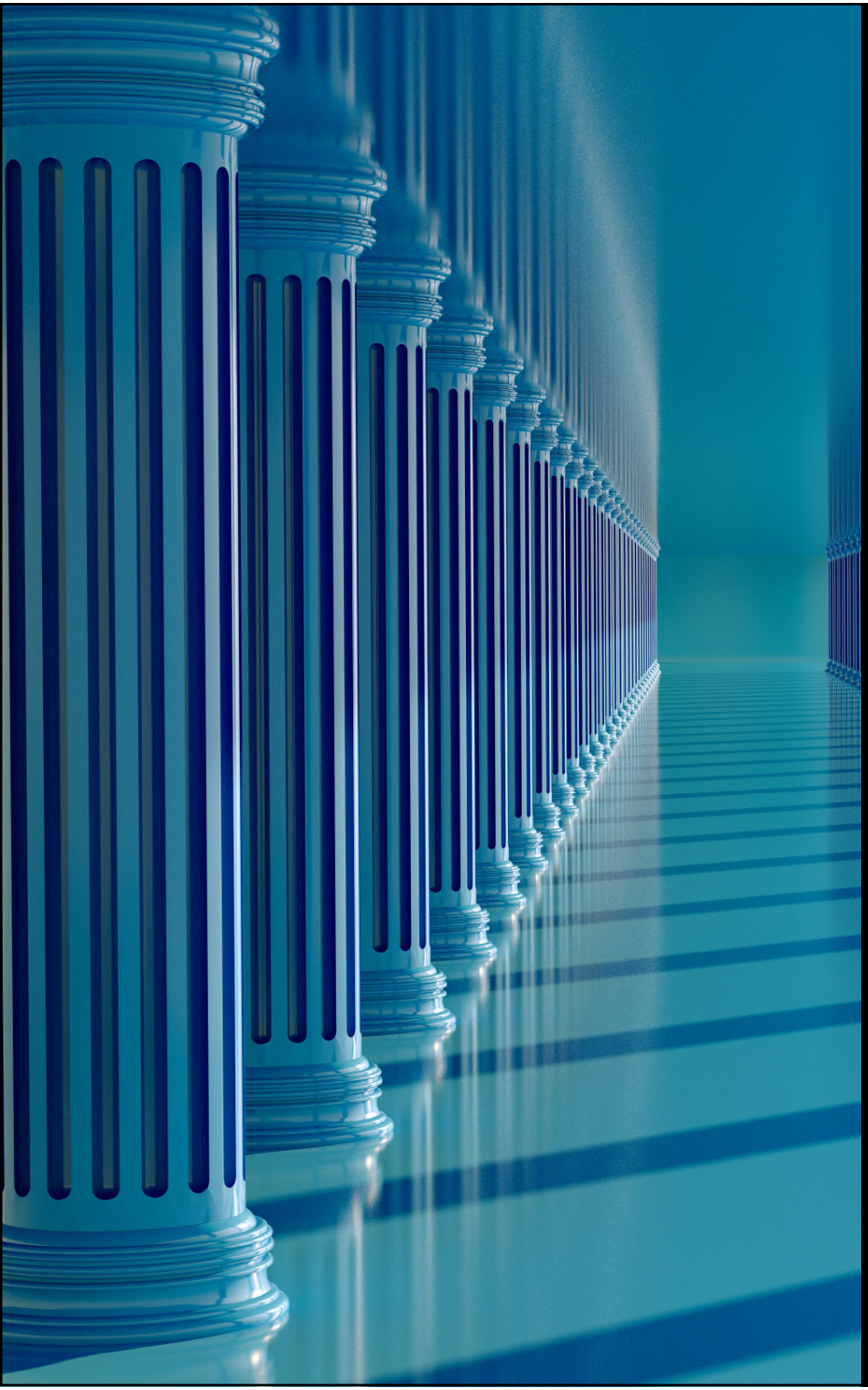
- Ingests huge amounts of text and predicts words based on prompts/prior words
- Not a search engine
- It is always fluent. It is not always right
- 1M users between Nov 30 and Dec 5

Potential Uses for Generative AI

- Content Generation
- Headline Generation
- Article Summary
- Transcription
- Audience Engagement
- Sentiment Analysis

Cautions

- Hallucinations/Errors
- Confidentiality Concerns
- Bad Actors



Pending Cases

- *Andersen et al v. Stability AI, Midjourney, DeviantArt, No. 23-cv-201 (N.D. Cal.). – Jan. 2023*
- *Getty Images (US) Inc. v. Stability AI Inc., No. 23-cv-135) (D. Del.). – Feb. 2023*
- *DOE 1 et al v. GitHub Inc. et al*, No. 3:22-cv-06823 (N.D. Cal.) – *Nov. 2022*

Copyright

- Unauthorized use of copyrighted data to train the AI model.
- Does the output violate copyright laws?

Confidentiality and Data Ownership

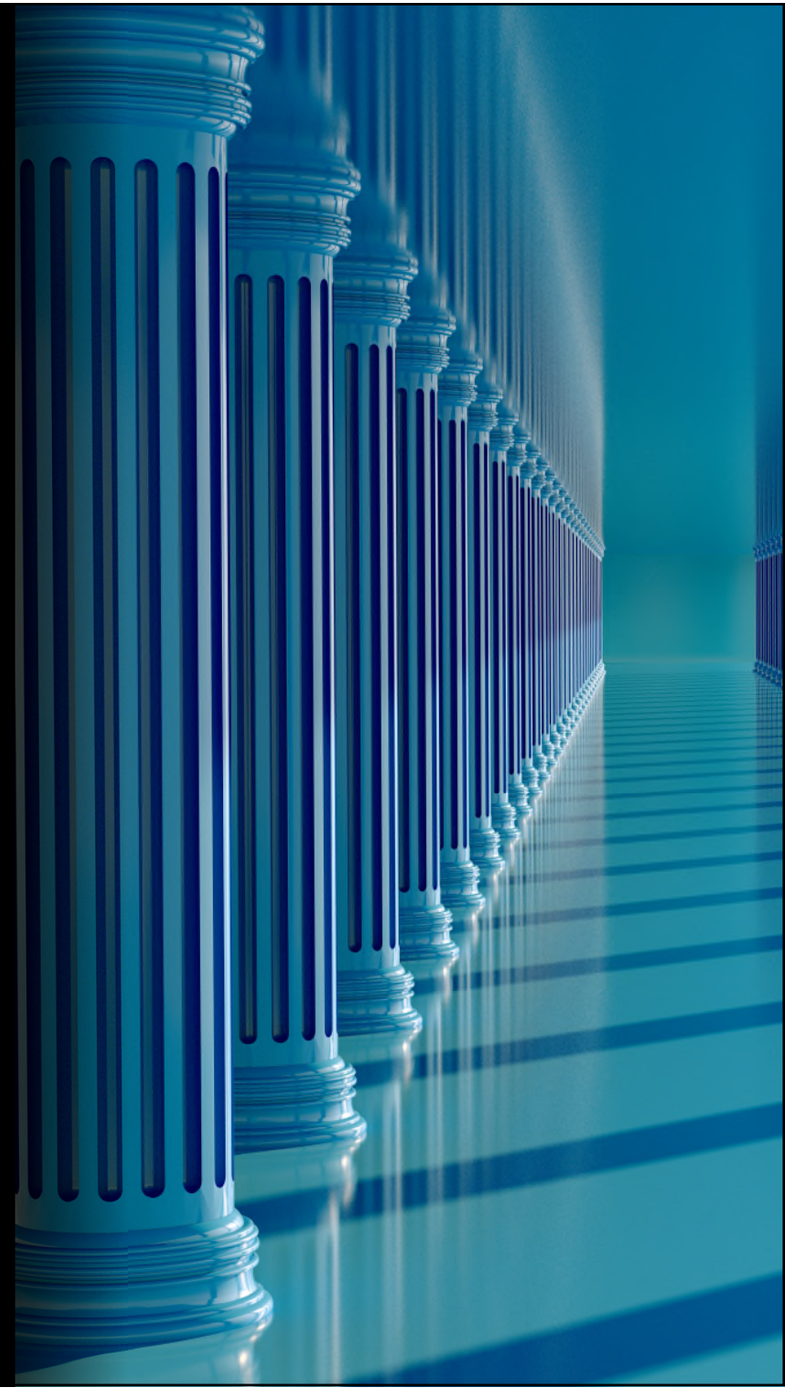
- Confidentiality of input prompts
- Data ownership/authorship of the prompt and the output

Other

- Bias in Output
- Factual Inaccuracies in Output
- Algorithmic Disgorgement
- Indemnification of the Model
- Right of publicity violations for outputs “in the style” of specific individuals
- Unlawful-Competition

Regulatory Issues

- U.S.: State, Federal, Municipal
- EU: AI Act, categorizing AI tools based on risk levels.
- China: Proposal requiring security assessments for AI models before their public release
- Other Countries



Summary

- Opportunities and challenges for businesses.
- Balancing increased productivity vs. the potential unreliability
- Legal and revenue-related issues.
- Competitive advantages
- Ethical considerations

questions?

thank you.