

Press Coverage | July 23, 2024

How OpenAI Is Looking to Beat the Growing Pool of Copyright Cases

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[Michael D. Hobbs, Jr.](#)

Mike Hobbs, a partner in Troutman Pepper's Intellectual Property Practice Group, was quoted in the July 23, 2024 *The Fashion Law* article, "[How OpenAI Is Looking to Beat the Growing Pool of Copyright Cases.](#)"

Michael Hobbs, a partner at Troutman Pepper, who specializes in copyright law, offered an alternative view. He told *TFL* that he sees OpenAI's defense tactic as part of an overall strategy to overwhelm plaintiffs and strong-arm them into licensing agreements, similar to the ones that a number of publishers have signed off on. While the speculative harm and manipulated prompt arguments have the potential to raise questions with judges about the validity of the plaintiff's claims, he said the big picture – namely the "strategic war of attrition" to "wear down plaintiffs" so they reach licensing deals and settlements – may be the real prize.

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"They want the current uncertainty of the law of generative AI to end in a series of well-negotiated licenses and settlement with copyright content owners," Hobbs stated. "Given their \$80 billion dollar valuation, OpenAI can afford them."

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