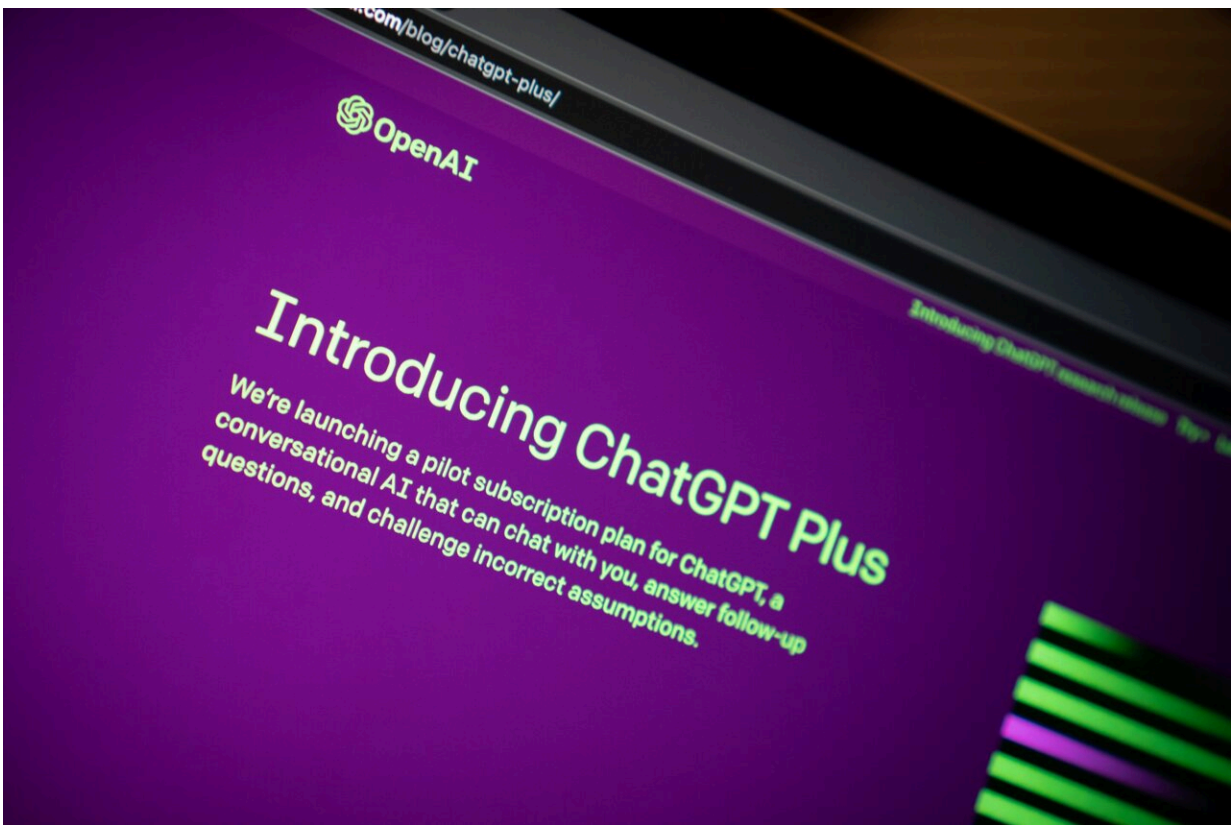


# OpenAI seeks dismissal of parts of NY Times copyright suit

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Credit: Unsplash/CC0 Public Domain

OpenAI asked a US judge to dismiss several elements of a lawsuit brought by The New York Times, which accuses the ChatGPT creator of using millions of articles for training without permission.

In its filing, made on Monday in a [federal court](#) in New York, OpenAI specifically asked the judge to dismiss what it believes are secondary elements of the case so that the company could better focus on the main points.

The requests were largely based on legal technicalities and included an argument that materials that were treated by OpenAI more than three years ago should be ruled out.

The Times's [lawsuit](#), filed in December, has become the biggest challenge yet to AI upstarts from publishers and creators that fear being displaced by generative AI, the technology that conjures images or texts in just seconds from simple prompts.

The Times believes that ChatGPT has the capability to become a substitute for its journalism and was built from scraping its content from the internet without payment or permission.

But in its bid for dismissal, OpenAI said, "Contrary to the allegations in the complaint... ChatGPT is not in any way a substitute for subscription to The New York Times."

"In the real world, people do not use ChatGPT or any other OpenAI product for that purpose," the filing said.

"Nor could they. In the ordinary course, one cannot use ChatGPT to serve up Times articles at will."

In its lawsuit, which also targets OpenAI backer Microsoft, the Times alleged that full articles from the newspaper were churned out by ChatGPT on demand.

OpenAI said that "the truth, which will come out in the course of this

case, is that the Times paid someone to hack OpenAI's products" in order to generate that content.

OpenAI also underlined its main contention that Times content was widely available and shared on the internet when the company built the powerful AI models that undergird ChatGPT.

It also argued that the Times has no special privilege over reporting facts.

"OpenAI and the other defendants in these lawsuits will ultimately prevail because no one, not even The New York Times, gets to monopolize facts or the rules of language," it said.

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