HALL ESTILL
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News & Insights

IP Attorney Randy McCarthy for IP Watchdog - Revised Fair Use Ruling Finds No Transformative Use in Developing AI Search Tool

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IP Watchdog

https://ipwatchdog.com/2025/02/12/revised-fair-use-ruling-finds-no-transformative-use-developing-ai-search-tool/id=185989/

Commenting on the case, Randy McCarthy of Hall Estill said in an emailed statement that, while the decision can still be overturned and is just "one battle in a larger war," Bibas' analysis of the fourth fair use factor could be significant. McCarthy explained:

"The most important aspect of the opinion, to me, is the discussion of the fourth element of the fair use analysis. The Judge identifies this as the most important factor, and focuses upon the impacts upon the market for the original work. This is going to be heralded by existing groups of artists and content creators as the key to their case against the other generative AI systems."

Attorneys

- Randall K. McCarthy

Practices

- Intellectual Property
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