

Delhi High Court hears ANI's copyright suit against OpenAI over ChatGPT training

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Delhi High Court Issues Summons In ANI's Copyright Infringement Suit Against OpenAI's ChatGPT By - Nupur Thapliyal Update: 2024-11-19 07:08 GMT

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story News agency Asian News International (ANI) has filed a copyright infringement suit before the Delhi High Court against OpenAI Inc, which founded ChatGPT, alleging unauthorised use of its original news content. Justice Amit Bansal issued summons in the suit as well as on ANI's application seeking interim injunction in the matter. The Court also appointed an amicus curiae in the matter...

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News agency Asian News International (ANI) has filed a copyright infringement suit before the Delhi High Court against OpenAI Inc, which founded ChatGPT, alleging unauthorised use of its original news content. Justice Amit Bansal issued summons in the suit as well as on ANI's application seeking interim injunction in the matter. The Court also appointed an amicus curiae in the matter considering wide range of issues raised, whose name will be reflected in the order. "Considering the range of issues in the present suit as well as issues arising on account of latest technological advancements vis a vis copyrights of various copyright owners, this Court is of the view that an amicus curiae be appointed to assist the Court in this case," the Court ordered. OpenAI is an American artificial intelligence (AI) research organization headquartered in California. Musk co-founded OpenAI in 2015 and left the company in 2018. Open AI has founded ChatGPT, a generative artificial intelligence (AI) chatbot. This is the first lawsuit in India against ChatGPT. ANI has alleged that its original news content is being "exploited for commercial gain" by OpenAI. Advocate Siddhant Kumar appearing for ANI today contended that ChatGPT uses the news agency's content to train Open AI's large-language model (LLM) which enables the chatbot to provide responses to user queries. He said that use of ANI's copyrighted material for training ChatGPT's LLM, storing news agency's content and creating copies of the same amounts to copyright infringement. "Merely copyrighted content is publicly available doesn't give them the right to copy it....Once a query is put, you provide verbatim or substantially similar response to those queries using my copyrighted content.... Their service also gives false attribution to me," he said further. On the other hand, Senior Advocate Amit Sibal appearing for OpenAI raised a preliminary objection on the territorial jurisdiction of the filing of the suit. He said that since OpenAI has no servers in India, no cause of action against ChatGPT arises in India. "13 lawsuits against me in US, 2 in Canada and 1 in Germany ever since I commenced operations 2 years ago. No injunction of any kind. There is a good reason for it as no court prima facie found there is any infringement of copyright. I have always been transparent. There can be no monopoly on facts," Sibal said. He also said that anyone who does not want its website to be accessed has the option on ChatGPT to put themselves on blocklist. On instructions, he said that as on October 2024, OpenAI has already blocked the domain of ANI. "No lawsuit against me in India. I am not present in India with any office. My servers are located abroad. I don't reproduce any of plaintiff's material in India. There is no instance in the suit where it is shown that any reproduction is done of his material. In India, plaintiff has no cause of action against me since the servers are not here," Sibal contended. Taking Sibal's instructions on record, the Court listed the matter for hearing next in January 2025. Court orally remarked that since the matter is complex and requires detailed hearing, it is not inclined to pass any interim order today. "I am not inclined to grant any ad interim injunction order at this stage. This requires a detailed hearing. This is a complex issue," the bench said. ANI's suit alleges that ChatGPT verbatim reproduces ANI's original content in response to users' queries on a real time basis. It is ANI's case that ChatGPT has been accrediting it with statements and news that never occurred. It has been averred

that such instances, that are “known as hallucinations”, pose a real threat to the news agency's reputation and spread of fake news which may cause public disorder. Title: ANI Media Pvt. Ltd. v. OpenAI Inc & Anr. Full View

Tags: Delhi High Court Summons ANI Copyright Infringement copyright OpenAI ChatGPT Senior Advocate Amit Sibal Justice Amit Bansal