

Authors Guild and 17 novelists sue OpenAI over training GPT on their books

Source copy kept by wheresthe.ai for the story "Authors Guild and 17 novelists sue OpenAI over training GPT on their books" (<https://wheresthe.ai/d/us-authors-guild-v-openai-filed-2023-09/>).

Source: <https://authorsguild.org/news/ag-and-authors-file-class-action-suit-against-openai/>

Text saved 18 Oct 2026 (the page as published).

SHA-256 of the saved text: 332096c9864c253deb30fc29ad1d82a5acd6dc4a4351e8a185827265e82416

Documents the source offers: <https://authorsguild.org/app/uploads/2023/12/Authors-Guild-OpenAI-Microsoft-Class-Action-Complaint-Dec-2023.pdf>

All News

Press Releases

The Authors Guild, John Grisham, Jodi Picoult, David Baldacci, George R.R. Martin, and 13 Other Authors File Class-Action Suit Against OpenAI

September 20, 2023

Share

on Twitter (opens in a new tab)

on Facebook (opens in a new tab)

on LinkedIn (opens in a new tab)

via email

Update, December 5, 2023: On December 4, the Authors Guild filed an amended complaint naming Microsoft as a defendant. Click [here](#) to read the amended complaint (PDF).

New York , N.Y. , September 20, 2023 —The Authors Guild and 17 authors filed a class-action suit against OpenAI in the Southern District of New York for copyright infringement of their works of fiction on behalf of a class of fiction writers whose works have been used to train GPT. The named plaintiffs include David Baldacci, Mary Bly, Michael Connelly, Sylvia Day, Jonathan Franzen, John Grisham, Elin Hilderbrand, Christina Baker Kline, Maya Shanbhag Lang, Victor LaValle, George R.R. Martin, Jodi Picoult, Douglas Preston, Roxana Robinson, George Saunders, Scott Turow, and Rachel Vail.

"Without Plaintiffs' and the proposed class' copyrighted works, Defendants would have a vastly different commercial product," stated Rachel Geman, a partner with Lief Cabraser and co-counsel for Plaintiffs and the Proposed Class. "Defendants' decision to copy authors' works, done without offering any choices or providing any compensation, threatens the role and livelihood of writers as a whole."

Scott Sholder, a partner with Cowan, DeBaets, Abrahams & Sheppard and co-counsel for Plaintiffs and the Proposed Class, added, "Plaintiffs don't object to the development of generative AI, but Defendants had no right to develop their AI technologies with unpermitted use of the authors' copyrighted works. Defendants could have 'trained' their large language models on works in the public domain or paid a reasonable licensing fee to use copyrighted works."

The Authors Guild organized the lawsuit after witnessing first-hand the harm and existential threat to the author profession wrought by the unlicensed use of books to create large language models that generate texts. According to the Guild's latest author income survey, the median full-time author income in 2022 was just barely over \$20,000, including book and other author-related activities. While 10 percent of authors earn far above the median, half earn even less. Generative AI threatens to decimate the author profession. The council of the Authors Guild and the board of the Authors Guild Foundation voted unanimously (with abstentions) to file the suit because of the profound unfairness and danger of using copyrighted books to develop commercial AI machines without permission or payment.

Maya Shanbhag Lang, president of the Authors Guild and a class representative, stated, "The Authors Guild

serves to protect the literary landscape and the profession of writing. This case is merely the beginning of our battle to defend authors from theft by OpenAI and other generative AI. As the oldest and largest organization of writers, with nearly 14,000 members, the Guild is uniquely positioned to represent authors' rights. Our membership is diverse and passionate. Our staff, which includes a formidable legal team, has expertise in copyright law. This is all to say: We do not bring this suit lightly. We are here to fight."

The complaint draws attention to the fact that the plaintiffs' books were downloaded from pirate ebook repositories and then copied into the fabric of GPT 3.5 and GPT 4 which power ChatGPT and thousands of applications and enterprise uses—from which OpenAI expects to earn many billions. These "professionally authored, edited, and published books" are "an especially important source of LLM 'training' data," as the complaint states, because they allow GPT to provide better, more commercial outputs.

GPT is already being used to generate books that mimic human authors' work, such as the recent attempt to generate volumes 6 and 7 of plaintiff George R.R. Martin's Game of Thrones series A Song of Ice and Fire , as well as the numerous AI-generated books that have been posted on Amazon that attempt to pass themselves off as human-generated and seek to profit off a human author's hard-earned reputation.

Authors Guild CEO Mary Rasenberger commented, "It is imperative that we stop this theft in its tracks or we will destroy our incredible literary culture, which feeds many other creative industries in the U.S. Great books are generally written by those who spend their careers and, indeed, their lives, learning and perfecting their crafts. To preserve our literature, authors must have the ability to control if and how their works are used by generative AI. The various GPT models and other current generative AI machines can only generate material that is derivative of what came before it. They copy sentence structure, voice, storytelling, and context from books and other ingested texts. The outputs are mere remixes without the addition of any human voice. Regurgitated culture is no replacement for human art."

This suit highlights the particularly egregious harm to the fiction market. For fiction writers, OpenAI's unauthorized use of their work is identity theft on a grand scale. Fiction authors create entirely new worlds from their imaginations—they create the places, the people, and the events in their stories. According to Rasenberger, "People are already distributing content generated by versions of GPT that mimic or use original authors' characters and stories. Companies are selling prompts that allow you to 'enter the world' of an author's books. These are clear infringements upon the intellectual property rights of the original creators."

She added, "This class-action suit focuses on fiction writers as a first step, as it is a well-defined and cohesive class of writers, as works of fiction are already being widely mimicked with GPT; we do of course also see harm to nonfiction markets and are addressing that as well. In all events, a positive outcome of this case will resound to the benefit of writers from all genres."

Class representative George Saunders stated, "I'm very happy to be part of this effort to nudge the tech world to make good on its frequent declarations that it is on the side of creativity. Writers should be fairly compensated for their work. Fair compensation means that a person's work is valued, plain and simple. This, in turn, tells the culture what to think of that work and the people who do it. And the work of the writer—the human imagination, struggling with reality, trying to discern virtue and responsibility within it—is essential to a functioning democracy."

Fiction writers are not the only ones being hurt, however. Nonfiction writers are also being robbed of their work. In August, Jane Friedman posted a thread on social media about how there were books listed on Amazon with her byline, when she had not in fact authored them. These books were then listed on Goodreads as well, under her author profile. She worked with the Authors Guild to get these books removed. Misappropriating authors' names to sell scam books through Kindle and Goodreads is not new, but has gotten worse with the advent of AI-generated content.

Class representative Jonathan Franzen stated, "Generative AI is a vast new field for Silicon Valley's longstanding exploitation of content providers. Authors should have the right to decide when their works are used to 'train' AI. If they choose to opt in, they should be appropriately compensated."

The economic ramifications to the author profession stand to adversely affect all cultural production. For one, emerging writers will be less likely to enter the profession or sustain themselves as creatives. The loss of diverse perspectives, stylistic variety, and innovative approaches will indeed be to the detriment of all. The prospect of a future dominated by derivative culture is a matter of grave concern for everyone and this lawsuit is one of many efforts on various fronts to prevent that from happening.

Read the full complaint here (PDF).

About The Authors Guild

With near 14,000 members, the Authors Guild is the nation's oldest and largest professional organization for published writers. It advocates on behalf of working writers to protect free speech, freedom of expression, and authors' copyrights; fights for fair contracts and authors' ability to earn a livable wage; and provides a welcoming community for writers and translators of fiction, nonfiction, poetry, and journalism. Through its educational and charitable arm, the Authors Guild Foundation, it also offers free programming to teach working writers about the business of writing, as well as organizing public events that highlight the importance of a rich, diverse American literary culture and the authors who contribute to it.

About The Law Firms

Lieff Cabraser

Among the largest law firms in the U.S. representing only plaintiffs, Lieff Cabraser continues its 50-plus year commitment to corporate accountability; promoting fair competition and business practices; safeguarding product safety; protecting our environment; securing justice for consumers, employees, patients, investors, and business owners; ensuring our rights to privacy; and upholding the civil rights of citizens worldwide.

Rachel Geman Lieff Cabraser Heimann & Bernstein, LLP 212-355-9500 rgeman@lchb.com

Cowan, DeBaets, Abrahams & Sheppard LLP

For nearly three decades, Cowan, DeBaets, Abrahams & Sheppard LLP has provided legal counsel to leading media, art, technology, and entertainment clients, from individual creators to corporations, associations, and non-profit organizations. See <https://cdas.com> for more information.

Scott Sholder Cowan, DeBaets, Abrahams & Sheppard LLP 212-974-7474 ssholder@cdas.com

Support Our Work

Your gift will help sustain our efforts to support working writers and preserve the literary profession.

Donate Now