

**News**

## **PARTNER QUOTED IN ‘WALL STREET JOURNAL’ ON RISK OF RIGHT OF PUBLICITY VIOLATIONS AND DEFAMATION BY AI POWERED CELEBRITY CHATBOTS**

Jun 08, 2023

BCLP Partner Erik Kahn was quoted June 5 by *The Wall Street Journal* concerning new chatbots that mimic the voices of celebrities and politicians. He commented on how new AI powered chatbots could violate publicity rights and pose a risk of defamation. The chatbot tool Forever Voices sets up modes to guide conversations with its celebrity bots. For AI Taylor Swift, for example, that includes co-writing a song, going behind the lyrics, learning a language with her or getting a personalized shout-out. “My gut tells me that’s crossing over the line,” Erik said of the AI Swift’s introductory language. He added that some of the modes—learn a language, give a shout-out—may also violate a person’s publicity rights, as they could constitute selling and marketing of services rather than editorial content protected by the First Amendment. Both the celebrities in question and the creators of these tools have certain legal protections, Kahn noted. “You are always looking to balance the commercial aspects of the use against the unauthorized user’s First Amendment rights,” he said, adding that something said by a bot could also pose a potential risk of defamation.

### **RELATED PRACTICE AREAS**

- Litigation & Dispute Resolution

## MEET THE TEAM



### **Erik W. Kahn**

New York

[erik.kahn@bclplaw.com](mailto:erik.kahn@bclplaw.com)

+1 212 541 1143

---

This material is not comprehensive, is for informational purposes only, and is not legal advice. Your use or receipt of this material does not create an attorney-client relationship between us. If you require legal advice, you should consult an attorney regarding your particular circumstances. The choice of a lawyer is an important decision and should not be based solely upon advertisements. This material may be “Attorney Advertising” under the ethics and professional rules of certain jurisdictions. For advertising purposes, St. Louis, Missouri, is designated BCLP’s principal office and Kathrine Dixon ([kathrine.dixon@bclplaw.com](mailto:kathrine.dixon@bclplaw.com)) as the responsible attorney.