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Dear "[FNAME]",

Welcome to this month's 100-percent human-created newsletter. While Jasper, Midjourney, and their digital brethren played no part in generating this communication, they do take starring roles in its content.

It seems you can't swing a dead chatbot anymore without hitting some article, commentary, or cautionary tale about AI. And we're happy to add to the hype. Today, we delve deep into the collective consciousness of content and image generators and how the law views their use. First, a primer on all the ways that AI usage can lead organizations into a legal quagmire, from committing libel to stealing other people's (and other AIs') original compositions, to making decisions or taking actions that could have serious consequences.

Next, we examine whether companies that use AI to make important decisions, moderate digital spaces, or interact with users in the metaverse can minimize legal risk. If an extended reality game or application malfunctions, could the developer or platform face civil or even criminal repercussions? Probably, given the current law. It seems equally likely that in the near future, there will be legislation attempting to deal with various aspects of the metaverse and specifying the liability that metaverse platforms assume for any illegal activities committed there.

Finally, we look at recent cases and laws regarding AI users' claims to copyright. How much "human" creativity is required for a person to be legally entitled to profit exclusively from its output? Since AIs are trained using vast databases of existing images and text, can anything they produce be truly original?

Judges, juries, legislators, and regulators clearly have work to do.

Thanks to Rebekah Valentine of [IGN](#), Lewis Packwood at [Why Now Gaming](#), and Sarah Needleman of the [Wall Street Journal](#) for including my comments about UK regulators' rejection of Microsoft's purchase of Activision Blizzard. Follow the links below to their articles.

Best regards,

David B. Hoppe  
Managing Partner  
Gamma Law

[Gamma Law](#) provides premium legal support to select clients in cutting-edge media/tech business sectors. To discuss how we can support you to achieve your objectives, please [contact us](#).

## YOU SHOULD KNOW



### THE THINKING PERSON'S GUIDE TO ARTIFICIAL INTELLIGENCE

Web3 organizations should be transparent about their use of AI and take a responsible approach to incorporating AI into their business models to reap the benefits while complying with legal and ethical guidelines. [Read more.](#)



### ARE PLATFORMS RESPONSIBLE FOR PROBLEMS CAUSED BY AVATARS?

Can game developers, platform hosts, and other service providers be held liable for crimes, disagreements, or antisocial behavior perpetrated by people controlling avatars within their environments? We propose some strategies to reduce the risks. [Read more.](#)



### WHO'S RESPONSIBLE WHEN AI INFRINGES ON COPYRIGHT?

Transparency in how AI algorithms operate and what data they use is crucial in instilling confidence in their output. With the proper safety nets in place, AI can become an invaluable tool for producing high-quality, original content that contributes to the arts and public discourse. [Read more.](#)

## IN THE NEWS

- [Why AI Needs Blockchain](#) - Rolling Stone
- [Banking in the metaverse? A.I. could be about to change the way you manage your money](#) - CNBC
- [DOD Seeks Tactical Augmented Reality Tech Innovation](#) - Executive Biz
- [Microsoft-Activision Isn't the End of Video Game M&A - It's Just the Beginning](#) - Yahoo!
- [Never Give Artificial Intelligence the Nuclear Codes](#) - The Atlantic
- [Applying Blockchain to Digital Advertising](#) - UGA Today
- [LogOn: Augmented Reality Glasses Help Hearing-impaired See Words](#) - VOA
- [Artificial Intelligence Is Already Causing Disruption And Job Losses At IBM And Chegg](#) - Forbes
- [Virtual Lands: The Future Trend of NFTs](#) - LCX

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### NEW YORK STATE SOCIETY OF CPAS

Online TBD

David will present on the legal and regulatory environment of NFTs and other digital assets at an NYSSCPA meeting this fall. [Learn more.](#)



### GAMESBEAT SUMMIT 2023

Santa Monica, CA May 22-23

David will be part of the panel discussing "How to do trust and safety right before you're forced to do so" at 3:30 PM on May 22. [Register here.](#)



### HAVE DAVID SPEAK AT YOUR EVENT

Gamma Law's founding partner, David B. Hoppe, speaks and writes frequently about legal topics in emerging technologies and entertainment in the US and Japan. If you'd like David to speak at your event, please [contact us](#).

*Gamma Law is a San Francisco-based firm supporting select clients in cutting-edge business sectors. We provide our clients with the support required to succeed in complex and dynamic business environments, push the boundaries of innovation, and achieve their business objectives, both in the U.S. and internationally. [Contact us](#) today to discuss your business needs.*

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