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NEWS

WRAL CHATS UP DARRELL FRUTH ON FUTURE OF CHATGPT AND OTHER AI

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WRAL

WRAL featured Smith Anderson attorney Darrell Fruth in the story, "**ChatGPT and AI are here to stay, the ramifications and restrictions surrounding them are less certain,**" covering what businesses can expect as artificial intelligence continues to grow at an unprecedented rate.

Darrell, who leads Smith Anderson's Technology and Software Transactions group, notes that AI is coming into the foreground of the general public, and that whether we've realized it, we've been interacting with AI for a while with everyday apps such as Siri, Alexa and Google Maps. But ChatGPT, also known as Generative Pretrained Transformer, is a conversational AI chatbot created by San Francisco start-up OpenAI. As an informational tool designed to interact with humans as naturally and conversationally as possible, it has many capabilities, from answering questions and explaining complex topics to creating content such as essays, social media posts and even poetry.

"There's been widespread use of AI, but now we're starting to see these tools being put into the hands of the public," Darrell said. "That's why so many are excited about ChatGPT. It gives the user access to all of its capabilities. You can sit at your computer and play with it and see for yourself just how much it can do for you."

There is a need for caution as the technology develops, though.

"One of the known issues on the OpenAI website is that ChatGPT sometimes writes plausible sounding, but incorrect and nonsensical, answers," Darrell explained. "It sounds very convincing, but at the end of the day, it might not know anything about what you're asking. And so, you're never sure how much you can rely on it."

Many legal questions surround ChatGPT that are still to be answered, questions that Darrell and his Smith Anderson colleagues are considering.

"What's the right balance when you're talking about AI models? Who is the author? You probably can't even copyright the output as it's not even a human author or artist," Darrell said. "We don't know what 'written by AI' means yet."

Darrell imagines that one potential solution is on the front-end.

"You can imagine getting to a world where, when you publish content, you have the right or ability to specify whether you want it to be ingested in these [data collecting] models or not – we might need to create a system for that," he said.

Whatever the industry, it doesn't pay to ignore AI. It will become an integral part of our everyday lives. "It is just another step in the technological progression. This is a good time to play with it, as it's never been so easy, nor has it been so important to understand how these things work. If you put your head in the sand and just say it's not going to affect me – you do so at your own peril," Darrell added.

Darrell helps innovative companies develop and commercialize new technologies. He regularly assists clients in life science, ag-tech, and clean-tech on complex national and international licensing, distribution and research collaboration agreements. He helps software clients navigate open-source issues, distribute video games and develop software platforms. Darrell also provides guidance on intellectual property issues in strategic commercial transactions such as joint ventures and mergers and acquisitions.

A PDF of the full *WRAL* story on ChatGPT can be viewed [here](#).

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