

# Daily Journal

MAY 22, 2024

## TOP INTELLECTUAL PROPERTY LAWYERS



### Joseph R. Saveri

### Joseph Saveri Law Firm, LLP SAN FRANCISCO

\$4.7 billion in settlements, including a \$165 million deal that won final court approval last year after a decade in court. *In re Capacitors Antitrust Litigation*, 3:14-md-03264 (N.D. Cal., filed July 18, 2014).

Now, in a pivot to the nascent artificial intelligence litigation sector, he's plunging into one of the hottest current areas of law. Over the past year, Saveri and his firm have filed four class actions involving generative artificial intelligence products.

He hopes the cases do for the AI legal field what his forebears did for antitrust. "It was challenging and difficult for them at the beginning, but they found success as trailblazers," Saveri said.

One suit accuses the developer platform GitHub Inc. of misappropriating class members' posted code without credit to train GitHub's product Copilot. *Doe 1. v. GitHub Inc.*, 4:22-cv-06823 (N.D. Cal., filed Nov. 3, 2022).

Client Karla Ortiz, a plaintiff in Saveri's second class action against Stability AI Ltd., testified before the U.S. Senate Judiciary Committee last summer on behalf of artists whose creative work has been allegedly misappropriated by image-generating AI products without permission or compensation. *Andersen v. Stability AI Ltd.*, 3:23-cv-00201 (N.D. Cal., filed Jan. 13, 2023).

Book authors, including comedian Sarah Silverman, allege in a third case that defendant OpenAI Inc. used their copyrighted works to train its ChatGPT large language model without consent. *Tremblay v. OpenAI Inc.*, 3:23-cv-03223 (N.D. Cal., filed June 28, 2023).

Silverman, fellow author Michael Chabon and others also sued Meta Platforms Inc. for the unauthorized use of their work to train its LLaMA coding tool. *Kadrey v. Meta Platforms Inc.*, 3:23-cv-03417 (N.D. Cal., filed July 7, 2023).

Saveri said that in all of his cases, some claims have gotten past the pleading stage. "We're accused of being Luddites, but we're making progress."

He analogizes the current situation to the way the outlaw Napster file-sharing service was bankrupted by lawsuits and gave way to the Spotify licensing model.

"These defendants are taking, scraping, ingesting the property of our clients into their models," Saveri said. "Our cases try to figure out where copyright law applies and where it doesn't. The defendants' best and possibly only argument is fair use. That remains unresolved, but my clients deserve to have their rights protected."

— DON DEBENEDICTIS

Joseph R. Saveri traces the lineage of the firm he opened in 2012, Joseph Saveri Law Firm, LLP, to the early days of plaintiff antitrust law when he learned the ropes from his father and uncle, Richard Saveri and Guido Saveri, and their close associate, Joseph M. Alioto.

"They were writing on a clean sheet of paper. They were pioneers," Saveri said of their influence.

With antitrust class actions as his focus, Saveri estimates he's pulled in more than