



The last several months have seen a flurry of activity in cases involving artificial intelligence (AI), including some of the first major rulings involving generative AI.

***Andersen et al. v. Stability AI Ltd.***

This case arose in January 2023, when a collective of artists filed a class action lawsuit involving three AI-powered image generation tools that produce images in response to text inputs: Stable Diffusion (developed by Stability AI), Midjourney (developed by Midjourney), and DreamUp (developed by DeviantArt). The plaintiffs asserted that the models powering these tools were trained using copyrighted images scraped from the internet (including their copyrighted works) without consent. The defendants filed motions to dismiss, and the U.S. District Court for the Northern District of California recently issued a ruling on these motions. *Andersen et al. v.*

*Stability AI Ltd.*, Case 3:23-cv-00201-WHO, Filed October 30, 2023. The court dismissed most of the plaintiffs' claims, with only one plaintiff's direct copyright infringement claim against Stability AI surviving. The court granted leave to amend the complaint on most counts, and the plaintiffs have since filed an amended complaint.

[Click here to read the full article on IP Litigator](#)

## **Authors**



### **Lisa T. Oratz**

Senior Counsel

[LOratz@perkinscoie.com](mailto:LOratz@perkinscoie.com) [425.635.1456](tel:425.635.1456)



### **Tyler D. Robbins**

Associate

[TRobbins@perkinscoie.com](mailto:TRobbins@perkinscoie.com) [202.654.3313](tel:202.654.3313)



**D. Sean West**

Associate

DWest@perkinscoie.com 206.359.3598