

Partner AJ Thomas Weighs in on New California Bill Criminalizing “Deepfake” Technology

News

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Jenner & Block Partner Andrew J. Thomas is quoted in an IP Watchdog published article about a proposed California bill aimed at curbing the proliferation of "deepfake" technology, which is a software used to create fake portrayals of celebrities to fool people into believing fake and doctored images. The article reports on a bill recently introduced into the California State Legislature to criminalize and address the serious issues of people using deepfakes as weapons to demonize individuals, often for political and sexual revenge. However, the author also notes the challenges of combating altered images in an era where technology has progressed more rapidly than the law; with the biggest challenge being defining and protecting free speech. "It is important that the law addressing deepfakes be narrowly drafted to ensure that First Amendment rights to comment on or criticize public figures are not restricted," AJ explains. "The bill criminalizes conduct that is deceptive, regardless of whether it is used in an effort to defraud," he says, adding that "merely causing embarrassment has never been a crime or even a tort."

Related Attorneys



Andrew J. Thomas

Partner

ajthomas@jenner.com

+1 213 239 5155

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