

Artificial Intelligence in the Media Industry: Transforming Content Production and Reshaping the Legal Landscape

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ABSTRACT

The swift adoption of Artificial Intelligence in the media industry has sparked a transformative period, redefining journalism and media organizations. This article examines the legal consequences of generative AI within media ecosystems through a structured doctrinal and comparative legal framework. As AI technologies become more prominent, questions arise about the legal challenges they face. The key issue discussed in the article is the legal impact of the widespread use of AI in the media sphere, in particular, the role of journalists and media organizations. The study aims to offer a comprehensive knowledge of the legal implications of AI in the media industry, with a special focus on the US, which is a leading market for AI in the media industry. This paper seeks to answer a central question: How is AI revolutionizing the media industry, and what legal challenges does its integration into journalism raise, particularly regarding privacy, data protection, and liability for AI-generated content? The article adopts a combined analytical-descriptive methodology in which technological developments are first descriptively mapped before being subjected to normative doctrinal assessment grounded in U.S. copyright law, comparative intellectual property principles, and emerging AI governance frameworks. The article further justifies its comparative selection of U.S., European Union, and Chinese approaches on the basis that these jurisdictions currently represent three influential and conceptually divergent models of AI governance: the U.S. model grounded in human authorship doctrine, the EU model emphasizing rights-based human-centric regulation, and the Chinese model demonstrating increasing judicial openness toward AI-assisted creative production. The article proposes an emerging tripartite analytical model of AI-mediated media law based on authorship transformation, liability diffusion, and privacy recalibration.

Keywords: Content generation, Copyright, Media outlets, Privacy, Robojournalism

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1. Introduction

In the ever-changing world of modern media, the integration of artificial intelligence (AI) has ushered in a revolutionary era in journalism. It is a revolution that is reshaping the very boundaries of human-machine collaboration in the realm of media outlets and journalism. Rather than merely documenting technological transformation, this article adopts a normative legal inquiry into whether existing media-law frameworks remain capable of regulating AI-driven communicative infrastructures without undermining traditional notions of human responsibility, authorship, and democratic accountability (Bhatia, 2022, p. 748).

AI was a term coined in 1956 at a summer research project at Dartmouth. Scholars have provided different definitions of AI, with Nils J. Nilsson viewing it as the ability of machines to exhibit intelligent behavior in perception-based environments, and Professor Winston defining it as the process of computers performing human-like intelligent tasks (Cui, 2020, p. 6; Ohm, 2019, p. 1083). AI is the study aiming to create machines and programs mirroring human problem-solving and decision-making abilities (Scherer, 2016, p. 362).

The “media sector” can be defined as the means or platforms through which news and information are disseminated to the public. The definition includes both traditional and newer forms of media. Traditional media include print media such as newspapers, magazines, journals, and periodicals. Newer forms include radio, television, and digital platforms (Editors, 2007, p. 1002).

For conceptual consistency, this article uses the term “AI journalism” as a broad category encompassing algorithmically assisted journalistic production, while the term “robojournalism” is used more specifically to describe automated systems generating journalistic narratives from structured datasets with minimal human intervention (Carlson, 2015, p. 421). RobotJournalism is on the rise, with 75% of media platforms adopting it, per Reuters. It is predicted that robots will write 90% of news stories within a decade, and computers will surpass human brain abilities by 2040 in the “technological singularity” (Saad & Issa, 2020, pp. 1–6).

Indeed, AI technologies are changing the media landscape as they adapt to the evolving preferences of online users, alter professional practices and boost the skills of media professionals, having a substantial effect on the daily work of journalists and media organizations. Thus, the incorporation of AI has become a cornerstone of today’s media production needs, marking a milestone in the industry’s history (Ally & Hassoun, 2019, p. 41). For instance, in October 2017, Saudi Arabia gave citizenship to Sophia, a robot built by Hong Kong’s Hanson Robotics. The event went viral and sparked debates about her humanity and intelligence on social media sites around the world (Sardar, Serra, & Jordan, 2019, p. 93).

However, the popular culture has explored the potential of AI to solve big scientific problems as well as the fear of “self-aware robot assassins rising up” (Els, 2017, p. 217). The more media claims its presence for AI, the more the “Frankenstein Complex” (the fear of the consequences of AI) becomes tangible. This complex manifests as a dilemma, specially, for journalists, who must grapple with the existential question of whether robojournalists will entirely supplant their roles or merely complement them (Trapova & Mezei, 2021, p. 21). Therefore, although AI is undeniably an indispensable part of the media industry, the consequences of these emerging information systems on legal issues are still clouded in ambiguity (Summers, n.d., p. 12).

In fact, there are some legal issues with the use of AI in media. With generative AI, news articles can be generated at a speed and efficiency never seen before. So narrative science came to the forefront in September 2011 when the New York Times opened its technology up to the public. This has resulted in a media frenzy with headlines such as “This Article Not by Computer”, “Can Narrative Science Computers Replace Paid Writers”, and the most optimistic of all, “Can Algorithms Outperform Human Reporters in News Story Writing?” (Weeks, 2014, p. 72). This journalism’s limited understanding of AI technology largely led to the creation of sensationalist headlines, which inadvertently reinforced existing biases. This is demonstrated by “The Guardian” article (2020) titled “A robot wrote this entire article. Are you scared yet, human?”. This piece centered on the prowess of GPT-3 technology in text generation (Noain-Sanchez, 2022, p. 114).

Amid this technological revolution, a critical question emerges: what are the practical implications and legal challenges associated with the widespread use of artificial intelligence in the media industry, particularly for journalists and media organizations?

This inquiry examines the intersection of artificial intelligence and media within the legal sphere, analyzing both the practical and regulatory implications of AI in the media industry. It focuses, on the one hand, on the transformative impact of AI on newsrooms and media practices, and on the other hand, on the regulatory approaches adopted by the United States as a leading jurisdiction (grounded in judicially driven human authorship) in the development and deployment of AI technologies in this field. For comparative and illustrative purposes, the study also makes selective secondary references, where appropriate, to other emerging regulatory

frameworks, including the European Union model based on rights-oriented harmonization, and the Chinese model characterized by experimental judicial openness toward AI-generated authorship. This article aims to provide a comprehensive understanding of AI's relationship with journalism, as AI technologies continue to alter newsroom organization, audience engagement, and editorial production. Yet the legal significance of this transformation extends beyond operational efficiency. AI-mediated journalism affects the allocation of legal responsibility, the definition of authorship, the protection of personal data, and the integrity of democratic discourse itself (Pasquale, 2015, p. 191).

2. Artificial Intelligence in Media: Content Creation, Authorship, and Intellectual Property

2.1. AI Applications in Media: content production

2.1.1. Media employment

Facebook and Google had global implications for news organizations, including layoffs and the need for new journalistic skills. AI is changing the way news is delivered and the way journalism works: it is no longer about telling a story but about understanding algorithms (Summers, n.d., p. 17).

AI is not replacing human journalists, but rather giving them the ability to oversee AI-generated content, underscoring their vital role. AI is great at processing data but lacks depth of human qualities such as humour, empathy and understanding of emotion. For this reason, AI does not replace humans in certain aspects, but it does increase efficiency. Hence, education and training are critical, and in particular with respect to the assessment of algorithmic editorial functions and social impact (Noain-Sanchez, 2022, p. 114). This supervisory function is legally significant. Where journalists review, select, edit, or approve AI-generated outputs, they remain central to the allocation of editorial responsibility, even if the initial text or data analysis is produced by an algorithmic system (Diakopoulos, 2019, p. 67).

As a result, AI at this level has two main impacts: it can speed up news production, which can be harmful to smaller newsrooms, and it can lead to job losses, which can impact diversity, content and accuracy (Pierson, 2022, p. 12).

2.1.2. Content production

As already mentioned, generative AI is revolutionizing content creation, allowing for the automated generation of various journalistic forms, from news articles to summaries: it is increasingly science, less fiction (Atul, 2021, p. 1502). Automation also helps in data analysis and in synthesizing reports, allowing journalists to do deep investigations. Moreover, generative AI personalizes journalism for readers using their data in order to enhance engagement and ameliorate discourse (Gondwe, n.d., p. 6). From a legal perspective, personalization is not merely a technical enhancement. It creates questions concerning consent, profiling, informational autonomy, and the extent to which algorithmic curation may shape public discourse without sufficient transparency or accountability (Zuboff, 2019, p. 201).

Another important thing to consider is that computers do not get tired unlike humans, so algorithms are less likely to make mistakes. Human journalists are not physically and emotionally exhausted, leading to improved machine efficiency (rapova & Mezei, 2021, p. 24). This accuracy and speed makes robo-journalists more attractive to publishers. This way, algorithms are able to transform raw data into illuminating and storytelling text, which in turn, spurs the creation of countless stories with minimal or no human input (Trapova & Mezei, 2021, p. 24).

In this regard, it is worth remembering that the production of news using AI began about a decade ago when The Guardian used software for sports articles in 2010. In 2014, they tried out Guarbot for financial news. Moreover, in that same year, there were important breakthroughs, when journalist Ken Schwencke created an algorithm for reporting earthquakes (Díaz-Noci, 2020, p. 2). Later, The New York Times rolled out the "Editor" algorithm in 2015, and Reuters partnered with "Graphiq" in 2016 to provide updated data. The Washington Post began using "Heliograf" to write stories in 2016, The Guardian launched its "Chatbot" to deliver news tailored to each user that same year, and The Associated Press used AI to tag images in 2017. All three outlets changed the way news is produced and consumed (Saad & Issa, 2020, p. 8).

In addition, these major media organizations increasingly rely on extensive data resources to generate story ideas and deliver audience-specific news derived from emerging data trends. For instance, The Associated Press used partnerships to boost story output for quarterly financial earnings from 300 to 3,000 stories in 2018 (Lewis, 2019, p. 63).

That is why the question of whether algorithms can replace humans as authors of news articles has been a major concern. Yet, it is evident that humans need to be seen as the agents that breathe life into narratives; a domain where robots cannot replicate the complex weave of human emotions (Summers, n.d., p. 9). To tackle AI's challenges and opportunities in media, a collaborative approach is vital. Consequently, instead of replacing journalists, generative AI should be seen as a tool, enhancing their reporting and storytelling abilities. This symbiotic relationship lets journalists use AI for tasks like information gathering, data analysis, and content generation, while applying their critical thinking, contextual understanding, and ethical judgment skills (Gondwe, n.d., p. 7).

This discussion also explains the transition from newsroom practice to intellectual property. Once AI contributes to content generation, the legal inquiry necessarily shifts from employment effects to authorship, ownership, originality, and liability for automated or semi-automated works (Gervais, 2022, p. 14).

2.2. Intellectual Property and authorship

2.2.1. AI as author

Copyright is a core component of intellectual property rights. It grants legal protection to the creator of an original work and, consequently, confers exclusive rights over its use, reproduction, and distribution. The framework is based on the notion of the creator as the originator, based on Locke's theory of possessive individualism (Tripathi & Gatak, 2017, p. 86).

The question of whether AI systems can be recognized as creators and owners of the content they produce, in general and within the media industry in particular, remains a contentious and complex issue in AI-related copyright law. In policy and academic circles, these issues are the subject of intense deliberation and there is no unanimous consensus on these matters yet (Hoachem, 2022, p. 1225). Indeed, traditional authorship is human, and the copyrightability of AI-generated works is still a matter of academic debate. In fact, copyright is meant to protect human creativity, based on theories such as the personality theory, which sees authorship as a special human mode of self-expression. The originality of this inquiry lies in connecting the authorship debate to the institutional function of journalism. AI-generated media is not only a question of whether machines can create; it is also a question of whether existing legal categories can preserve accountability in a communicative environment increasingly shaped by automated production. (Murray, 2023, p. 32).

At the same time, international copyright law maintains the traditional position that authorship is an exclusively human construct. A notable example is the Berne Convention (1886) which explicitly says that authors must be human beings (personal spiritual creation) (Wachowicz & Gonçalves, 2019, p. 15). Furthermore, the Universal Declaration of Human Rights recognizes copyright as a basic human right, protecting the interests of authors in their creative works, and thus establishing the connection between copyright and fundamental rights (Hoachem, 2022, p. 1227).

As a result, the concept of authorship is applied exclusively to human creators in many Civil Law jurisdictions and cannot be extended to corporate entities or software. This principle is not explicitly codified in the Copyright Act in the United States, but it can be inferred from the position of the Copyright Office which states that it is willing to “register an original work of authorship so long as the work was created by a human being” (Díaz-Noci, 2020, p. 6).

However, the rapid development of A.I. is testing the U.S. system of intellectual property. The inability of the Copyright and Patent Offices to consider non-human entities as creators or innovators presents challenges when AI is involved in creative works and inventions (Pearlman, 2018, p. 2).

Despite this position, in practice several governmental authorities, including the U.S. Copyright Office, continue to adhere to a human-centric understanding of authorship, even in the face of growing creative outputs generated by artificial intelligence. Section 306 of the Copyright Act, known as the “Human Authorship Requirement,” protects only original works created by human authors. In other words, the copyright law does not protect works created by natural processes, animals, plants or mechanical systems without human creative input (Jung, 2020, p. 1163).

Moreover, US copyright laws from 1790, 1909, and the 1976 Act primarily grant authorship to humans. Although the term “author” is not expressly defined under § 101, and despite the absence of explicit statutory authority supporting the Copyright Office's policy, federal courts have largely adopted a consistent interpretation affirming the human-centered nature of authorship. The Supreme Court provided a definitive elucidation in *Community for Creative Non-Violence v. Reid* (Cmty. for Creative Non-Violence v. Reid, 1989, p. 737), holding that the creator of a work was the entity responsible for its genesis (Pearlman, 2018, p. 12). More concretely, the Ninth Circuit in *Aalmuhammed v. Lee* has more clearly stated the idea that an author will usually, if not always, be

an individual human being (Aalmuhammed v. Lee, 2000, p. 1234). The relevance of Reid to AI authorship lies in its emphasis on legal responsibility for the genesis of a work. Although the case did not involve artificial intelligence, its reasoning suggests that copyright doctrine continues to search for an accountable human or institutional source behind creative production (Guadamuz, 2017, p. 7).

Even more interesting, the Supreme Court's landmark decision in *Feist Publications, Inc. v. Rural Telephone Service Co., Inc.* requires that a work that is eligible for copyright protection must have a discernible "creative spark" (*Feist Publications, Inc. v. Rural Telephone Service Co., Inc.*, 1991, p. 345). More precisely, this case law establishes originality as a minimal creative threshold requiring human intellectual contribution. In other words, it stresses the importance of originality to copyright and insists that it must be an inherent product of the author. This points to the importance of originality and creativity in authorship debates (Weeks, 2014, p. 85). If we consider these traits as distinctly human, AI cannot be considered an author (Pearlman, 2018, p. 13; Bhargava, 2023, p. 5). At the same time, some scholars argue that AI-generated outputs may display forms of functional creativity, especially where systems produce unexpected expressive combinations beyond direct human drafting. This argument does not necessarily require recognizing AI as a legal person, but it does challenge the assumption that creativity can always be reduced to direct human execution.

Across the Atlantic, the 2020 EU report on Intellectual Property and AI reiterates that the originality principle of copyright is linked to a natural person, reflecting the personality of an individual. It encourages a human-centered approach to AI, highlighting that human authors and creators are the foundation of intellectual property rights (Hoachem, 2022, p. 1229). The EU approach is important because it does not merely preserve human authorship as a technical rule. It reflects a wider rights-based regulatory philosophy in which transparency, human oversight, dignity, and accountability remain central to the governance of AI-generated works (Veale & Borgesius, 2021, p. 104).

Hence, copyright remains grounded in the principle of human creativity. However, contemporary AI systems challenge the anthropocentric foundation of authorship doctrine embedded in both common law and civil law traditions. In fact, media companies like the Associated Press have boosted their news output with AI through Automated Insights. This reality raises a crucial question of authorship: is AI an "author" or merely a creative tool, like an advanced word processing tool? (Wenqing, 2020, p. 6). In this context, there is an urgent need for legal reform to acknowledge the undeniable change that has been wrought by AI and to throw out the biases and conjectures of the past (Pearlman, 2018, p. 6).

On this front, it is worth mentioning that Chinese judicial authorities have made remarkable progress in protecting intellectual property rights related to AI-generated contents. A Chinese district court has set a precedent by recognizing the copyright of a news article produced by Dreamwriter, an AI automaton that churns out around 300,000 news articles a year (Wang, 2023, p. 904). The Chinese case law position, for example, exemplifies the stance of those who support copyright protection for AI generated content and questions traditional ideas of authorship by contending that technological developments require us to accept AI systems as legitimate authors. They say that as technology changes copyright law, the definition of authorship should evolve, allowing for AI to be recognized as legitimate authors (Carys & Kerr, 2020–2021, p. 31; Hoachem, 2022, p. 1230). The Chinese position is therefore significant not only as an isolated case-law development, but as a comparative signal that some jurisdictions may protect AI-generated outputs through pragmatic doctrines focused on investment, commercial value, and technological innovation. This may eventually complicate international copyright harmonization if legal systems continue to diverge on whether protection should depend on human authorship or on the protectable quality of the output itself (Ampovska, 2025, pp. 94–99).

2.2.2. Divergent Approaches to Authorship

AI presents a clear challenge to copyright law that requires adapting foundational principles as technology develops (Forrest, 2018, p. 357), as the Supreme Court has emphasized in *Sony Corp. of America v. Universal City Studios, Inc.* (*Sony Corp. of America v. Universal City Studios, Inc.*, 1984). There is therefore a strong invitation to revolutionize the very notion of "authorship" (to include non-human authors) in order to catalyze a transformative spark in the development of AI. The more precise legal issue is not simply whether AI can be an author, but whether law should create differentiated categories for human-authored works, AI-assisted works, and highly autonomous AI-generated outputs. Such differentiation would better reflect the practical reality of contemporary media production.

Legally, the analysis begins with determining whether AI can satisfy the criteria required for recognition as an author. As with human creators, the first step is to assess whether the generated content is eligible for legal protection. This is followed by an evaluation of the degree of independent creative input attributable to the AI

system. This approach is consistent with the Common-law copyright test where the eligible content must be novel, innovative and original. Copyrighted works must be independently created as well (Pearlman, 2018, p. 31).

A compelling argument in favor of extending protection to AI lies, at this point, in the proposition that AI systems possess creative potential, stemming from their rule-free behavior (Bhatia, 2022, p. 749). The foundation of this theory rests on the premise that AI creativity fundamentally involves the capacity to engender the unforeseen, transcending conventional routines, in contrast to the predictable actions of certain machines (Tripathi & Gatak, 2017, p. 88).

In addition to this test, two alternative concepts can be proposed to advocate for recognizing AI as an author. First, the evolution of the concept of the author through the ages. The author, traditionally the sole creator of a work since the 17th century and reinforced by the 19th-century Romantic Movement, shaped our copyright understanding. AI-generated creations defy this, recalling older times such as the Middle Ages and antiquity, when works often bore the name of a single author, who was responsible for overseeing a collaborative effort. This is a testament to the collaborative nature of creation (Díaz-Noci, 2020, p. 9).

Accordingly, AI-produced works are increasingly seen as joint efforts of humans and machines, potentially entailing shared copyright ownership. For this reason, some legal systems, like the European Union's Copyright Directive, address this by designating the entity responsible for facilitating the work's creation as the copyright owner (Bhargava, 2023, p. 6).

Second, the idea that a work is unprotected when there is no identifiable author and is thus in the public domain is not credible. In reality, a work is protected from creation, as it is widely agreed upon, even if the author is unknown (anonymous work), like in an AI work; protection is based solely on the work's existence. Moral rights have less relevance here, as the interests of an individual, without an identified author, would not be a concern in this scenario (Gaubiac, 2020, § 12).

In light of all the above, some scholars suggest redefining “authorship” to include human and non-human authors alike, in order to promote the development of AI. This could potentially prevent AI-generated works, such as the hundreds of thousands of journal articles and media generated content, from entering the public domain and provide programmers and organizations behind these machines with some level of copyright exclusivity for the resulting works (Hristov, 2017, p. 441).

A balanced approach should therefore avoid both extremes: denying protection to all AI-generated works regardless of human or institutional contribution, and granting AI systems full authorship status without resolving accountability, ownership, and moral-rights concerns (Gaidartzi & Stamatoudi, 2025, pp. 72–75).

3. Navigating the AI Frontier: Privacy, Data Protection, and Liability in AI-Generated Content

3.1. Privacy and Data Protection

Privacy is a word with many meanings, and the meaning of privacy is context- and society-dependent. Today it includes protecting personal information, securing communication like emails, phones and more. Privacy interests in journalism and media organizations constitute personal and sensitive data that are legally defined and protected against processing without the user's consent (Goram & Veiel, 2021, p. 40).

In AI-mediated journalism, privacy is not limited to the protection of disclosed personal information. It also concerns algorithmic inference, profiling, personalization, and the ability of media organizations to generate sensitive knowledge from seemingly ordinary data (Malgieri & Niklas, 2024, pp. 311–314).

In this way, AI privacy concerns revolve around the control of personal data and the trade-off with the data-driven income of the tech giants. This shows how difficult it is to address the limited bargaining power of consumers and unconscious data sharing including location, photos, contact details and biometrics (Lao & Baker, 2021, p. 159). The challenge is finding the right regulation to prevent unauthorized access that can lead to harm (Elliott & Soifer, 2022, p. 1).

This raises a regulatory issue that cannot be resolved solely through formal consent. Where users lack meaningful bargaining power or cannot understand the scale of automated processing, effective protection requires transparency, purpose limitation, data minimization, and enforceable accountability mechanisms (OECD, 2024, pp. 27–31).

The concern over the exploitation of personal data is heightened, in particular, by the fact that media organizations often have more rights in terms of collecting the data than individual users. The same issues of privacy are raised by the tech giants, such as GAFA (Google, Apple, Facebook, Amazon). In this regard, in the digital age, privacy is compromised as Amazon and Google use smart speakers that record conversations. In

addition, customers face challenges such as data breaches, loss of control over personal information, and the growing trade-off between privacy protection and access to free services (Jain & Jain, 2019, p. 35).

It is worthwhile to mention that in the world of journalism, failing to disclose data gathering and its purposes can be seen as a breach of moral obligation. However, profit motives may sometimes overshadow societal consequences, leading to minimal ethical considerations (Summers, n.d., p. 11). In brief, data fuels AI: data science is the cornerstone of the digital era. In a nutshell, companies such as Facebook, Snapchat, and Google are not just in the business of social media or consumer tools; their core business revolves around data (Manheim & Kaplan, 2019, p. 119). These concerns also have democratic implications. AI-driven personalization may influence which information citizens receive, which viewpoints are amplified, and which communities become vulnerable to manipulation, exclusion, or surveillance.

Therefore, the broad use of AI has raised concerns about data privacy in the field of media outlets and journalism. It can reveal sensitive hidden information which members of a dataset have not revealed (Els, 2017, p. 218). This means AI has a profound effect in enhancing the ability of media outlets to engage in “mass surveillance”, which is automated, indiscriminate data collection of individuals, whether they are a target or not (Sherer & Sterling, 2019, p. 10). This surveillance is clandestine and on a colossal scale, by governments and private parties such as media outlets and concerns virtually all people with smartphones or “Internet of Things” devices and apps (Elliott & Soifer, 2022, p. 4). More concerning, AI can infer and generate sensitive information from seemingly non-sensitive data, thereby giving rise to significant privacy concerns (Jain & Jain, 2019, p. 32). Consequently, AI-based mass surveillance in the media sector should be understood not only as a privacy problem, but also as a challenge to informational autonomy and democratic legitimacy. The legal framework must therefore address both individual data rights and the broader public consequences of algorithmic communication.

3.2. Liability and accountability in AI-generated content

3.2.1. Defamation

AI in journalism may give rise to defamatory content, raising significant concerns for both journalists and media organizations. U.S. law, however, affords strong protection to speech in defamation cases, particularly where allegedly libellous statements are at issue (Lewis, 2019, p. 65). A defamation claim requires a false statement that is injurious and made with a requisite degree of fault. Courts assess the meaning of the statement from the perspective of a reasonable person, rather than the intent of the author. In addition, the statement must impute moral wrongdoing as understood by its readers, rather than being determined by the defendant’s intent or conduct, a distinction that is particularly significant in the context of journalism (Chris, 2022, p. 300; Lewis, 2019, p. 69). The difficulty in AI-assisted defamation is that traditional fault standards are built around human or institutional conduct, while an algorithm cannot itself possess intention, knowledge, recklessness, or malice. The relevant legal inquiry therefore shifts toward whether journalists, editors, publishers, or platform operators exercised reasonable oversight before dissemination (Henderson et al., 2023, pp. 8–12).

Defamation claims in automated journalism largely depend on the plaintiff’s status, a factor that carries significant implications for media organizations. Most notably, public figures and public officials are required to prove “actual malice,” meaning that the false information was published either with knowledge of its falsity or with reckless disregard for the truth.

This standard evaluates the publisher’s intent rather than merely the perception of recipients, distinguishing it from the requirements of falsity and moral wrongdoing. Importantly, in relation to defamation, an algorithm cannot be attributed with malice or negligence and, therefore, cannot be held liable under current legal frameworks, according to prevailing legal positions. This underscores the shifting of legal responsibility from the “writer” to the media outlet in cases involving AI-generated content (Weeks, 2014, pp. 81–84; Anat, 2021, p. 1156).

Editorial negligence in AI-assisted journalism should therefore be assessed by reference to verification protocols, human review, correction mechanisms, and the foreseeability of harm created by automated publication. This approach preserves the logic of defamation law while adapting it to algorithmic newsroom practices (Lewis et al., 2019, pp. 60–81).

3.2.2. Copyright violations

The question of AI’s liability for copyright infringement is complex (Hallevy, 2021, p. 222). With ChatGPT, a new buzzword in today’s tech landscape, this dilemma is growing. ChatGPT is an AI powered by a large language model (LLM) developed by Open AI, which is impacting the practices of journalists and media personnel (Bilung, 2023, p. 103).

Indeed, journalists can use AI for content plagiarism by entering tailored prompts and queries into a chatbot, and then use the chatbot-generated responses in their own articles (Editorial, 2023, p. 2). Thus, AI text generation tools might raise concerns about potential misuse, such as generating disinformation or plagiarizing existing content (Frye, 2023, p. 957).

This underscores the importance of identifying ethical dilemmas and educating journalists and media personnel on issues such as distinguishing plagiarism from inspiration and understanding when to use AI assistance (Chan, 2023, p. 13).

These legal issues raise questions of liability. As mentioned above, AI is not a legal person and therefore cannot itself be held liable for copyright infringement, even though its outputs may nevertheless infringe copyright, thereby creating legal risks for media organizations. Possible solutions include assigning responsibility to human users, such as journalists, to ensure compliance with copyright law. Other approaches focus on the responsibility of AI developers and creators, emphasizing their ethical and legal obligations in designing and deploying such technologies (Nersessian & Mancha, 2020, p. 62).

A clearer liability framework should distinguish between three levels of responsibility: the journalist or user who deploys the AI tool, the media organization that publishes or benefits from the content, and the developer or platform provider whose design choices may contribute to foreseeable misuse. These actors should not be treated identically, but each may bear responsibility where its conduct materially contributes to the legal harm (Bertolini, 2025, pp. 10–12).

Therefore, we emphasize the need to revise copyright laws regarding the intricacies of authorship and ownership of creative content produced by AI. Suggestions aimed at protecting non-AI copyright holders and competitors include the creation and regulation of a distinct category of AI authorship, as well as the establishment of a registration system for AI-generated works. (Lucchi, 2023, p. 20). Such reform should also address disclosure duties for AI-generated works, registration mechanisms for AI-assisted content, obligations to verify potential infringement, and accountability rules for media organizations using generative tools in journalistic production (Guadamuz, 2017, pp. 8–12).

4. Conclusion

To conclude our discussion on the legal implications of AI in the media industry, it is evident that the meteoric rise of AI has brought about transformative shifts in the industry. The incorporation of AI technology has ushered in a diverse range of benefits for mass media and news organizations. These advantages include a change in the role of the journalist in the creation of texts, the substitution of traditional tasks by automated tasks and the change in the dynamics of engagement with the audience in the field of media (Lewis, 2019, p. 69). This article has shown that AI in the media industry is not merely a technological development, but a legal-governance challenge affecting authorship, privacy, editorial responsibility, liability, and democratic communication.

The legal framework should be adapted to recognize AI as legitimate authors, as AI systems could generate copyrightable content as in the case of robojournalism. In fact, sophisticated AI systems imitate human cognitive processes and participate in “mental processes” similar to humans (Pearlman, 2018, p. 35). Rather than moving immediately toward full legal authorship for AI, a more defensible approach is to preserve human authorship as the default principle while developing special rules for AI-assisted and AI-generated outputs where human, institutional, and technological contributions intersect.

With regard to AI in the media sector, managing privacy concerns requires a careful balance between the protection of personal data and its use for commercial purposes. The role of AI in mass surveillance also raises important questions regarding its impact on individual autonomy. In this evolving media landscape, effective regulation remains essential. In addition, privacy regulation should address not only commercial exploitation of data, but also the democratic risks of algorithmic profiling, personalization, and surveillance in digital media environments.

Legal and copyright risks associated with AI-generated content also require heightened vigilance and accountability in content creation, particularly with regard to defamation and plagiarism, which remain key concerns for both media organizations and journalists. Accordingly, future regulation should combine human editorial oversight, algorithmic transparency, platform accountability, and clear liability standards for AI-generated or AI-assisted content.

In conclusion, the integration of AI in the media industry provides a transformative landscape filled with potential and challenges. Navigating this terrain successfully requires a balanced approach that recognizes the unique strengths of both humans and AI.

The article therefore supports a balanced regulatory model that recognizes AI's productive value while preserving the distinctively human functions of judgment, accountability, creativity, and democratic responsibility (Floridi & Cowls, 2019, pp. 689–693).

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