

The ethical challenge in *Bartz v. Anthropic* centers on the permissibility of using copyrighted works obtained through piracy to train large language models. While artificial intelligence can promote efficiency, access to information, and innovation, this case raises serious concerns about property rights, consent, fairness, and justice. *Bartz v. Anthropic* was a class-action AI copyright lawsuit that resulted in a settlement of \$1.5 billion after Anthropic illegally downloaded books from pirate sites like LibGen and PiLiMi to train its AI models. The judge ruled that if the works had been obtained from a legal source, using the works to train its model could have constituted fair use, but since the works were obtained illegally, the use was not protected under copyright law. Therefore, in the settlement, Anthropic had to cover nearly 500,000 pirated works with ISBN/ASIN numbers that were properly registered with the U.S. Copyright Office.

One moral concern raised by the case is the exploitation of creative labor. The authors and publishers did not give consent for their intellectual and creative property to be used to train the model in this way, so it compromised their autonomy over their work. There is also harm to creative markets, because Anthropic undermined legitimate markets for licensing, purchasing, and accessing books. This threatens the economic sustainability of authorship and can later impact the sustainability of creative industries. Anthropic violated intellectual property by sourcing the books from illegal databases, purposely ignoring licensing markets and the rights of authors to control how their work was being used. Even if Anthropic had obtained their books legally, the authors likely still would have suffered the same harms, because the model would still have the potential of mimicking their writing styles or generating work similar to their own for other people to sell.

Works Cited

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