

# AI & GDPR MONTHLY UPDATE

December 2024

Grow | Protect | Operate | Finance

**Welcome to our AI & GDPR MONTHLY UPDATE, bringing you the latest developments at the intersection of artificial intelligence and data protection.** We explore emerging legal frameworks, compliance challenges and cutting-edge case studies that impact how organizations navigate AI technologies. Stay informed with our AI & GDPR insights. Our AI & GDPR MONTHLY UPDATE will be delivered to your inbox every month.

## EU: AI Act & AI Liability Directive

The updated Product Liability Directive, harmonizing aspects of liability for damage caused by products, was published in the EU's Official Journal. The definition of "product" newly includes software and—by extension—AI. [READ MORE](#)

The EU Commission published the first draft of the General-Purpose AI Code of Practice. The Code is intended to help providers demonstrate their fulfillment of AI Act obligations. [READ MORE](#)

The EU Commission (AI Office) held a stakeholders' consultation on guidelines for the definition of an AI system and prohibited AI practices under the AI Act. [READ MORE](#)

## AI Guidance and DPA opinions

The Dutch DPA issued final recommendation on supervision of AI, outlining how the use of AI can effectively be supervised through a close collaboration between supervisory authorities. [READ MORE](#)

The Information Accountability Foundation provided guidance on the legitimate interest assessment regarding the processing involving an AI. [READ MORE](#)

## AI Guidance and DPA opinions

A group of academic researchers from KU Leuven and Stanford University published a paper on mitigating systematic risks posed by general-purpose AI. By surveying over 70 experts, the researchers sought to compare available mitigation measures on reliability, feasibility and suitability for specific risks. The findings: safety incident reports, security information sharing, third-party pre-deployment audits and pre-deployment risk assessments are the measures most trusted by AI experts. [READ MORE](#)

TEAM NB Association published a Questionnaire on Artificial Intelligence in Medical Devices in order to develop a common guidance for manufacturers. The guidance specifies existing industry standards that may help address specific concerns in medical devices using AI. [READ MORE](#)

The Norwegian DPA and Norwegian University of Science and Technology shared their takeaways from the deployment of Microsoft's AI assistant Copilot. The published findings of the regulatory sandbox provide a unique deep dive into the privacy assessments and measures required when implementing the tool. [READ MORE](#)

## AI-IP related updates

The Spanish Ministry of Culture proposed draft legislation that would allow Collective Management Organizations (CMOs) to grant nonexclusive collective licenses for the mass use of copyrighted works for the development of general-purpose AI.

GEMA—the German musical-industry collecting society—filed a lawsuit against OpenAI with the Munich Regional Court for unlicensed use of protected musical works. The lawsuit marks an important milestone as it is reportedly the first lawsuit brought by a collecting society against a provider of a generative AI system in the EU. [READ MORE](#)

Canada's major news publishers filed a lawsuit against OpenAI over misuse of news articles for AI training. The claimants assert that OpenAI trained ChatGPT on proprietary content scraped from their websites without authorization, disregarding license terms and technical restrictive measures.

Eleonora Rosati, a renowned law professor, published a comparative analysis of liability for AI-generated outputs under international, EU and UK copyright law. [READ MORE](#)

Tens of thousands of artists, including artists' organizations, released a joint Statement on AI training. [READ MORE](#)

## AI-IP related updates

A group of authors issued a comprehensive comparative legal analysis addressing the copyright aspects of Large Language Models (LLMs) under the laws of the United States, EU, UK, Japan, Singapore and Switzerland. [READ MORE](#)

## Market updates

The US White House released *Framework to Advance AI Governance and Risk Management in National Security*. [READ MORE](#)

The New AI Transparency Act was adopted in California, USA. With effect from January 1, 2026, providers of generative AI with over 1 million monthly users will be required to boost their transparency measures. [READ MORE](#)

## GDPR cases

The Finnish DPA fined Posti, the country's main postal service, for automatically creating electronic OmaPosti mailboxes without a separate request. [READ MORE](#)

## Dentons resources

Checkout our [Last issue of AI and GDPR Monthly update](#)

Checkout our [New Product Liability Directive and Software/AI newly considered as products](#)

Checkout our [Dentons - AI: Global Solutions Hub](#)

**For more information, please don't hesitate to contact our TMT team!**

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