

Public Relations Society of America
Board of Ethics and Professional Standards
Code of Ethics Case Study Series

AI-Generated Content and Intellectual Property Rights

Your employer PR agency integrates generative AI tools to assist in creating promotional content. However, some AI-generated materials closely resemble existing artworks and written pieces. A client notices familiar elements in the content and asks about its appropriateness. Your boss confidently reassures the client that using the content is standard industry practice and not a concern. You now face a dilemma—should you further investigate potential copyright issues, or trust your boss’s judgment?

1. Define the specific ethical issue/conflict.

- The specific ethical issue here is **the potential use of AI-generated content that may infringe on others’ intellectual property rights, and whether to address or ignore that risk.**
- This creates a **conflict between professional integrity and loyalty to your employer:**

2. Identify internal/external factors (e.g., legal, political, social, economic) that may influence the decision.

Internal Factors:

Company Culture & Leadership

If the agency prioritizes ethics and transparency, it will be more inclined to review AI-generated content before use. However, if leadership prioritizes profit and speed over integrity, there may be pressure to overlook potential copyright concerns. Will the company be billing the client for staff work hours, even though the material was created by AI rather than by a staff member?

Policies on AI and Copyright Compliance

The agency may already have internal policies for reviewing AI-generated content. If such policies exist, they should guide decision-making. If not, the lack of clear guidelines could create uncertainty.

External Factors:

Copyright Laws & Regulations

Laws regarding AI-generated content and intellectual property vary by country. If the agency operates in a jurisdiction with strict copyright enforcement, the risk of legal consequences increases.

Client Expectations & Industry Standards

If the client values ethical promotion and originality, they may expect greater transparency.

Public & Media Scrutiny

If the issue becomes public, it could lead to reputational damage for both the agency and the client. With increasing awareness of AI-generated plagiarism, public backlash is a real risk.

Competitive Pressure

If competitors are using AI-generated content without issue, the agency might feel pressure to keep up with industry trends, even at ethical and legal risks. However, following unethical practices for short-term gain can lead to long-term harm.

3. Identify key values.

- **Honesty** – The company should acknowledge and rectify any AI-related content plagiarism.
- **Fairness** – Organizations must respect creators' rights and ensure ethical use of AI tools.
- **Independence** – PR professionals should advocate for ethical AI policies, even if it conflicts with corporate interests.

4. Identify the parties who will be affected by the decision and define the public relations professional's obligation to each.

The Client – They rely on your agency for ethical and legally sound content. If the content is problematic, their reputation and legal standing could be at risk. Provide honest guidance about potential copyright concerns and the risks of using AI-generated content without proper review

The PR Agency (Including your boss and colleagues) – The agency's credibility and professional integrity may be compromised if unethical practices are exposed. Uphold ethical standards and advocate for responsible AI usage while maintaining transparency with leadership.

The Original Creators of the Artwork or Written Materials – If their work has been unintentionally copied, their intellectual property rights may be violated. Respect intellectual property rights and avoid using unoriginal content without proper attribution or permission.

The Public/Audience – Consumers of the promotional content expect authenticity and originality; misrepresentation could damage public trust. Ensure content is ethically sourced and does not mislead the audience.

Legal and Regulatory Bodies – Copyright and intellectual property laws exist to protect creators. If legal concerns arise, your agency and client may face repercussions. Adhere to copyright laws and industry regulations to prevent potential legal consequences.

5. Select ethical principles to guide the decision-making process.

- **Disclosure of Information** – The company must be transparent about AI-generated content and take responsibility for any IP violations.
- **Free Flow of Information** – This provision speaks to preserving “the integrity of the process of communication.”

6. Make a decision and justify it.

As a PR professional, the ethical course of action is to address the potential copyright issue transparently and advocate for a review of the AI-generated content before using it in the client’s campaign. This means informing the client about the risks of using AI-generated material that may closely resemble existing works and recommending a proper vetting process, such as running content through AI detection tools or seeking legal consultation.