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Canadian News Media Companies v OpenAI (Jurisdiction Motion)

Our expert litigators were successful in resisting OpenAI's motion to stay or dismiss claims brought by Canada's leading news media organizations, on the basis that the Ontario court lacked jurisdiction. The Court concluded that it has jurisdiction over the claims and that the claims against OpenAI Inc., OpenAI OpCo LLC, OpenAI LLC, OpenAI Holdings LLC, OAI Corporation, and OpenAI Global can proceed in the Ontario Superior Court of Justice. Read the decision here.

Monique Jilesen, Sana Halwani, Jim Lepore, Jessica Kras, Devon Kapoor, and Niema Mohammad are counsel to Canada's leading news media companies (the Toronto Star Newspapers, Metroland Media Group, Postmedia Network, the Globe and Mail, the Canadian Press, and CBC/RSC). The case concerns claims for copyright infringement, circumvention of technological protection measures, breach of contract, and unjust enrichment against the OpenAI defendants relating to OpenAI's unauthorized use of the Canadian news media companies' proprietary content for commercial purposes.

This decision will likely be a significant one for media organizations and other content creators in Ontario (and in Canada), with the Court finding, on multiple grounds, that claims of this nature can be commenced and adjudicated in Ontario.

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