# CJEU: Advocate General examines the use of press publications by AI chatbots in *Like Company v. Google Ireland Limited*

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On 3 November 2026, the Advocate General delivered his Opinion in Case C-250/25, *Like Company v. Google Ireland Limited*, concerning the use of online press publications by generative artificial intelligence (AI) chatbots. This is the first time that the Court of Justice of the European Union (CJEU) has had an opportunity to examine certain European copyright rules in the context of AI-generated training and AI-generated content.

The proceedings originated in a dispute between Like Company, a Hungarian publisher operating several online news portals, and Google Ireland Limited, concerning the use of its press articles by Google Gemini. The chatbot, powered by large language models (LLMs), uses a technology known as Retrieval-Augmented Generation (RAG), which enables it to retrieve information from online sources in real time and generate responses to users' queries. Like Company argued that Gemini reproduced and reused content from its publications without authorisation, including by generating summaries of its articles.

At first, the Budapest Regional Court referred questions to the CJEU concerning, in particular, the interpretation of Article 15(1) of Directive (EU) 2019/790 on copyright and related rights in the Digital Single Market (CDSM Directive), which grants press publishers rights over the online use of their publications by information society service providers. The questions also concerned Articles 2 and 3(2) of Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society (InfoSoc Directive), about reproduction and making-available rights. A total of four questions were referred to the CJEU.

The Opinion contains a profound technical analysis of how certain AI systems are trained and work; it distinguishes between the training of an LLM and the subsequent retrieval and reuse of press publications to generate individual responses as this difference is critical in this specific case. The Opinion focuses on the latter process, which involves the chatbot accessing online articles and incorporating elements of their content into answers provided to users.

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On the reproduction right, the Advocate General considers that retrieving and reusing a press publication can amount to reproduction if its protected expression is recognisable in the chatbot's response. This may be the case even where the response does not reproduce the article in its entirety. The relevant question is whether the expression reproduced is sufficiently identifiable.

Concerning the right of making available to the public, the Advocate General considers that this right may also be infringed if the protected expression of a press publication is systematically recognisable in responses generated by the chatbot to related queries. In particular, this may occur where users can obtain the substance of an article through the chatbot without needing to access the original publication.

The Opinion also addresses the possible application of exceptions and limitations, including the exception for temporary acts of reproduction under Article 5(1) of the InfoSoc Directive and the text and data mining (TDM) exception under Article 4 of the CDSM Directive. The Advocate General considers that the lawfulness of the use must be assessed in light of the manner in which the chatbot accesses the publication and the form of the response ultimately provided. In particular, access must be lawful and must not circumvent effective technical measures put in place by publishers.

Finally, the Advocate General examines when the relevant acts may be attributed to the chatbot provider, including where they are inherent in its business model or where the provider has failed to adopt appropriate measures to prevent them. However, the Advocate General advises the Court to declare inadmissible the two questions from the referral concerning LLM training. According to the Opinion, since there is no evidence that Like Company’s articles had been used to train the Gemini LLMs, and since the training of an LLM is not a form of "online use" of press publications, these questions are “hypothetical”.

The Opinion is not binding on the CJEU. The judges will now deliberate before delivering their final judgment.

***CJEU, Opinion of Advocate General Szpunar, Like Company v. Google Ireland Limited, Case C-250/25, 3 November 2026***

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