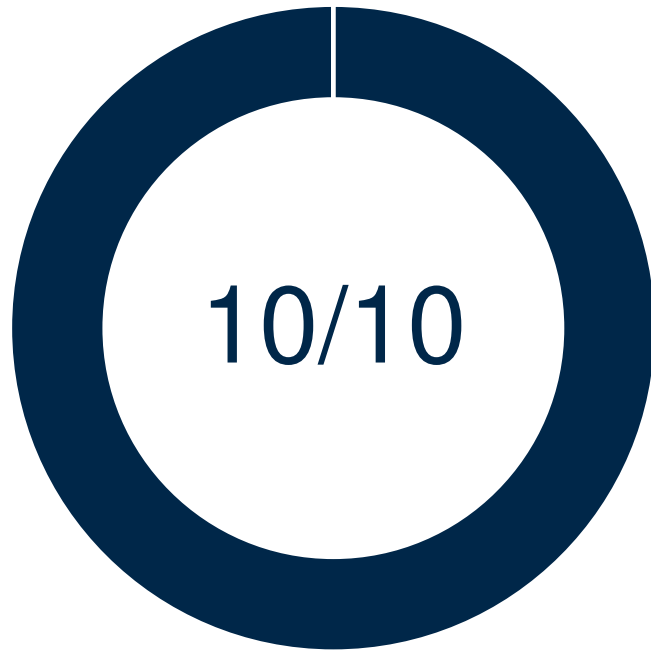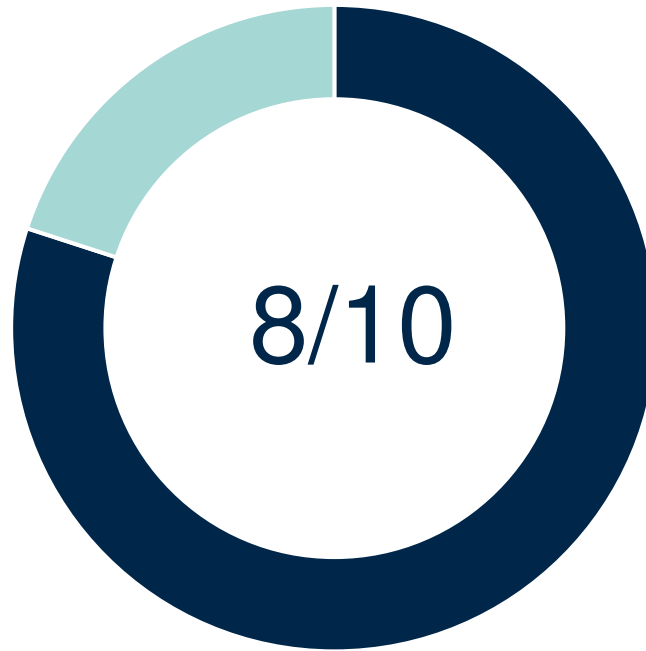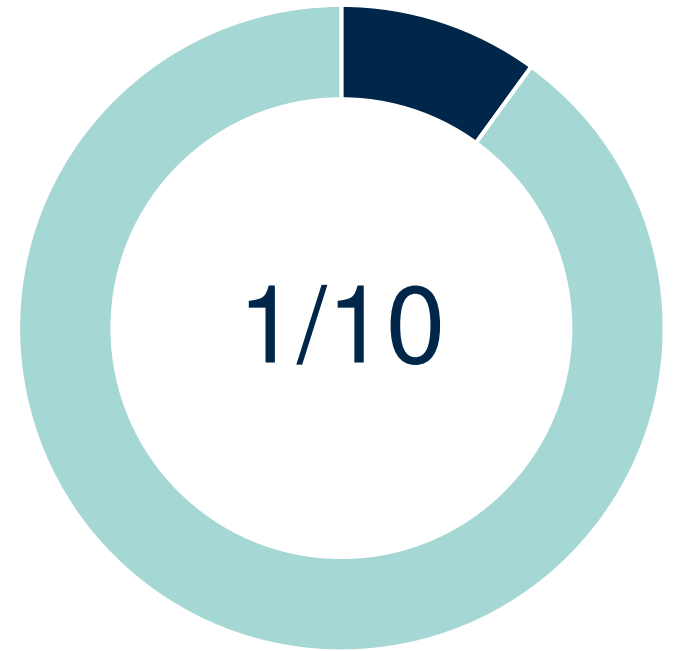# Ownership of outputs

10/10

Providers allow
the user to **own outputs**

8/10

Providers do **not** give
an express assignment
to users

1/10

Provider requires large
organisations to have
highest tier subscription

Accuracy and hallucinations

"use discretion before relying on generated content"

"The nature of AI Models is not intended, and cannot be, relied upon without independent verification"

"[Provider] makes no warranty… the results obtained from use of the services will be accurate or reliable"

"… is new technology and does not always work as expected."

"You are solely responsible for… evaluating the Output for accuracy and appropriateness for your use case, including… human review as appropriate"

"The Services include experimental technology and may sometimes provide inaccurate or offensive content"

Provider rights to use customer data

8/10 Require customers to warrant right / title to inputs

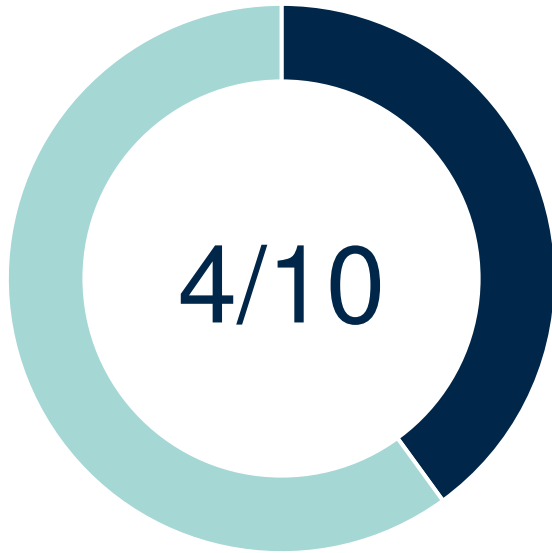**8/10** Have right to use inputs **to improve services**

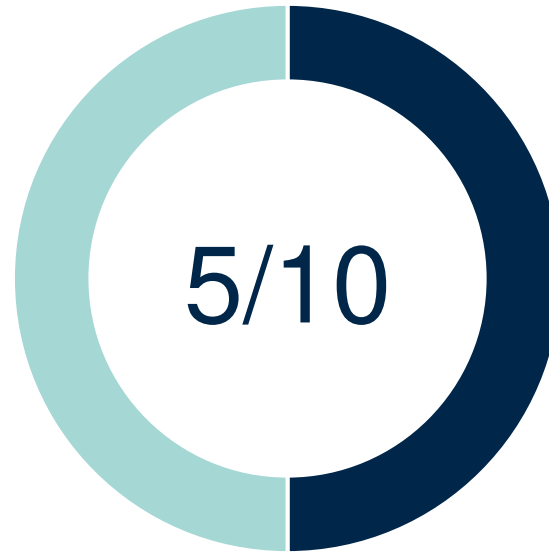**3/10** Have right to use inputs **for any purpose**

2/5 Allow users to pay to **opt out**

IP indemnities

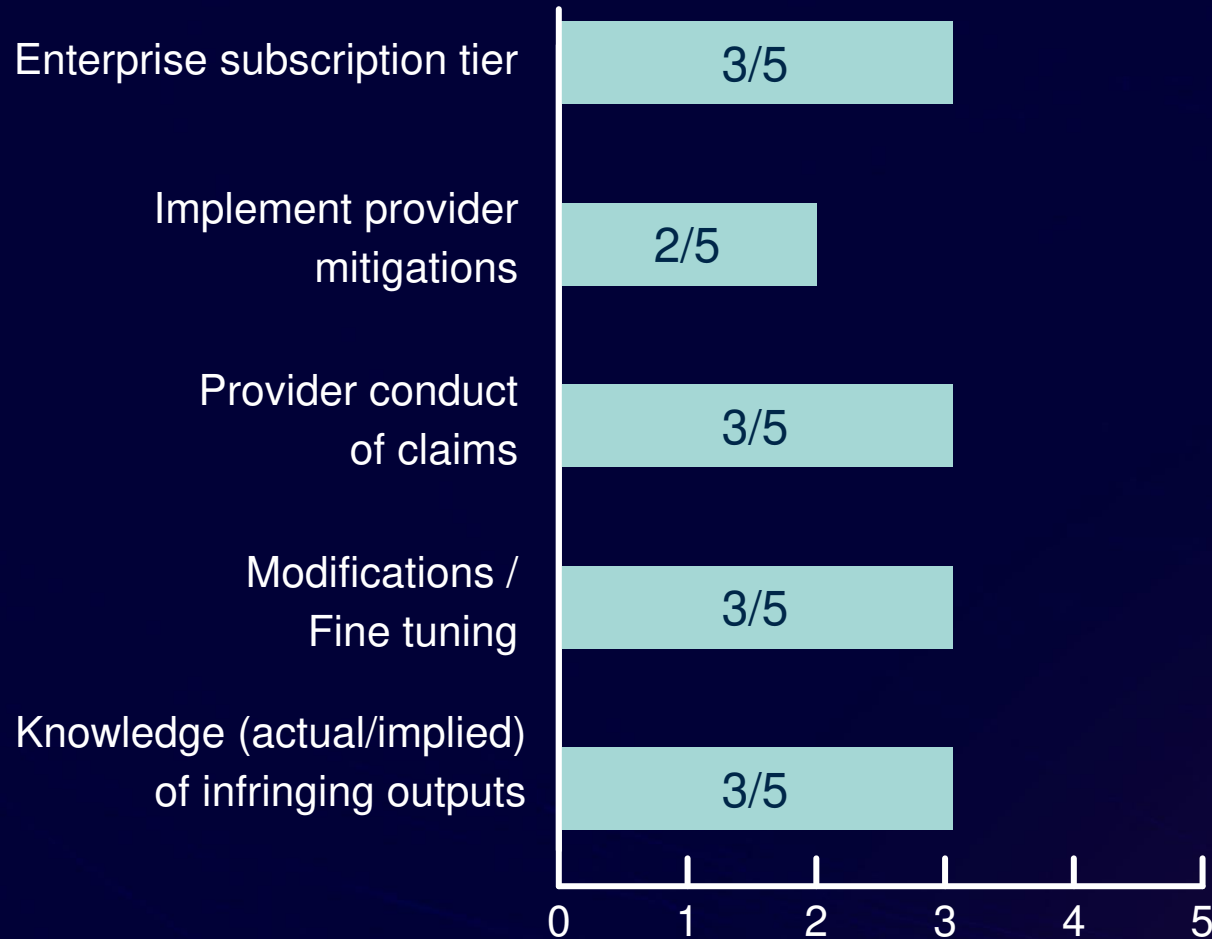**4/10**

IP indemnity for
model usage

5/10

Copyright commitment
for outputs

£

**3 capped at
12 months' fees**

**1 capped at
EUR 10,000**

Liability cap

IP indemnities – conditions and exceptions

Enterprise subscription tier — 3/5

Implement provider mitigations — 2/5

Provider conduct of claims — 3/5

Modifications / Fine tuning — 3/5

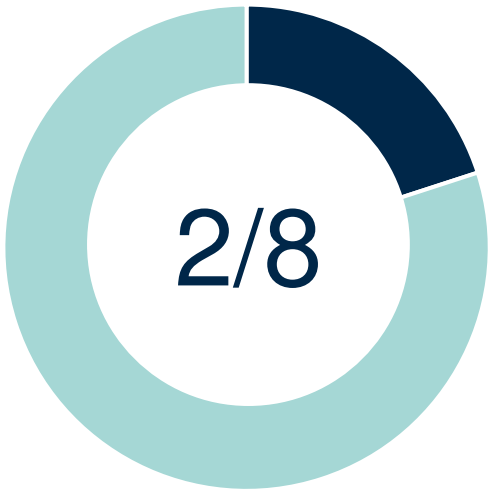Knowledge (actual/implied) of infringing outputs — 3/5

0   1   2   3   4   5

Modifications **Trade marks**

Customisations

Combination with 3rd party software

Customer inputs

Ignoring instructions

Non-use of filters

Customer indemnities

Bar chart:
- Model usage: 10/10
- Input upload: 6/10
- Use of outputs: 5/10
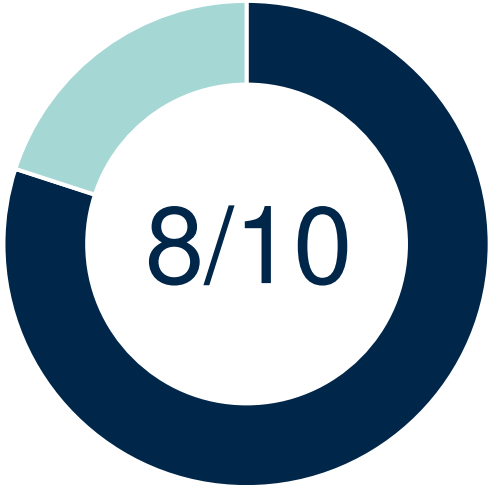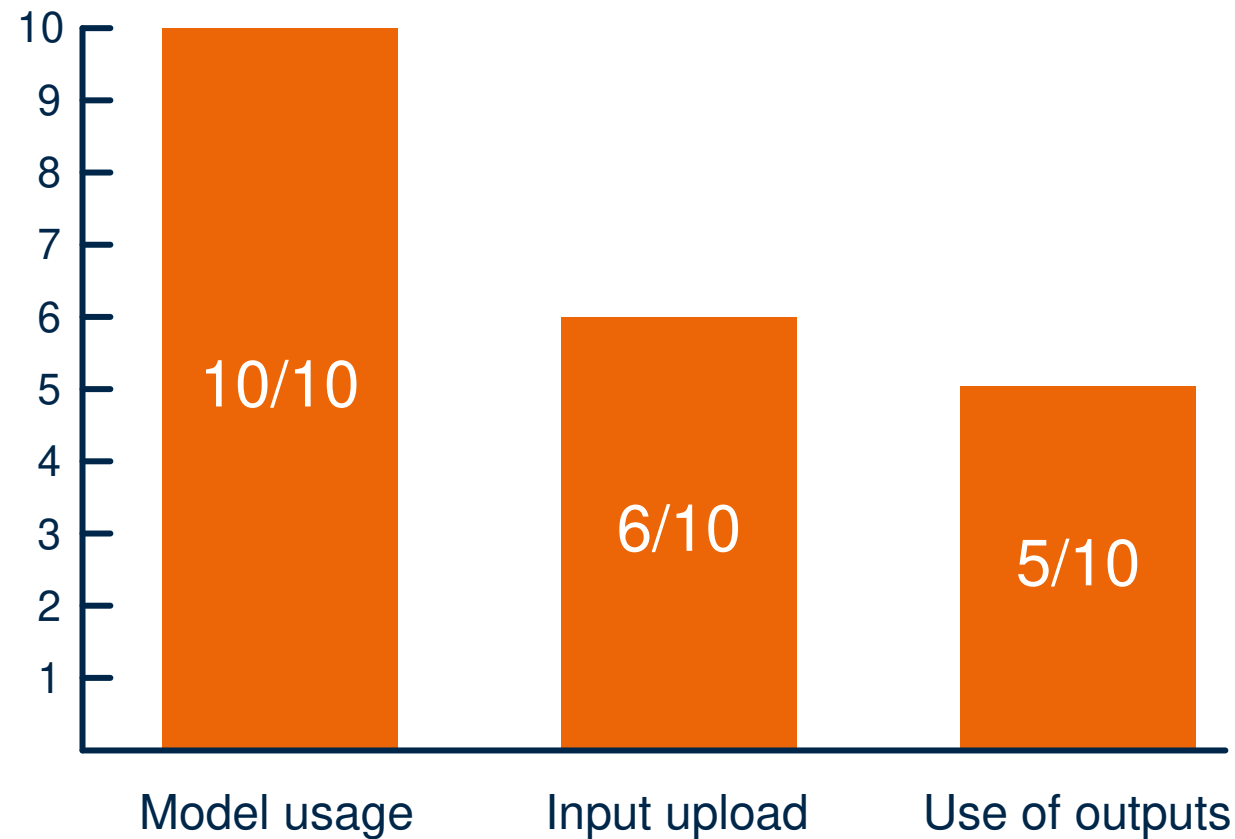
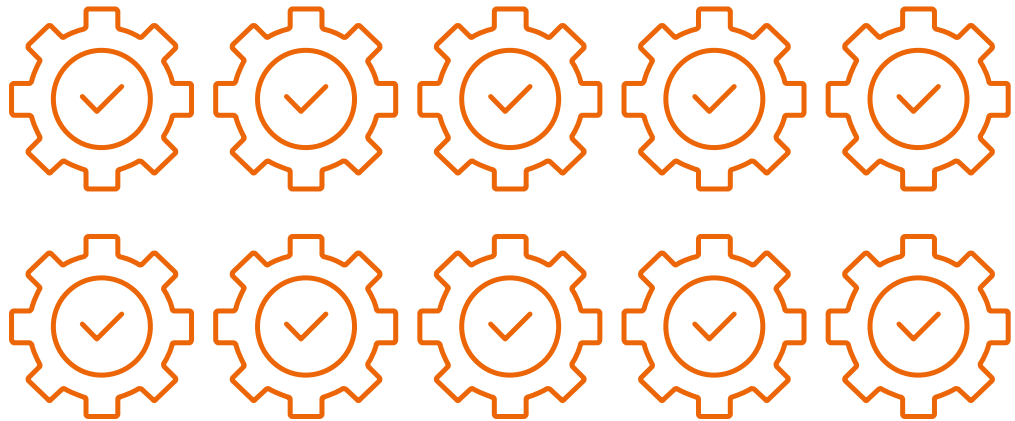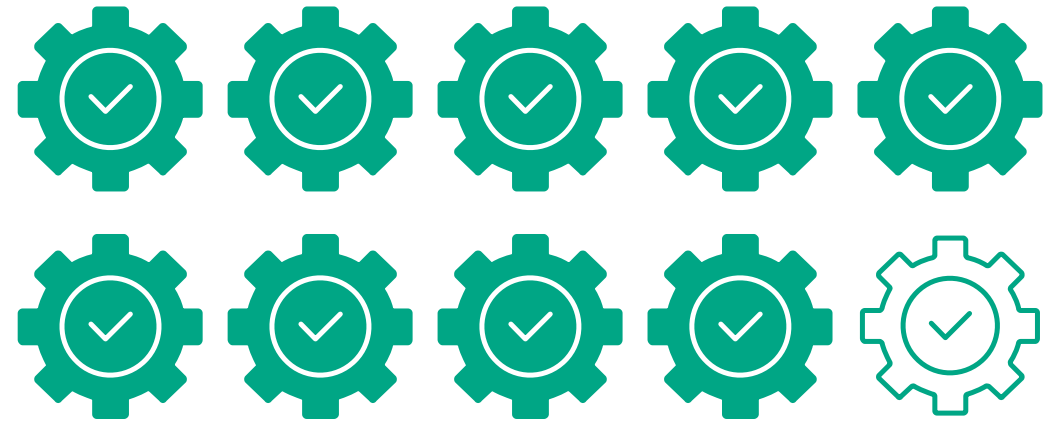8/10 — Customer liability uncapped

2/8 — Capped at 12 months' fees

Compliance with applicable law

0/10

Providers commit to comply with applicable law

9/10

Providers require customer compliance with law

Key takeaways

Uncertainty re outputs:
a. Ownership
b. Accuracy

1

Range of rights in inputs

2

Factor risk position into tool selection

3

=

Use Case Guidance

Revalidate AI AUP