

Microsoft and Snap Incorporate ChatGPT into New Products

While ChatGPT may have been viewed by many as an object of curiosity when introduced in November 2022, the generative AI behind it has quickly begun spreading into communications platforms that organizations use as part of their business processes.

For example, Microsoft recently introduced Teams Premium, a new subscription product available as an upgrade from existing Teams offerings. One of the features of Teams Premium is the incorporation of OpenAI's GPT-3.5 into a tool called "intelligent recap," which can, depending upon configuration, automatically generate post-meeting information based on the AI's analysis of the meeting content.

Like other Teams information, data created by the AI-powered "intelligent recap" feature may have discovery implications, and organizations upgrading to Teams Premium should consider updating their eDiscovery playbooks, standard operating procedures, and workflows to account for the availability of this new information.

According to Microsoft, content that the AI will be able to create includes:

- Automatically generated meeting notes;
- Personalized tasks and action items;
- Personalized meeting highlights;
- AI-generated chapters for meeting recordings and transcripts;
- Personalized timeline markers showing meeting participants when they joined or left a meeting or when their name was mentioned; and
- Speaker timeline markers showing who spoke when.

Microsoft announced that the full set of AI-based features will be available in the second quarter of 2023, although the AI-generated chapters feature for PowerPoint Live meeting recordings and personalized timeline markers are available now. Since many of these features are not yet available in Teams Premium, it is currently unclear how or where AI-generated data will be stored, whether AI-generated information will be searchable or preservable in Microsoft Purview, and how retention settings will apply. Redgrave LLP will monitor and assess the implementation of these Teams Premium features, and we stand ready to assist organizations in evaluating the impact of these new features to eDiscovery and Information Governance programs. In the interim, in-house counsel should consult with internal technology teams to discuss potential planned adoption of Teams Premium to enable time to address the need for change.

In another example, in February 2023, Snap launched an experimental chatbot feature on Snapchat called "My AI." Powered by a customized version of OpenAI's GPT, this new feature

is currently limited to Snapchat+ subscribers, but Snap intends to roll “My AI” out to all users in the future. All conversations with the AI chatbot will be stored by Snap and may be reviewed by their product teams to improve the chatbot’s functionality. Organizations using Snapchat for business communications should be mindful of the possibility that confidential or proprietary information shared with “My AI” could be viewed by individuals outside the organization. Organizations should also consider the possibility that business communications could contain information created by the chatbot.

As technology continues to evolve, companies should be aware of and plan for new kinds of information that should be governed by company Information Governance, Records Retention, Legal Hold, and eDiscovery policies and practices.

For additional information on this topic, please contact Chris King at cking@redgravellp.com.

The foregoing is based on Redgrave LLP’s understanding of the new features announced by Microsoft and Snap. Redgrave LLP has not tested the functionality of these new features.