
AI and the Erosion of Intellectual Property Protections: Copyright, Trade Secret, Privilege, and Patent Vulnerabilities

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[External Link: AI and the Erosion of Intellectual Property Protections: Copyright, Trade Secret, Privilege, and Patent Vulnerabilities](#)

The explosive growth of artificial intelligence in coding, engineering, writing, and creative development is triggering a systemic erosion of intellectual property protections.

Cahill's client alert examines how converging legal forces across copyright, trade secret, patent, and privilege law are creating unprecedented risks for organizations that have adopted AI tools without rigorous governance frameworks.

Drawing on *United States v. Heppner* and the broader regulatory landscape, the authors identify four key risk areas: (i) uncopyrightable AI-generated output and open-source contamination from AI coding tools; (ii) risks to trade secret protection from disclosure to AI platforms; (iii) patent risks arising from the human-inventorship requirement and the possibility that submissions to public AI platforms could constitute novelty-destroying disclosures; and (iv) privilege risks when confidential materials are submitted to public AI platforms. The authors also outline practical mitigation strategies for each.

Read the full client alert below.

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