



## **Polly Wilkins and Helena Shipman in Chambers: Regulatory, Legislative and Technological Factors Shaping the Fast-Changing Reputation Law Landscape**

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With the evolution of technology, the reputation law landscape is changing. The challenge for reputation lawyers, the courts and governments in jurisdictions around the world is to keep pace by identifying the threats and adapting the existing toolset to meet those challenges, as well as introducing new legalization and regulation where that is not possible. In *Chambers'* latest Defamation & Reputation Management Global Practice Guide, Kobre & Kim's **Polly Wilkins** and **Helena Shipman** explore these new threats and the tools available that can be leveraged to minimize them.

Disinformation has taken center stage as one of the most concerning and challenging trends in the sphere of reputation management. It is used by bad actors seeking retribution or political/commercial competitive advantage whose current technological capabilities are evolving rapidly. Paired with the rise of AI generative communications, exemplified by tools such as ChatGPT and increasingly realistic deepfakes, bad actors hold the potential to inflict unprecedented damage on the reputations of individuals, companies and governments. However, there are tools available to meet these challenges. For example, data protection has surfaced in recent months as a contender to be one of the more powerful tools in the claimant reputation toolkit. The remedies potentially available under a successful data protection claim are in many ways equal to the remedies available under a successful defamation claim.

The rise of disruptive new technology often forces regulators to play catch-up, leaving parties exposed before the establishment of new legislation and regulation. But there remain several tools available - both inside and outside the courtroom - that can be leveraged by reputation lawyers on behalf of their clients to minimize these new risks and ensure that any targeted individuals or businesses can protect their reputations. One thing is for sure: in the face of new technology and increasingly sophisticated bad actors, the legal landscape will have to continue to evolve in order to remain effective, and reputation lawyers will need to keep a close watch on these developments.

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