

AI & GDPR MONTHLY UPDATE

May 2025

Welcome to another edition of the AI & GDPR MONTHLY UPDATE, bringing you the latest insights into artificial intelligence and data protection. We'll cover new AI regulations, opinions, court and authority decisions across the EU, and the latest use cases in AI implementation. Our AI & GDPR MONTHLY UPDATE lands in your inbox every month.

AI Act

The European Commission published stakeholder feedback on AI definitions and prohibited practices. The report summarizes responses from two public consultations in connection with AI Office's draft guidelines complementing the AI Act. Many respondents call for clearer definitions to avoid misclassifying traditional software as AI and ask for practical examples of what falls under banned practices. [Read more](#)

The European Commission published an FAQ and repository to support AI literacy. The FAQ explains how organizations can meet their duty to promote AI literacy under AI Act's Article 4 and how the obligation will be enforced. A new "living repository" also features real-world examples from companies sharing their experience with AI literacy initiatives. [Read the FAQs](#), [Access the repository](#)

Data protection enforcement

The EDPB presented its 2024 Annual Report summarizing activities in the past year. The report provides a brief overview of the EDPB's key activities in the past year and introduces its 2024–2027 strategy. [Read more](#)

The Italian Data Protection Authority (Garante) fined Luka Inc. €5 million over its AI chatbot Replika. According to Garante, the provider of Replika—an AI virtual companion chatbot—failed to establish a valid legal basis for data processing, presented an insufficient privacy notice and had not implemented effective age verification mechanisms to prevent access by minors. [Read more](#)

The Belgian Market Court ruled on the use of personal data in online behavioral advertising. In an appeal against a €250,000 fine imposed on IAB Europe, the court confirmed that IAB Europe shares responsibility for the collection of user preferences for targeted advertising but annulled parts of the Belgian Data Protection Authority's (APD) earlier decision due to procedural shortcomings. The ruling follows a preliminary judgment by the Court of Justice of the EU (CJEU), which found that a cookie used to store users' privacy choices can qualify as personal data under the GDPR. [Read more](#)

German court decided not to block Meta's use of public user data for AI training. The Higher Regional Court of Cologne rejected a request from the German consumer rights group Verbraucherzentrale NRW to halt Meta's plan to use public Facebook and Instagram posts to train its AI models. [Read more](#)

Other GDPR updates

The European Commission has proposed more lenient GDPR record-keeping rules as part of its **Fourth Simplification Omnibus Package**. The draft legislation aims to amend Article 30(5) GDPR to exempt organizations with fewer than 750 employees from maintaining records of processing activities, unless they engage in “high risk” data processing. [Read more](#)

The French Data Protection Authority (CNIL) finalized its recommendations for better privacy protection in mobile applications. The guidance clarifies the responsibilities of app publishers, developers, SDK providers, and platform operators under the GDPR. [Read more](#)

IP & AI news

The European Union Intellectual Property Office (EUIPO) published a study examining generative AI and copyright under EU law. The highly anticipated study focuses on three areas: (i) the use of copyrighted works as training data and the opt-out mechanisms available; (ii) generation of content; and (iii) the wider implications of AI for the copyright ecosystem. The study provides both a technical and legal perspective. [Read more](#)

The U.S. Copyright Office published draft Part 3 of its AI report, focusing on training generative AI with copyrighted material. This released pre-publication version examines whether AI training qualifies as fair use under U.S. law and highlights concerns around large-scale commercial use and market impact. It follows earlier reports on digital replicas (Part 1) and copyrightability of AI outputs (Part 2). [Read more](#)

Market updates

SoundCloud issued a statement to clarify its AI policy. In May 2025, SoundCloud revised its terms to state that it will not use user-uploaded content to train generative AI models for music creation. This update follows earlier concerns over ambiguous language in its February 2024 terms, which suggested broader AI usage rights. [Read more](#)

Microsoft announced five key commitments to support Europe’s digital sovereignty and resilience. Over the next two years, Microsoft plans to increase data center capacity by 40% across 16 European countries. The company also pledges to strengthen legal protections against external government orders and to respect European cybersecurity and data protection laws. [Read more](#)

Dentons has launched proprietary AI tool DAISY across Europe

Dentons has launched DAISY, an internally developed AI tool which provides secure and adaptable generative AI capabilities to all Dentons’ personnel across Europe and Central Asia. [Read more](#)

Dentons resources

- [AI & GDPR Updates](#)
- [Dentons Newsletter AI Act \(Czech\)](#)
- [Dentons Global AI trends report: key legal issues for 2025](#)
- Visit our Dentons [AI: Global Solutions Hub](#)
- LinkedIn profile: [Dentons Česká republika](#)

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