

# MUSK

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# OPENAI



## BACKGROUND

Elon Musk emailed Sam Altman prior to OpenAI being founded. They established that the purpose of OpenAI was to counter Google's AI dominance and act as a non-profit organisation for the public good, emphasising a purported fiduciary duty the company owes to humanity at large.

## CAUSES OF ACTION

- Breach of contract
- Promissory estoppel
- Breach of fiduciary duty
- Unfair business practices (Californian statute)

## OPENAI'S DEFENCE

OpenAI released emails showing mutual agreement between Musk and OpenAI that the then-nascent OpenAI required *substantial funding* to compete with Google.

They also argue that open source and the good of humanity may be competing interests. OpenAI plans to have Musk's claims dismissed, arguing they carry no legal basis.