

On Your Terms Episode 144:  
Should We Really Use AI in Our Businesses?

**Sam Vander Wielen:** Hey, and welcome back to On Your Terms. This is Sam Vander Wielen, your host. I'm so excited to chat with you all things AI today because I think that there's such an interesting and unique legal perspective that we have got to talk about if you want to use AI, like ChatGPT type stuff, in your content for your online business or if you're just thinking about it.

And then, there's also this really important marketing conversation that we're going to have. So, today I'm going to explore both kind of the marketing and the legal side of introducing AI into your online business. So, thank you so much for being here. I'm really excited to jump right in.

So, let's talk AI, because AI has really blown up on the scene. I feel like it was this thing that was trickling along for a little while and then everybody was like, Is this going to be a thing? Is it not going to be a thing? And it's gotten really big. And, of course, I've already seen all of the marketers jump in and be like, this is what you got to do for AI, and this is what you got to do with ChatGPT, and this is how you could be using it in your business. And I see some really brilliant ways and really smart things that I see going on. And then, I see other things that are really concerning to me.

I've talked about this on the podcast before that whenever there are these big issues or some big shift in the industry, I see this initial wave of people that jump onto it and they talk about it and they kind of assert some sort of expertise on it. And I'm just somebody who tends to need to sit back for a minute and be like, "Let me see. I want to think about this."

And, you know, if you've been listening to my podcast for a bit, especially recently, I think I've been talking a lot about nuance and having slower, more meaningful conversations. And I've been talking a lot about this is why I really love podcasting so much and this kind of medium, and same thing with YouTube, because I feel like you can really jump in and talk about something and it doesn't have to be shoved into a seven second clip on Instagram or TikTok. And so, there is a lot of nuance to the conversation about AI, and I think it's a hard one to have in other spaces.

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So, I feel like by now you've probably heard a lot about this, read a lot about this. If you're anything like me, you might get a little overwhelmed and confused and then kind of shut it out, which is totally fine too. But I'm pretty sure you've probably heard about it.

Also, you're going to just hear me refer to it as AI a lot throughout this episode because there is something that happens in my brain when I have to say ChatGPT and I cannot. I've been like Chat CPT, chat 2P, to put it. It just doesn't work. I don't know why. So, I'm going to say AI a lot in this episode and hopefully you're just going to be fine with it.

So, right off the bat, I have to say I'm very pro technology, very pro innovation. I get very excited about what we can possibly do and all this kind of stuff, of course, with constraints and regulation, all these kinds of things. But in general, I always want to see where we can go with something and what kind of good it can do for us. And I'd like to see where all of this goes. I'd like to see the positive possibilities that AI can contribute to, not only running an online business, but to the world in general. I think that's great.

There are also a ton of downsides and scary things that can happen. And I'm afraid of the jobs that can be lost and all of these things. But I always find it, you know, important to balance those things with innovation and pushing things forward because otherwise things get stifled.

So, at least from my perspective and what I've seen so far, I feel like there's a lot of room for AI in our industry when it comes to things like ideas, idea generation, things of generation, idea generation, title generation, taglines, naming things, topic ideas, that kind of stuff, email subject lines, whatever you want to do.

I know one of my friends used it to name her Airbnb, which I thought was so cool. That was so smart. So, I've seen other people write little code or prompt it to write code of something to integrate into their website to create a little calendar or a countdown timer. That's all super cool and it's amazing that you can do that.

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I think that where it starts to take a hard right for me and go a little bit off course is where we get into talking about non-original content or what I like to call meaty content. That's what we're going to call meaty content for the rest of this episode. Meaty content is - content with meat. No - content that is supposed to be original content, like blog posts and emails and social posts, and in our industry, more of that kind of meaty content. I feel like the name just describes itself, doesn't it? But I think the meaty content part is where I start to have an issue with using AI for meaty content purposes.

So, there are kind of two major concerns that I have about things like ChatGPT or AI from my perspective. First is the marketing issue and then is the bigger legal issue that I think you need to be aware of. So, I'm going to get into that towards the end of this episode.

But the first thing I want to chat with you about is marketing. So, for one, I have a bit of an issue with the use of ChatGPT or some of the suggestions that I've seen to use it in our industry from a marketing perspective when it comes to creating that meaty content, not content ideas, not titles, not taglines, none of that stuff. That's not what I'm talking about.

But if you feel like you have to use something like that or you see people using chat AI type features to generate meaty content, I think that's a bit concerning from my perspective because, for one, I mean the lawyer and the marketer in me says, "Aren't you able to create?" If you're an expert, you should be able to write something.

Now, I know that this is like a time thing too. You might be thinking like, "But, yeah, it's not that I'm not the expert. It's just that I don't have time to write all these social posts." Well then, I would encourage you if we were sitting down for coffee, I would say, "Well, how many social posts are you writing? How many do you need? Are you seeing good performance with those even when you're writing them? And then, if you go and use ChatGPT or whatever else, are you seeing good performance with those? Like, I'm really curious about that."

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But I would personally and in my own business, this is what I would do, I would put out fewer pieces of content that were original to you than I would say, "I have to meet this quota of blah, blah, blah number of podcast episodes or social posts or emails or whatever per week. Therefore, I'm going to use this supplement to help me do that." I would rather see a fewer number of pieces of content come directly from you than come from some ChatGPT for many of the reasons that we're talking about today. So, I see it from that perspective, where I could see the immediate kind of reaction or defense of this being it's a time thing. You can just pump out a lot of content.

If you've listened to any of my stuff before, you know that I'm somebody who doesn't encourage people in online business to create a ton of content. I think that people actually spend way too much time creating what I call toilet content. You're learning all my phrases today, meaty content, toilet content. I should have a dictionary.

But toilet content is content you create, and as soon as you create it, it goes straight down the drain because you're creating things on Instagram or TikTok or wherever else, Threads now, that's just dying on the shelf as soon as you put it out there. Versus taking time to start a podcast, to develop a blog, to beef up your SEO and your website, to have a YouTube channel. Optimize your content, take your higher level pieces, your meatier pieces of content and breaking that down and posting on social media.

I would rather see you kind of retooling, reorganizing your content before dipping into like, "Hey, I got to create so much content that I'm going to use AI to generate more of it for me." So, that's a concern I have when you're coming at it from the time perspective.

On the other hand, I guess one of the concerns that I have is that it's already easy enough to start an online business, and I talk about this a lot. It's great that it's so easy to start an online business. And then, the downside is also that it's so easy because it means people think that anyone can do it and they pop it up and they're not as knowledgeable and responsible sometimes. And it concerns me that then there is also this tool now available to them where they can generate content on something that they are not actually an expert on.

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So, I personally am really hoping for the watermark agreement or regulation. I know President Biden just met with all of the heads of all of these different companies that are kind of leading the AI charge. And one of the things that they discussed was watermarking so that people could differentiate between content generated by AI and not generated by AI. So, I think that that would be really important.

My husband's a professor, that's something that is super important to someone like him, where now people can turn in papers on things that they never even wrote. So, that's really concerning.

And for me in the online business space, I'm like, man, we're already having a difficult enough time. We just have a huge lack of regulation on the industry and people can just hang a shingle and call themselves an expert or a coach or whatever and not really have any expertise or education in a certain area. And now you're telling me someone can go generate all the content for that too? That's a little scary. So, there's that part.

I do feel like the meaty content should really come from you. I feel like if you are starting an online business, if you are asserting an expertise in something, if you are charging money for your services or your products, then you should be such an expert that you're able to write or talk about whatever it is that you do yourself.

And if then that objection is just like the time issue, then I would encourage you to maybe revisit or rethink your content strategy as to like, Am I focusing on putting out my content in the right places? And then, am I retooling and re-utilizing that content for platforms like social media so that I'm not having to create so much original toilet content, for example. So, that would just be something to think about from my perspective.

I just really think at the end of the day, when it comes to successfully marketing an online business, you need to have a unique voice and perspective. You know, people say to me all the time, Isn't this space too crowded? Aren't there too many people who

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already do what I do? And I always say like, there are too many people doing what you do exactly the way you maybe want to do it, but there are not too many people doing what you would want to do if you would actually be unique, stand out, be yourself, and offer some unique perspective.

We have to remember that when it comes to entrepreneurship and innovation - if you've ever watched an episode of Shark Tank, you know this - it's not always that somebody necessarily invents the thing that they're talking about or selling or offering in and of itself. They're not the original person. But they do tend to take something that wasn't working great for people in a different way, change it, improve it, and repackage it, and sell it differently. That's innovation. A lot of that is entrepreneurship.

And so, I think what really successful long term sustainable entrepreneurship takes is you being yourself and having unique voice and perspective, but also actually contributing to this area and moving it forward. And I guess I just worry with AI kind of stuff is it's almost like we're just regurgitating. And if you're not really focused on contributing to this conversation, to making your industry better, to helping your customers get a better result, to really being different, then what is the point of being here? That's, honestly, what keeps coming up for me when I think about it.

And it's not just the marketing perspective. It's also, as I mentioned, the legal perspective that I'm concerned about. I mean, I am a lawyer after all so I do think a lot about the legal stuff. And I know that right now a lot of this is still just legal questions because we don't have a lot of answers. We don't know what would happen. And I think what sometimes people mistakenly think is that if the law doesn't directly address something that you would get away with it for right now or something like that. But, in fact, no, the law would actually figure it out on you and that's not great. We never want to be the experiment for the law. Trust me, nobody wants that.

So, I've already seen a number of issues and I've seen stuff come up in the news and all of that, but I've seen a number of issues from the legal perspective when it comes to AI. So, for one, I remember my very first question when I heard about ChatGPT was

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like, Where are they pulling the content from? Who wrote the content that they're pulling it from? And how do you know how much of that content has actually gotten changed from the original? Is it just literally pulling this content and now you have one or two sentences from one person, and one or two sentences from another, and one or two from another?

I mean, ChatGPT is certainly not offering you any sort of liability protection. So, if you use it to create some piece of content and then a creator comes after you, you're not going to have anything to stand behind. I think sometimes people think like, "Oh. I'd be able to say ChatGPT did it." That's not going to be a thing because it's going to be in their user agreement that the responsibility is on you.

So, for one, I guess I would say, just a safety mechanism, if you are pulling any content and creating meaty content directly from any AI tools, then I would definitely run it through plagiarism checkers to make sure that you're not plagiarizing somebody else. So, there's the copyright issue and the plagiarism and the copying issue that I am concerned about. But then, there's also this idea of what kind of content it's pulling. Like, is that content even true? Is it correct? Is it accurate? Is it old? Does it need to be updated? Again, I'm really into nuance and talking about not everything is so black and white. Sometimes it's just pulling things and is this enough?

I think I would be curious if you've used it yet, if you asked yourself, like, how confident do I feel to stand behind this? Because then if you put on all this like, "Okay. Now, I got to do a plagiarism checker and now I have to make sure that this is actually accurate, and blah blah, blah." Couldn't you just have written it by now? I think that would be kind of interesting to learn, especially if you dial back the strategy and don't create so much toilet content. But I am concerned about the misinformation, disinformation, because we don't know what's in it.

I thought it was such a great example, actually, that a lawyer recently got reprimanded because he submitted a brief to the court. So, briefs, they're like papers. They're like long documents that we have to write. And it lays out an argument, essentially. And

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there's a very formal way that you have to do them. And they cite a lot of other case law and all this kind of stuff. So, I used to have to write them every day.

And so, this lawyer submitted a brief, and they are tedious, they take a long time, submitted it to the court. And in the brief you always cite lots and lots of other cases. So, he cited these other cases and he turned it in to the court. And the court, I guess, in checking the citations for these other cases - because they have law clerks and people who do legal research to see if what you're saying is true and if you're interpreting the case correctly - and when they looked him up, they found out that these cases that this lawyer cited in his brief weren't even actual cases. They were fake cases.

Now, this was nothing that he had purposefully done himself. He used ChatGPT to create his brief. Which, on first blush, I was like, "Wow. How brilliant. We wouldn't even have to write these documents anymore." But then, when I was thinking about how ChatGPT works and how it pulls its information, if it's just randomly pulling information offline, I could write a blog post, for example, that's like Smith versus Jones was a case about blah, blah, blah. Mr. Smith ran over Mr. Jones in his car. And I could just make up like a little story, maybe it's as an example in a blog post or something like that. Something like ChatGPT could then pull that citation from my website or from somebody else's website and offer it up as something that should be included in this guy's brief, for example. Meanwhile, it's fake. It totally was made up.

This happens all the time in the law because people make up examples and they do all of that. So, I could see really easily in my own industry how that could not work. I could also see how it would be really bad for pulling things that are from other states. Or maybe that isn't true for your state's law and all that kind of stuff. But that's an example where he pulled something and it wasn't even true. Let alone it was probably also plagiarism because he pulled from other lawyers or other websites. And when that kind of thing happens, you then have to ask yourself, "Now, what's your liability?" Because, again, they're not sticking up for you. This is all on you at the end of the day.

One of the things I remind my customers about in the Ultimate Bundle all the time is

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that, at the end of the day, you are the business owner. The onus is on you. All eyes are going to point to you and all responsibility is going to point to you if and when something goes wrong. So, that is why you have to have your legal ducks in a row. That's why you have to do certain things the right way. That's why you can't just pass off the buck to be like, "I Googled this thing and this came up and this happened." That's not going to matter, not only on a moral level, but also even on a legal level, because you've agreed to certain user terms when you used tools like this that pass the liability back to you. So, it literally is on you.

So, last but not least, I would say that the thing I'm concerned about legally with chat AI tools is that I wonder then who owns the content, especially because if a lot of the content is plagiarized or if it's just kind of recombobulated from other people's stuff, I'm then like, Whose content is this? And how much of its original? Do you own it? Now, what happens if someone steals from you? Do you have any sort of claim? Just ChatGPT then recycle what you've created and send it to other people?

I just don't know how it works and I don't know if anybody really knows yet. But it's certainly something that I've thought a lot about, and I think that these are all valid questions and conversations to have. I don't know, you know, there's a lot of hard and fast rules when it comes to this quite yet. And like I said, that's okay with me because I think innovation is fine.

I just always want to be here to encourage us to continue to think, to push ourselves as entrepreneurs to be better, to rise above the crowd. Because I do feel like I hear from so many people that they're worried that there is such a crowd, but then we sometimes do things that don't really set us apart from that crowd.

So, I mean, I know that for me, I will not be using this to create any content in my business as of now, any meaty content. I would play around with it to maybe come up with ideas. Like I said, lists, outlines, titles, subject lines, I don't know, things like that, I would play around with it. But even then, even as I'm saying that, I'm like, I don't know, because I am very intentional. That's a good word. That's a good way to put it.

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I'm very intentional about everything I do in my business, down to the subject lines, to the words that we use, to the emojis I use. Every single thing that I do in my business is done with knowing my customer best. At least as of now, I don't know of a tool that's going to be able to scrape my customers and understand my customers best. So, I know I'm the one that has the conversations. I'm the one that sees the messages and the emails and the DMs and has conversations with you about this podcast and everything else. And so, for me, it's like, I don't want to leave this up to a tool to do right now. I think it could be helpful in other ways, like we've talked about, but not when it comes to the big stuff.

Like when you have an online business, that meaty content, that's your moneymaker. I can't afford to have somebody else taking care of my moneymaker. So, as of now, it's going to remain here. But I just thought it was a good opening conversation to have with you about some of the legal issues to be aware of, some of the things to maybe consider if you're already using it or considering using it.

I would really love to hear from you. If you want to send me a message, @samvanderwielen, on Instagram and let me know what you thought about this episode. If you liked this episode, if you like listening to the podcast, please do me a favor and just take a real quick sec and follow, rate, review the show. Do whatever you got to do to make sure you don't miss an episode. I post new episodes every single Monday and Thursday. And I can't wait to hear what you thought about this ChatGPT - I did it - conversation. And I will see you in a couple of days. Thanks so much for listening.

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