

## McConaughey Not 'Alright Alright Alright' With AI Fakes

By **Theresa Schliep**

*Law360 (January 14, 2026, 11:13 PM EST)* -- Actor Matthew McConaughey's series of trademarks on audio and video of him saying iconic phrases like "alright alright alright" are drawing appreciation from intellectual property attorneys who see them as an attempt to protect against the unauthorized artificial intelligence-generated use of his voice and likeness, but the effectiveness of the tactic may be limited.

Trademark experts told Law360 that they are taking note of the actor's use of trademark registrations as an effort to address a growing concern for public figures: the unsanctioned use of their likenesses and voices in content created by AI tools.

He's had eight marks registered in the past year, ranging from a video of him saying "alright alright alright," the iconic line from the film "Dazed and Confused," to an audio recording of him saying another phrase connected with the movie: "Just keep livin', right? I mean, what else are we gonna do?"

It's a creative strategy aimed at protecting against the misuse of AI to create unauthorized content, considering the few protections there are, attorneys say. But they argue that the registrations might be better at putting people on notice that McConaughey takes his IP rights seriously, rather than serving as grounds for an infringement suit.

"That specter of 'Hey, I could take you to federal court' is a serious one, and one that can be a significant deterrent, which is why people get copyright registrations, trademark registrations and so forth," Preetha Chakrabarti of Crowell & Moring LLP told Law360.

There are numerous reasons that the registrations might not make for successful infringement suits. For one, those marks might not survive validity scrutiny by a court, which could find that McConaughey didn't use them in commerce, among other potential fatal flaws. Then there are only so many defendants that would even be viable targets for infringement suits, since they need to be using the marks in commerce and in such a way as to cause confusion for consumers.

These limitations mean that average internet users playing around with AI tools wouldn't be targets for infringement suits involving these marks, according to Frank D'Angelo of Loeb & Loeb LLP. But it's still an inventive way to further protect against unauthorized AI creations, he said, noting that it's evidence of the patchy safeguards available for people like McConaughey and the public at large.

"I certainly understand why they're giving themselves that option and potentially expanding the areas of protection and the options that they have available in terms of potential legal claims," D'Angelo said.

"But I think there are still some limitations to the approach, and I think it's indicative of the overall level of concern that talent has about these issues."

McConaughey's attorney, Jonathan Pollack of Yorn Levine Barnes Krintzman Rubenstein Kohner Endlich Goodell & Gellman, acknowledged some of the constraints of using trademark registrations for addressing unauthorized AI creations. But he contended that the trademarks might still protect McConaughey even if the appropriation isn't a replica of him saying the exact phrase "alright alright alright," for example.

"If someone else were selling hamburgers and instead of the golden arches, they used half of the golden arches, would we win? I think probably, because the consumer might still think it comes from McDonald's," Pollack said.

Other benefits include that this strategy can get McConaughey into federal court, and in an infringement lawsuit, the burden would shift to the defendant to challenge the validity of the registration, Pollack said.

Nicole R. Townes of Friedland Cianfrani LLP said right of publicity statutes might be better at safeguarding against unauthorized AI replicas. Those laws largely cover the commercial use of a person's likeness and would apply in some circumstances that trademark protections wouldn't, like if someone sells a product using a version of McConaughey's image or voice that doesn't fall within the scope of the trademarks.

"I think that the right of publicity is probably going to provide you with broader protection than the trademark registrations," Townes said.

While there's no federal right of publicity law, some states have codified such statutes, including New York and California. While President Donald Trump in May 2025 signed into law a measure to tackle deep fake revenge porn, other efforts to address unauthorized AI content has failed, such as the Nurture Originals, Foster Art, and Keep Entertainment Safe Act. The proposal would protect individuals from having their voice and likeness replicated with AI without their permission, which has bipartisan support but hasn't been put to a vote.

For now, attorneys are left to leverage existing IP tools to protect clients, such as the trademark registrations obtained by McConaughey. And trademark registrations do more than just help with litigation. Chakrabarti said rights holders like to use trademark registrations to communicate that they take their brands seriously, and she cited the example of singer Taylor Swift, whose aggressive IP approach has included filing hundreds of trademark applications.

"Based on what she has done across all sorts of IP protections, you know not to mess with her intellectual property," Chakrabarti said.

Chakrabarti also said attorneys for other public figures might want to consider McConaughey's strategy to trademarks as AI-generated content proliferates.

Loeb & Loeb's D'Angelo said he'd consider this strategy, even if he communicates to clients the caveat that the registrations are only so powerful a tool.

"I think it's worthy of discussion," D'Angelo said.

It remains to be seen if other public figures take on this strategy, but Pollack called McConaughey's worries about AI and the potential misuse of his voice and image "prescient," since they predated some recent developments in the technology.

"He was very concerned because his voice and likeness are his stock-in-trade," Pollack said.

The legal ingenuity isn't just restricted to trademarks. McConaughey also has a patent pending on his voice, Pollack said, contending the innovation is necessary given the absence of a uniform system for addressing AI misappropriation.

"Rather than sitting around and wringing out our hands and saying, 'We'll bring a case,' we're going to do something about it," Pollack said.

--Editing by Jay Jackson Jr.