

Momentum

Journalism & Tech task force

At the end of August 2026, the Argentine newspaper Perfil filed a lawsuit against OpenAI and Microsoft, alleging that the companies had used its content without authorization and without providing any form of compensation. The lawsuit—which resembles actions brought by The New York Times in the United States and Folha de S.Paulo in Brazil—became the first legal claim of its kind brought by a Spanish-language news organization anywhere in the world.

The newspaper argues that, through large-scale processes of scraping, tokenization, and vectorization, its content—including material protected by paywalls—was crawled, downloaded, stored, and used as training inputs for the development and optimization of artificial intelligence models. According to Perfil, these practices contribute to reducing traffic to its website, negatively affecting advertising revenue and the sustainability model of professional journalism.



Momentum - Journalism & Tech Task Force spoke with Agustino Fontevecchia*, editor of Perfil, to better understand what prompted the Argentine newspaper to take legal action against the companies and what expectations have been generated by the decision.

Momentum: Perfil has become the first Argentine news organization to file a lawsuit against an AI company over the use of content. Before taking this step, how had the newspaper’s relationship with social media platforms and search engines changed? And what about its relationship with users?

Agustino Fontevecchia: For more than a decade, we at Perfil have been pointing to a structural problem in the relationship between news organizations and technology platforms. At first, the issue involved search engines and social media, and now AI companies have joined them. All of these companies rely on content—including journalism—as part of their business models. News organizations employ journalists, invest in reporting, and work to sustain quality journalism. When platforms use this content without providing fair compensation, however, maintaining that model becomes increasingly difficult.

Audiences evolve and their tastes change, but demand for quality journalism is not going to diminish. That is why it is essential to find ways to build a high-quality information ecosystem, and doing so requires a fairer balance between platforms and news organizations.

Momentum: Now that Perfil has opened this path in Argentina, what do you expect to happen as a result of the lawsuit? If OpenAI or Microsoft were willing to negotiate, would you be open to reaching an agreement? What conditions would such an agreement need to include to be satisfactory for Perfil while also setting a precedent for other Argentine news organizations?

Agustino Fontevecchia: We tried to initiate negotiations with OpenAI and Microsoft through every possible avenue, and the only thing we received was silence. They ignored us. So we had no alternative but to initiate a legal mediation process, during which their lawyers told us that our claim would not be considered. In other words, they were the ones who ultimately led us to file a lawsuit.

A few years ago, we had to resort to the same mechanism to break the deadlock in negotiations with Google and Meta/Facebook, and we eventually reached agreements. Meta later allowed the agreement to lapse. Google is now seeking to establish AI-related agreements in different parts of the world.

We believe that all of these companies should pay a fair value for the use—and theft—of our journalistic content. At the time, a framework for negotiation and agreement was established. That is what we are seeking again. But the legal proceedings against OpenAI are already underway, and we will see how they develop. Legal action is also on the table with respect to the other platforms.

*Agustino Fontevecchia is Director of Editorial Perfil, where he oversees the group’s digital and editorial strategy, as well as content development. He holds a degree in Philosophy and Economics from New York University and a master’s degree in Sociology from Columbia University.