

A.I. in the TCPA Crosshairs: TCPA Class Action Challenges Hotel's Use of IVY Concierge Artificial Intelligence SMS Platform

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In what may be a TCPAland first, an artificial intelligence SMS platform powered by Watson and known as "Ivy" is being tested in a TCPA class action.

Although numerous hotels are known to use Ivy, the case filed yesterday in a Las Vegas federal court is against famed resort Treasure Island, LLC. The suit is entitled Jessica Demesa v. Treasure Island, LLC and can be found here. [Demesa v. Treasure Island, Llc](#)

According to the complaint Ivy is a sophisticated A.I. platform that can help meet a hotel guest's needs, thus enhancing customer experience and ultimately driving revenue. The complaint explains that IBM's Watson technology drives Ivy and helps the A.I. platform communicate with guests to fulfill requests such as obtaining towels and hotel restaurant recommendations.

Plaintiff alleges that she received a text message from Ivy shortly after checking in at the Treasure Island resort. According to the complaint she did not consent to be texted.

The complaint alleges a putative class of:

All persons who, during the four years prior to the filing of the Complaint in this action through the date of class certification, received one or more text messages from the Ivy concierge by TI.

It will be very interesting to see how this case develops and we will keep an eye on it for you.

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