232-3092

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: **Andrew N. Ferguson, Chairman**
Melissa Holyoak
Mark R. Meador

In the Matter of **WORKADO, LLC, a limited liability company, f/k/a CONTENT AT SCALE AI.**	**DOCKET NO.**

COMPLAINT

The Federal Trade Commission, having reason to believe that Workado, LLC, a limited liability company, formerly known as Content At Scale AI ("Respondent"), has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Workado, LLC, formerly known as Content at Scale AI ("Content At Scale"), is an Arizona limited liability company with its principal office or place of business at 15333 N. Pima Road, Suite 260, Scottsdale, Arizona 85260.

2. Respondent advertises, offers for sale, and sells products and services to consumers for creating marketing content, including the "AI Content Detector" (also referred to in Respondent's marketing materials and advertisements as the "AI Content Checker"). The AI Content Detector uses artificial intelligence ("AI") technology to determine whether written content, including marketing content, is AI-generated. Starting sometime in 2024, Respondent has also offered an AI image detector that purports to evaluate image pixels, smoothness, and other AI image patterns to detect AI-generated images.

3. The acts and practices of Respondent alleged in this complaint have been in or affecting commerce, as "commerce" is defined in Section 4 of the Federal Trade Commission Act.

Summary of the Case

4. Generative AI technology like ChatGPT, available to anyone with access to the Internet, can now create content, such as school essays, news articles, and advertising copy, that sounds and looks as if it was created by a human being. In response, businesses and institutions that require authentic human works have turned to companies that offer tools to detect AI-generated content. The consequences of these tools' assessments can be severe – such as a student wrongly accused of cheating or a journalist's article rejected for publication.

5. Targeting primarily advertisers, marketers, students, and other written content creators, Respondent markets and sells a monthly subscription to use its AI Content Detector. Respondent claims that its AI Content Detector will predict with 98.3% accuracy whether text was generated using AI technology such as ChatGPT, GPT4, Claude, Bard, or another generative AI technology. Respondent further claims its AI Content Detector was trained on a vast amount of material, including blog posts and Wikipedia entries. In fact, the AI model Respondent uses for its AI Content Detector was trained on abstracts of scholarly articles. Respondent did not create, train, or fine tune the AI model used in its AI Content Detector, nor has it tested whether the AI Content Detector would achieve the same accuracy rate for marketing and other plain language text that Respondent's users typically submit. Respondent relied on test results published on the Internet by the AI model's independent developers. However, those test results show that when evaluating a mix of human-created and AI-generated content, the AI model correctly distinguished AI content from human content at a substantially lower rate than 98.3%. As a result, Respondent's 98% accuracy claim for the AI Content Detector is unsubstantiated and deceptive.

The AI Content Detector Performance Claims

6. Respondent offers and sells products and services to help marketers and advertisers create and refine written marketing content using AI technology. Respondent advertises that the AI Content Detector will enable marketers and others who use AI-generated content to determine which sentences in their text read as AI-generated or "robotic," permitting them to re-write text to read more like human-created text.

7. Since at least November 2022, Respondent's AI Content Detector has been available for consumers to submit their written content on Respondent's website at https://contentatscale.ai/ai-content-detector and at https://brandwell.ai/ai-content-detector for free on a limited basis, limiting both the number of times users can submit content and limiting text length. Beginning in September 2023 and continuing until August 2024, Respondent added a $49 per month paid subscription option for the AI Content Detector on its website. The subscription option permits consumers to use the AI Content Detector on an unlimited basis with other premium features, such as suggested rewrites of content flagged as AI-generated.

8. When consumers submit their written content to the AI Content Detector, it returns their text with portions of it highlighted in red, orange, or green on a sentence-by-sentence basis indicating whether the text is likely AI-generated. When consumers hover the cursor over text highlighted in red, it states, "This reads very robotic and therefore has a higher chance of being AI generated." Hovering the cursor over the orange highlighted text results in the statement,

"You'll need to be less robotic sounding by changing sentence structure and using different word choices." Green highlighted text indicates that the text does not read as AI-generated.

9. Respondent disseminates or caused to be disseminated advertisements for the AI Content Detector on its website and through GoogleAds and YouTube videos. Since at least November 2022 until on or about June 21, 2024, advertisements on Respondent's website, including but not necessarily limited to the attached Exhibit A, contained the following statements:

A. Use our AI Detector (now with 98% accuracy) to see if your text is human or AI generated from ChatGPT, GPT4, Claude, & Bard. Our AI checker is one of the most trusted and goes deeper than a generic AI detector. If your writing is AI detected, it may negatively affect how search engines rank content, professors grade essays, and even readers' opinion. (**Exhibit A**, www.contentatscale.ai, (Oct. 3, 2023)).

B. Our AI checker now achieves higher levels of accuracy (98.3%). (**Id.**).

C. Our AI Detector can predict with 98.3% accuracy whether your content is human or AI-generated. It checks for traces of AI in written text from sources like ChatGPT, Claude, Bard, GPT-4, and more. (**Id.**).

D. Trained on blog posts, Wikipedia, essays, and more. This AI Checker looks for patterns that indicate AI-written text (such as repetitive words, lack of natural flow, and generic tone), forecasts probable word choices, and analyzes sentence structure and other characteristics for 98% accuracy. (**Id.**).

E. The AI Detector, boasting a 98% accuracy rate, discerns whether your text is likely human or AI-generated, including from sources like ChatGPT, GPT4, Claude, and Bard. Our AI Checker is one of the most trusted in the industry. Be aware: AI-detected writing can influence search engine rankings, academic grading, and reader perceptions. The AI Detector, now with a pro version, can transform AI text into undetectable AI content! (**Exhibit A**, www.contentatscale.ai, (Apr. 22, 2024)).

10. Respondent did not build, train, or fine tune the AI model behind its AI Content Detector. The AI model behind Respondent's AI Content Detector is publicly available on the Internet on the website https://huggingface.co/andreas122001/roberta-academic-detector. The developers of this publicly available model named it the RoBERTa-academic-detector ("AI Model"). The developers of the AI Model were students in Norway who developed it for an undergraduate thesis to detect machine-generated academic text and then made it available as an open-source AI model.

11. The developers of the AI Model trained it to evaluate content using a large dataset of academic text, which consisted of an equal distribution of human-written research abstracts and research abstracts generated by the AI program ChatGPT. The developers did not fine tune the AI Model using any non-academic content, such as Wikipedia entries or blog posts. The

developers also did not use other AI programs, such as Bard, Claude, or GPT-4, to generate content for training and fine tuning the AI Model.

12. The developers tested the AI Model using large datasets. They did not include data from the datasets on which the AI Model was trained. Because the AI Model classifies text into one of two categories – AI-generated or not – "accuracy" reflects the number of correctly classified items compared to the total number of items classified. The developers' tested the AI Model on academic text; non-academic text; and a mixture of the two, and they posted the results publicly on the Internet.

13. Respondent promoted the AI Content Detector for primarily detecting AI-generated content in marketing and other plain-language text. This text is different from the academic text the AI Model was trained to evaluate. Further, although the AI Content Detector was trained on only ChatGPT, Respondent promoted the AI Content Detector for content generated by other AI technologies, including Bard, Claude, and GPT-4.

14. Respondent did not test the AI Content Detector to account for these different conditions of use. Instead, Respondent relied solely on the publicly available testing results for the AI Model's evaluation of academic content, to claim an accuracy rate of 98.3%. However, the developers' best result for the AI Model's accuracy when evaluating a mix of human-created and AI-generated non-academic content was 74.5%. The developers' testing data also showed that the AI Model struggled to identify AI-generated content as AI-generated when evaluating non-academic content, correctly detecting AI-generated text merely 53.2% of the time.

15. Based on these measurements, the AI Content Detector is far less accurate than 98.3% and is likely accurate around half the time in identifying non-academic, AI-generated content. Thus, even if a user relied on the AI Content Detector only to evaluate whether their AI-generated marketing content and copywriting would be detected as AI-generated, the AI Content Detector would do barely better than a coin toss.

Count I
False or Unsubstantiated Performance Claim

16. In connection with the advertising, promotion, offering for sale, or sale of the AI Content Detector, Respondent has represented, directly or indirectly, expressly or by implication, that the AI Content Detector will predict with a 98% accuracy rate whether text is human generated or AI-generated, including but not limited to, text generated using ChatGPT, GPT4, Claude, Bard, and other AI technologies.

17. The representation set forth in Paragraph 16 is false or misleading, or was not substantiated at the time the representation was made.

Violation of Section 5 of the FTC Act

18. The acts and practices of Respondent as alleged in this complaint constitute unfair or deceptive acts or practices, in or affecting commerce in violation of Section 5(a) of the Federal Trade Commission Act.

THEREFORE, the Federal Trade Commission this _____ day of _____, 2025, has issued this Complaint against Respondent.

By the Commission.

April J. Tabor
Secretary

SEAL:

COMPLAINT EXHIBIT A

A. From www.contentatscale.ai **(captured 10-3-23):**

Use our **AI Detector (now with 98% accuracy)** to see if your text is human or AI generated from ChatGPT, GPT4, Claude, & Bard. Our AI checker is one of the most trusted and goes deeper than a generic AI content detector. If your writing is AI detected, it may negatively affect how search engines rank content, professors grade essays, and even readers' opinion. You can then use our paraphrasing tool to fix it!

B. From www.contentatscale.ai **(captured 10-3-23):**

NEW: All new grading for our AI Detector modeled off more GPT-4, Bard, and Claude content. Our AI checker now achieves higher levels of accuracy (98.3%). We have simplified the scoring to give you an overall probability of it being written by a human. A score of 1% means it is 99% likely that it was created by AI. Also new is our human-level paraphrasing

C. From www.contentatscale.ai **(captured 10-3-23):**

How Does Our AI Detector Work?

Our AI Detector can predict with 98.3% accuracy whether your content is human or AI-generated. It checks for traces of AI in written text from sources like ChatGPT, Claude, Bard, GPT-4, and more.

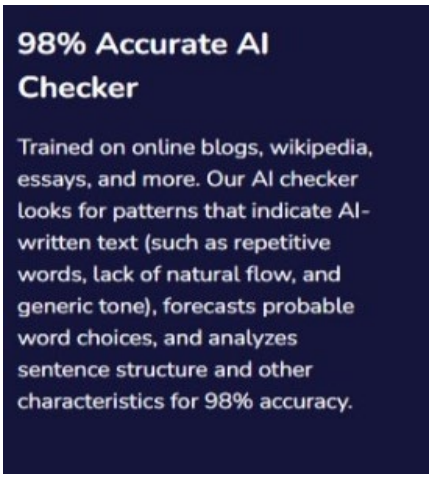
How? By looking for patterns that are consistent with most bot-written text, including:

- Lack of natural flow
- Repetitive wording
- Generic tone
- Probability in word choices
- Sentence structure

How does it know the difference between human and AI writing patterns? Our detector was trained on a vast amount of material — blog posts, essays, Wikipedia entries, articles, and more content across multiple LLMs (large language models).

In fact, it's so good, it will even flag human-written text as AI if it sounds robotic. (Let's face it: not all of us are great writers. In this case, the AI Detector will help you write more naturally, with better readability!)

D. <u>From</u> www.contentatscale.ai **(<u>captured 10-3-23</u>):**



E. <u>From</u> www.contentatscale.ai **(<u>captured 04-22-24</u>):**

The AI Detector, boasting a 98% accuracy rate, discerns whether your text is human or AI-generated, including from sources like ChatGPT, GPT4, Claude, and Bard. Our AI Checker is one of the most trusted in the industry. Be aware: AI-detected writing can influence search engine rankings, academic grading, and reader perceptions. The AI Detector, now with a pro version, can transform AI text into undetectable AI content!