

# Instagram's New Terms of Service — What You're Giving Up in 2025

Dec 9, 2024

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Let's be honest: **Almost nobody reads the Terms of Service** (in their entirety) when they sign up for a new platform. Even those who skim the dense legalese after signing up for a trending app or platform rarely go back to scrutinize updates when it's time to click "Agree" and continue with your day. Who makes time for this?

Are companies like **Meta** counting on this natural reluctance to engage with long blocks of legal text? While some of the language is aimed at protecting the company from legitimate risks, these updates also present opportunities to quietly alter the company's relationship with users (aka "us") — and not always in ways that benefit us as a user and a creator in particular.

Meta recently rolled out a major update to Facebook's Terms of Service, [which I took the time to analyze](#) (with the help of ChatPDF) to understand its impact on content creators. Now, I'm back — this time inspecting **Instagram's newly updated Terms of Service, set to go into effect on January 1, 2025**. These changes, if accepted as our default, affect not just content creators but all users on the platform, so it's worth understanding what's at stake. Yes, this article is what we at [Credtent.org](#) call an [AI-Assisted piece of content](#) because I used ChatPDF to help analyze the document. This is an example of one of my common refrains these days — **use AI to help protect yourself against AI**.

I'd note that ChatGPT's Canvas helped me organize my thoughts as well, but Credtent's editor and I have rewritten most of its work because we are WRITERS. Still, this qualifies as AI-Assisted Content because AI has been a collaborator.

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**While I'm not a lawyer**, I've spent nearly three decades developing software, often alongside corporate and startup attorneys, tasked with crafting exactly these sorts of terms. Let's dive into what we're really agreeing to if we decide to stick around on Instagram in 2025.

## What's Changing?

Instagram's updated Terms of Service, **effective January 1, 2025, introduces significant changes that impact all users, especially content creators**. As the most popular photography-focused platform, Instagram has long been *more attractive* to content creators than its big brother, Facebook. These updates, which include significant changes in content **ownership, data usage, and feedback policies**,

could cause creators to think twice about applying a filter to their latest selfie. Understanding these changes is crucial for informed platform use.

### Broader Changes for All Users

1. **Arbitration Clause:** The new terms mandate binding arbitration for disputes, **limiting users' ability to pursue claims in court or take part in class-action lawsuits.** This approach often favors corporations by restricting legal recourse for users. This is hardly a deal-breaker, but considering how widely this kind of agreement is getting deployed these days (as [Disney](#) and [Uber](#) have), it's important to know how this limits your ability to take action if something massive happens through your use of a product.
2. **Content Ownership:** While users keep ownership of their content, posting on Instagram **grants the platform a broad commercial license to use, distribute, and change the material you create.** This includes potential use in promotional materials (their own), AI training datasets (for Meta's LLAMA and maybe others), and advertisements created by third parties (read: ads by any company), possibly even in ways that compete with the original creator's work. Mark Zuckerberg has been fervent in his claim that [the individual work of creators and users isn't worth anything](#), so he can steal it with wild abandon for his company to make money. *Obviously, I don't agree, which is why Credent's sends **Do Not Train** orders to Meta, too. The revolution has to start somewhere.*
3. **Privacy and Data Usage:** Instagram collects extensive personal information to enhance the user experience on their platform and for advertising targeting. The terms show that user data may **be used in developing technologies like artificial intelligence and machine learning, though specifics are not detailed.** *Stay tuned for a forthcoming review of the Privacy Policy for comprehensive understanding. That document deserves an article on its own, so detailed it is. Worse, for US citizens, there is no option to opt-out of AI training for Meta products.* Only in the UK and EU are there rules in place that make it possible for a person to opt out of training. Even so, it's an onerous process for individuals.
4. **Feedback Without Compensation:** **Suggestions or ideas provided to Instagram can be used by the company with no obligation to compensate the user,** a common practice in tech but noteworthy for those who frequently offer feedback. Personally, unless I'm a beta tester being given special access, *I do not offer product feedback unless they pay me for it.* I've been making software for three decades, so my insight is valuable for technology companies. Guess what? **So is yours.**

### Concerns for Content Creators

Photo by [Arnel Hasanovic](#) on [Unsplash](#)

For content creators, this update has specific implications to stay mindful of:

- **Content Licensing:** The expansive license granted to Instagram may affect creators' ability to **monetize** their work elsewhere, as the platform can use the content without additional compensation.
- **Metadata Content Use:** Data about your content could be **employed in training AI models**, influencing content recommendation algorithms and advertising strategies, thereby affecting reach and engagement.
- **Account Risks:** Stricter account management policies necessitate adherence to community guidelines to avoid potential account termination, which could disrupt revenue streams. That said, these rules are fairly reasonable, *although what constitutes behavior that will be punished is vague — purposely, I expect.*
- **New Opportunities:** The introduction of monetization features like affiliate marketing and sponsored content offers new avenues for income generation, *provided creators stay informed and compliant with platform policies.*

## Long-Term Repercussions

If you read [my Facebook article](#), these assessments align with the issues I have raised about Facebook. Instagram is, of course, also owned by Meta, so I'd worry about the same issues. *Have you linked your Meta apps to make posting and syndicating content "easier" and more streamlined like Meta wanted people to start doing? Is it time to rethink this strategy?*

**AI Entrapment:** Your creative content will be mined for AI tools without your consent. You might unknowingly help build tech that competes with your work on the open market. *Credtent.org is fighting back, sending opt-out requests to Instagram for its users as legal battles loom large in the days ahead.*

**Data Monopoly:** Instagram's growing data collection strengthens its control over user behavior and ad markets. As competitors fall behind, users are losing choices. Your data is being sold to brokers who know far more about you than you'd imagine. Sadly, it's all much worse than we imagine. A [notable podcast episode from NPR](#) here spells out data points that will give you a sense of the scope. If you're really down on technology at the moment, you might want to save that listen for another day.

**Legal Precedents:** Left unchallenged, Instagram's aggressive terms could become the industry standard. We can't encourage platforms like Cara, NoPlace, and BlueSky, all of which are currently rejecting user data abuse, to follow this dangerous path just because we stayed silent.

## What Should You Do?

Each of us needs to determine how important these issues are to us personally. As a Creators' Rights Advocate, I'm sufficiently troubled by these issues that I'm going to stop posting content on Facebook and Instagram in 2025.

## Insta-xit to Cara?

Meta's change in terms may spook creators that previously exited stage [Cara](#). Content creators who have cultivated a following on Instagram might feel frustrated about not being able to push a button and move their community over to a new site. *I wish that were so (and it's a goal of Credtent to help creators there in the future).*

For now, **Cara may be a suitable alternative**. Much like all the love that is being showered on BlueSky, there's a lot more to like in [Cara's TOS](#), particularly their "No AI in portfolios" stance and a commitment to avoid AI until artists are protected. For me, I'm reducing my footprint on Meta to just posting links to my personal work elsewhere. Want to know where?

- **Substack** — Newsletter content — <https://burgessing.substack.com>
- **BlueSky** — Short-form social — <https://bsky.app/profile/erburgess.bsky.social>
- **Medium** — Long-form social — <https://medium.com/@erburgess> [AI](#) (that's here...)

## Closing Thoughts

As a technologist and content creator, I've often been an early adopter of exciting new platforms since before the birth of the Internet. This has given me a means to be found and shared by many more than those who personally and professionally knew me—which I always appreciated. And, for the past 20 years, as more and more data collection, data brokering, and data breaches have become the norm, I began to feel the dangers of our data being used not to just to serve us targeted ads, but to increase what we pay for things based on assumptions that could be made about us.

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Photo by [Thomas Park](#) on [Unsplash](#)

Our increasingly data-driven cars give us all kinds of utility, but they also give our car companies data about our driving that could be used to justify increases in car insurance or vehicle registration fees if used by the government.

Worse, the data from the spit you sent to 23andMe can be used to extrapolate all kinds of health issues based on analysis of unrelated data. Then, they could use that information to make assumptions about your blood relatives as well. The healthcare and insurance industries are notoriously slow to embrace new technologies, but they are less so when it means a way to squeeze more money out of their existing book of business.

The development of AI has further accelerated the ability for a handful of larger corporations (who've built the technologies we come to depend on) to help themselves first and more than taking care of the very users who justify their existence.

If we just keep accepting a further erosion in control of our own data, we open the door for abuse. There are steps you can take to protect yourself and your family that I recommend:

- Stay aware of your data and content rights
- Keep holding BigTech accountable by saying no to creator content theft and copyright infringement
- Opt-out of AI training manually if you can — [register with Credtent](#) and we'll bulk opt you out or license your content so you make money
- Recommend these actions (or this article) to a creative friend who needs it, too
- Make the move to platforms that fairly respect your participation
- Write your representatives to lobby them to stay engaged in this pivotal issue (and, sure, use an ethical AI to help write that letter — it's not art, it's a protest)

Otherwise, blanket acceptance is effectively consenting to BigTech using AI and your data to benefit themselves. I think it's time we stopped doing that.

**What do you think? What steps are you taking to ensure your data independence?**

#### **Reference Links**

- [Instagram's updated Terms of Service document, January 2025](#)
- [Meta's AI and machine learning disclosures](#)
- [Cara Terms of Service](#)
- [BlueSky Terms of Service](#)
- [Medium Terms of Service](#)
- [Data Privacy and AI Ethics](#)