



## The TCPA- Artificial, Pre-recorded Voices and Automatic Telephone Dialing Systems

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The phrases “artificial”• and “pre-recorded voices”• are self-explanatory — for example, an artificial voice is a computer generated voice, and a pre-recorded voice is simply a pre-recorded message that an individual would hear when answering a call. The TCPA defines Automatic Telephone Dialing Systems (ATDS) as equipment that has the capacity to store or produce telephone numbers to be called using a random or sequential number generator to dial numbers. ATDS have also [been described](#) as including: (1) predictive dialers, i.e., equipment that eliminates the need for time dialing numbers and maximizes efficiency using algorithms to predict when callers will be free to talk to consumers; and (2) equipment that “dial[s] telephone numbers in such a way that no human intervention is necessary.”• Importantly, [several courts](#) and the FTC have concluded that an ATDS need simply possess the capacity to store, produce and dial numbers. As such, if a business is using equipment that simply has the capacity to store, produce and dial numbers, even if this capacity is not utilized, argument can be advanced that the calls are subject to the TCPA. *For more information on TCPA regulation and effects, contact [Burr & Forman](#) attorney, Joshua Threadcraft, [here](#).*

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