

Artificial Intelligence

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Related Services

Intellectual Property

Data Protection &
Cybersecurity

Technology & Data

Venture Capital & Angel
Financing

Corporate

Finance & Securities

Private Equity

Life Sciences

Health Law

Mergers & Acquisitions

Bankruptcy, Restructuring &
Workouts

Energy & Natural Resources

Litigation

Government Relations

Corporate Governance

Banking & Financial Services
Litigation

We advise organizations and their boards and management teams about a wide range of artificial intelligence (AI) related strategies, financings, agreements, uses, transactions, risks, liabilities, disputes, ethical considerations and governance oversight. As data is the “fuel” for AI, we also advise regarding data use, ownership, privacy, security and domestic and international data regulatory matters.

Our expertise is supplemented by our active participation with a variety of domestic and international organizations and thought leaders addressing the impact of the rapidly developing applications of artificial intelligence on our clients.

Intellectual Property

We assist clients with the protection (patent, copyright, trade secrets), development, licensing and use of AI software assets, and, to the extent applicable, the improvement of the capabilities of those assets through unsupervised (machine) learning as well as the rights to and ownership of AI improved output. We advise on the use and rights to data employed in the development of AI systems, and the protection and security of that data. We assist clients with the identification of, and compliance with, regulations associated with the development, use and transfer of AI assets and related data.

We also assist clients with the analysis of the efficacy and protectability of AI software, the licensing of open source and proprietary AI software and the development and protection of “software as a service” applications.

Life Science & Health Care

We advise healthcare information and service providers respecting AI usage; review of licensing agreements pertaining to AI technology; data privacy and security, and Food and Drug Administration (FDA) review and other regulatory matters regarding the development and use of AI software.

Mergers, Acquisitions & Divestitures

We include AI usage, performance, licensing, liability and litigation in our due diligence reviews, evaluate and draft AI related representations and warranties and consider pricing implications.

Financing & Investment Transactions

We help clients manage their capital raising needs through all stages of the corporate life cycle, from early stage founder and friends and family investments, to growth capital and preferred equity rounds, to initial public offerings and other public capital markets transactions. We also assist clients in their relationships with investors, placement agents, underwriters and other financial intermediaries. Our lawyers have deep expertise and significant experience advising our clients on governance, compliance and disclosure matters. We also assist companies with their employee and consultant equity incentive compensation needs.

Technology & Data Licensing, Use & Development

We assist clients in the preparation and review of licensing agreements, performance representations, liability limitations, data ownership, protection, privacy and security. We assist clients in the commercialization of data, understanding data as an asset, preparation and review of licensing agreements, performance representations, liability limitations, data ownership, protection, privacy and security, risk allocation and mitigation and applicable legal and regulatory matters.

Governance

We advise on the formation, composition, duties and responsibilities of advisory and fiduciary boards, and assist clients with advisor and director recruitment. We advise regarding board oversight of technology including AI. We review and draft Board and Committee Charters and other governance related documents and policies. We also advise regarding the ethical implications of AI use.

Human Resources

We prepare and review employee non-disclosure, noncompetition and intellectual property nonuse agreements, as well as stock options and related developer compensation. We advise regarding independent contractor and developer agreements, immigration matters and the use of AI in various human resource applications, including performance evaluations and hiring, and the legal and regulatory implications of same.

Marketing, Advertising, Trademarks & Big Data

We assist clients in applications of AI software to marketing, advertising, big data, search engine optimization, evaluation of online advertising results, as well as consumer analytics and experience. We consider data ownership, use, privacy, security and related legal and regulatory considerations.

Experience

Representative Cases

- Representation of client which developed an app capable of assessing the carbon consumption of forests and represented the client in completion of financing with a large international environmental fund.
- Represent client that has developed a millimeter wave, AI-driven system for detection of coronavirus, filing of provisional patent and procurement of early-stage financing.
- Represent client which has developed a millimeter wave, AI-driven system for identification of threatening objects approaching entrances to schools.
- Prepared and prosecuted patent applications directed to human language translations.
- Counseled clients on risk-reduction and risk-mitigation programs related to accessible technology.
- Counseled clients through complying with national and international data privacy laws surrounding big data and AI
- Represented healthcare technology client creating AI-based software programs to diagnose and propose care for Alzheimers/Dementia.
- Represented digital sporting goods retailer for use of algorithms to evaluate and modify Google online advertising buys.
- Represented client which produced resident safety software system that predicts and responds to resident safety issues in sale to Phillips Health Care Division.
- Represented health care management company in its development of machine-learning based algorithms designed to lower costs and improve health outcomes.
- Represented health care providers in structuring and negotiating licenses for AI-based clinical and management support tools.
- Represented client that produces a Bluetooth enabled wireless vital signs monitor on AI Software product for predicting occurrence of serious health conditions in patients, and sale to another company as legal counsel of client continues.
- Represented client that develops a mapping and diagnostic AI software product for pulmonary conditions.
- Represented client that produces a bedside respiratory monitor which operates on an AI software.
- Represented large medical products company in the purchase of a laser diagnostic product.
- Represented investment advisory firm in its development of a robo advisory service for its clients.
- Represented client companies in Americans with Disabilities Act (ADA) litigation pertaining to accessibility certain websites and AI related scanning devices.

- Represented virtual reality entertainment and corporate services company on corporate formation, equity financing and other early stage commercial and operational matters.
- Represented algorithm-based quant investment fund on intellectual property protection, corporate formation, financing and regulatory compliance matters.