Artificial Intelligence (AI) and Machine Learning (ML)

Companies around the world are exploring ways in which AI can improve functionality, speed and productivity, as well as unlock greater returns on investments. As a game changer across a number of industry verticals, AI is helping our clients turn consumer data into actionable insights.

Enabled by our broad experience working with many of the world’s most innovative technology companies, our AI team is advising companies—from startups to FORTUNE 50 corporate giants and government agencies—as they explore the ways in which AI can help meet their organizational goals. We have extensive experience advising our clients as they develop, test and launch AI and machine learning products and services, and have advised them and provided regulatory assessments on a wide range of issues, including algorithmic bias, algorithmic collusion, biometrics, privacy and data security, ADA accessibility, product liability and law enforcement access.

**AREAS OF FOCUS**

- Product development and launch counseling
- Technology licensing and distribution
- Startup company formations and financings
- Privacy and data security, including international data flows
- Smart contracts and blockchain technology
- Class action litigation
- Mergers and acquisitions
- Electronic surveillance and user information requests
- Corporate structure and board and governance issues
- Patent prosecution and patent litigation matters
- Regulatory counseling and defense
- Labor, employment and workplace investigations

From concept to launch, we have provided guidance to clients developing technologies related to machine perception, machine learning and reasoning, deep learning, anomaly detection, scalable data structures, clustering, image and data analytics, pattern mining, regression, classification models, natural language processing and context awareness technologies. Our team also assists research organizations as they develop hardware architecture and deep-learning software application framework standards. Our team’s multidisciplinary capabilities and experience also span the wide range of machine learning and sensing technologies, including engineering, biometrics, optics, microelectronics, systems engineering, signal processing and neural networks.

Current uses of AI are only the beginning. Many of our clients, both public and private, are investing large sums of capital not only to develop and acquire these technologies, but also to integrate them into their business models and legacy devices and systems. Our clients recognize that the integration of AI and machine learning technologies through bots, robotics, conversational technologies or other means will be vital to remaining competitive as systems become more complex and require self-organizing intelligent agent protocols to maximize efficiency.
AI & MACHINE LEARNING REPRESENTATIVE EXPERIENCE

COMMERCIAL CONTRACTS

COMMERCIAL CONTRACTS WITH AGRIBUSINESS COMPANY Represented an operator of an agriculture retail distribution company in its negotiations of precision farming technology-related commercial contracts with a global Swiss agribusiness.

TECHNOLOGY LICENSING FOR PRIVATE LABEL USE Represented an online global travel company in negotiations of commercial contracts with hotels, financial services providers and travel planners to license its algorithmic search technology platform for private label products and services.

COMMERCIAL CONTRACTS FOR GLOBAL TECHNOLOGY COMPANY Represented a multinational technology company in connection with its contract with a leading insurance provider to develop TensorFlow models that will enable the insurance provider to use the technology company’s neural net-based machine learning platform to review photos of damaged cars to calculate loss after an accident.

EMERGING COMPANIES

FINANCING FOR DESIGNER AND MANUFACTURER OF SUPERCOMPUTERS Represented a designer of machine learning-driven technologies for biotherapeutic treatment in its Series B Preferred Stock financing.

FUND FORMATION AND REGULATORY COMPLIANCE Represented a Brazil-based venture capital investment fund, which is focused on investing in artificial intelligence and hard sciences companies, in its formation and in U.S. regulatory compliance matters.

FUND FORMATION AND INVESTMENTS FOR ONLINE RETAILER Represented an online retailer in at least 25 investments and its formation of a fund for investing in natural language processing startups.

EQUITY COMPENSATION FOR AI DEVELOPER Represented a developer of an AI platform, which is designed to perform some of the same operations as a human brain, in equity compensation and venture capital financing matters.

INTELLECTUAL PROPERTY

AUTOMOTIVE AUDIO PRODUCTS MANUFACTURER PATENTS Prepared and prosecuted patent applications, conducted patent investigations and advised on third-party patent use of proprietary technologies for a multinational developer, manufacturer and seller of audio products for automobiles.

AIRPORT TECHNOLOGY-RELATED PATENTS Prepared and prosecuted patent applications related to AI-driven technology used to scan airport baggage for a multinational developer, licensor and seller of computer software and hardware products.

FINTECH COMPANY PATENT COUNSEL Represented a provider of various banking and financial services in the preparation and prosecution of patent applications related to its machine learning technology for portfolio optimization, personalized product and service recommendations, and hedging strategies.
LITIGATION

PATENT LITIGATION AGAINST BIOTECHNOLOGY COMPANY  Represented a file storage management company in a pair of patent litigation cases related to automated cytology that involves machine pattern recognition to determine whether human cells are precancerous.

ARCHER-HAYES V. TOYTALK, INC.  Defended ToyTalk, Inc. (now PullString, Inc.) and Mattel, Inc. in a purported nationwide class action asserting claims for unfair competition, negligence, unjust enrichment, invasion of privacy and violations of the California Invasion of Privacy Act based on allegations that Hello Barbie, an AI-powered doll that uses machine learning algorithms to learn from interactions with humans, violated the Children’s Online Privacy Protection Act (COPPA).

MERGERS & ACQUISITIONS

HEALTHCARE SYSTEM ACQUISITION  Represented a provider of healthcare revenue enhancement, accounts receivable management, and third-party electronic claims services in its acquisition of an AI solution for payment integrity.

AUTONOMOUS VEHICLE TECHNOLOGY AND ROBOTICS ACQUISITIONS  Represented a provider of telecom, global positioning and robotic optical surveying products in more than 20 acquisitions of vehicle peripherals, autonomous vehicle technologies, communications and fleet management companies.

ACQUISITION OF AGRONOMY AND PRECISION FARMING CONSULTANCY  Represented a provider of precision agriculture solutions in its cross-border acquisition of an agricultural consultancy company.

PRIVACY & SECURITY

NLP PRIVACY AND SECURITY MATTERS  Represented a developer of AI- and IoT-related natural language processing (NLP) technologies in a hearing before the FTC and Congress in connection with COPPA compliance matters.

ALGORITHMIC BIAS PRIVACY ASSESSMENT  Advised a multinational technology company on the legal implications of its machine learning product, including issues related to algorithmic bias resulting from its use of photos of individuals to train AI models.

MACHINE LEARNING PRIVACY ASSESSMENT  Advised a developer and manufacturer of computer-related components on its use of data sets to train AI models, including biometric, copyright, patent and licensing issues.

PRODUCT COUNSEL

PRODUCT COUNSEL TO PLATFORM DEVELOPER  Represented a multinational medical and health services solutions corporation in the development, deployment and licensing of AI, IoT and blockchain technology platforms.

PRODUCT COUNSEL FOR AI SOLUTION DEVELOPMENT  Represented a global technology company in algorithmic bias and algorithmic discrimination assessments in connection with the development and launch of its AI and machine learning product.

COMMERCIAL CONTRACTS FOR AUTOMATION TOOLS DEVELOPER  Represented a developer of automation tools that monitor enterprise IT regulatory compliance in commercial contract negotiations and product counsel matters.