

Maximizing the Benefits and Mitigating the Risks of Artificial Intelligence

As Artificial Intelligence (AI) continues to revolutionize our world, the legal and policy considerations surrounding its use are becoming increasingly complex and critical. Crowell's cross-border and cross-industry AI practice offers clients—ranging from global enterprises and start-ups to government contractors and professional service firms—strategic solutions to capitalize on new opportunities while minimizing risks in this dynamic regulatory landscape.



Championing AI Innovators

Our team possesses extensive expertise in both AI and legal matters, including attorneys who have served as in-house counsel at AI companies and those who have held high-ranking government positions in the Department of Justice, the Government Accountability Office, and the intelligence community.

Prominent businesses across various industries, such as technology, healthcare, defense, and media and entertainment, rely on us to navigate and influence emerging regulations and laws in the U.S. at both state and federal levels, as well as globally, including the regulatory provisions in the EU AI Act. On the litigation front, our notable experience includes formulating the defense strategy in the first known copyright infringement lawsuit against an AI company. Our comprehensive AI services encompass:



Corporate governance. We help companies developing AI-powered services in drafting and implementing ethical principles and governance frameworks for the development, procurement, deployment, use, and oversight of AI. This includes training in-house attorneys and compliance professionals. Our team features thought leaders in this space, including an attorney certified as an AI Governance Professional (AIGP) by the International Association of Privacy Professionals.



Intellectual property and trade secrets. As noted, we have been involved in the first copyright infringement lawsuit against an AI company, and our IP litigators have represented clients in disputes involving patent and trade secret aspects of AI technologies. We also have extensive experience in protecting trade secrets and securing patent rights for AI technologies globally, including filing AI-related patent applications and advising on patent eligibility, ownership, and other issues.



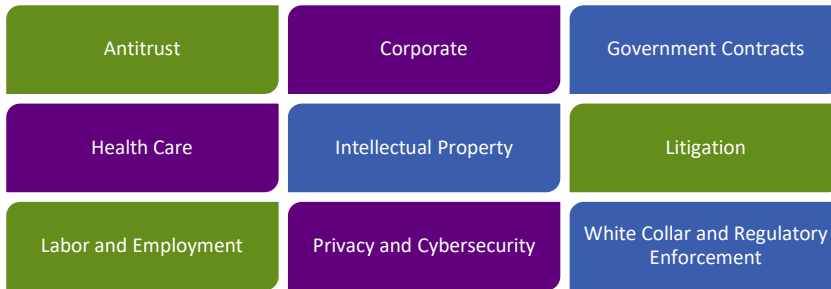
Counseling and litigation. We advise clients on minimizing legal risks and maintaining compliance with evolving frameworks. Our team helps innovators stay ahead by closely monitoring international AI laws and regulations, and we manage the full range of litigation and trial needs when challenges arise.



Evaluating AI-powered tools. We assist companies developing AI programs for internal use and those deploying new AI services to third parties in assessing potential liability and performance through security by design, data validation, and continuous evaluation. We advise on compliance with existing regulations and future legal frameworks and policies based on regulatory trends.

Multidisciplinary Approach

We offer a multidisciplinary approach that combines our sophisticated technical understanding of AI with industry-specific knowledge and experience to help clients achieve their business goals. Attorneys from across the firm and around the globe collaborate to provide timely insights on recent developments in the AI space, including:



Representative Engagements

Crowell prides itself on providing client service excellence and innovative legal and business solutions. Our recent work on AI-related matters include:

- Representing a leading developer of AI for use in enterprise systems in a multimillion-dollar trade secret case against a former customer.
- Representing a developer of AI in a copyright infringement case.
- Providing ongoing counseling on labor and employment risks associated with internal AI tools being developed by team of data scientists for the employment process and employment decisions.
- Defending a legal AI innovator against copyright and tortious interference allegations.
- Representing a major enterprise software company in connection with developing state and federal legislation and regulation of artificial intelligence tools, including development of model legislation that is advancing through various state legislatures.
- Advising companies on compliance with DOJ's September 2024 guidance on the use of corporate compliance programs to manage AI risks.
- Advising a client developing software to enable secure algorithm testing on large identifiable health care data sets on corporate and regulatory issues related to data use, privacy, and cybersecurity.
- Managing adverse impact analysis for an employment company that built an AI-based tool to assist with hiring.
- Advised a tech company in the insurance space on the successful closing of a strategic funding round led by venture capital firm.

About Us

Crowell & Moring LLP is an international law firm with offices in the United States, Europe, MENA, and Asia. Drawing on significant government, business, industry and legal experience, the firm helps clients capitalize on opportunities and provides creative solutions to complex litigation and arbitration, regulatory and policy, and corporate and transactional issues. The firm is consistently recognized for its commitment to pro bono service as well as its programs and initiatives to advance diversity, equity and inclusion.

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