

Artificial Intelligence

As technology evolves, the role of artificial intelligence (AI) is increasingly present in many aspects of our society. AI applications have come a long way, but there are legal considerations and challenges to be aware of – especially in areas such as regulatory compliance, liability risk, privacy and ethics.

BLG's Artificial Intelligence Group brings a wealth of experience to help you address the challenges and opportunities of machine learning and natural language processing (NLP) technologies. We offer legal strategies that focus on all aspects of your business, whether you are a developer of AI technology or an established business that is considering procuring and implementing AI software.

We cover all legal aspects of the AI ecosystem to assist companies throughout their business life cycle.

We assist technology companies with obtaining financing, whether through venture capital, private financing or commercial partnerships. We also provide a full suite of corporate/commercial advice to new AI companies, including formation, stock options, warrant grants, corporate governance, unanimous shareholder agreements and employment agreements.

We also advise on contract matters for AI technology, including:

- license agreements
- development and collaboration agreements
- data handling and data feed agreements
- non-disclosure and confidentiality agreements
- customer contracts and standard terms and conditions

Our clients rely on our Patent Group to help them with:

- mining technological inventions
- patent drafting and filings in Canada, the US and worldwide
- considering abstract mathematical methods vs. embedded AI
- guidelines for AI implemented inventions, such as those provided by the European Patent Office and the US Patent and Trademark Office

We also provide privacy and data protection advice and assistance relating to:

- privacy impact and algorithmic impact assessments
- data governance
- privacy regulator inquiries and investigations

- privacy and security breaches
- compliance with privacy and data protection laws in the AI context, including:
 - obtaining meaningful consent
 - navigating the potential pitfalls of data mining activities
 - security safeguard considerations

Our trademark team advises on company branding of AI-related trademarks and clearance and registration.

Our AI-related advice applies to a variety of sectors, including:

- AI-enabled platforms
- Electric vehicle (EV) fleet charging installations
- Smart City power grids using AI optimization
- AI-optimized power microgrids

Our team also assists clients in assessing user rights to the data, and considering the potential applicability of the “fair use” and research exceptions to legal copyright in Canada.

Our team also advises on the liability associated with artificial intelligence and advanced digital manufacturing products. We regularly advise clients who either face cross-border litigation or require assistance with compliance matters in the context of Canadian operations.

Experience

- McKinsey & Company on their venture capital investment and collaboration agreement in Element AI Inc.'s \$200 million Series B equity financing round, a company that builds artificial intelligence (AI) tools for enterprises.

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 725 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

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