

An aerial view of a city skyline at sunset, with a network of white lines and circles overlaid on the image. The sun is low on the horizon, casting a warm glow over the city. The network overlay consists of various sized circles connected by thin white lines, creating a web-like pattern across the entire scene.

**Debevoise
& Plimpton**

Our Artificial Intelligence Capabilities



“Debevoise provides insightful, strategic and highly value-added advice, and is a true partner to us, fully integrating into our team and working seamlessly on transactions.”

“Debevoise exercises brilliant judgment and their experience and regulatory contacts are unmatched.”

Chambers USA

Artificial intelligence, machine learning and data-driven technologies are rapidly transforming businesses across all industries, presenting a wide range of new legal challenges that accompany the advantages of an increasingly automated society. The Debevoise artificial intelligence team provides sophisticated, innovative advice to address these emerging challenges, routinely advising clients about the legal risks and regulatory implications of these complex, cutting-edge technologies.

A Premiere Interdisciplinary Practice

As part of our leading Data Strategy & Security (DSS) practice, the Debevoise AI team works seamlessly with other DSS members to combine our AI, cybersecurity, privacy, business continuity, intellectual property, M&A diligence and data governance practices into one fully integrated, interdisciplinary and coordinated group. Our lawyers have deep technical knowledge that allows them to translate complex technical findings into legal and business decision points on a global scale.

Experience in Navigating Complex Regulatory Inquiries

We regularly handle the most challenging and complex AI-related regulatory inquiries and supervisory examinations with the utmost levels of sophistication, expertise, creativity and commercial judgment. Our deep bench of former U.S. regulators from the U.S. Department of Justice, Securities and Exchange Commission, Federal Reserve Board and the N.Y. Department of Financial Services uniquely positions Debevoise to navigate regulatory inquiries concerning new technologies.

Unparalleled Leaders in Global AI Solutions

In addition to our deep understanding of the legal issues relating to AI technologies, our lawyers are at the forefront of developing global solutions to address the emerging ethical and reputational issues raised by AI. Our team is actively involved in efforts to develop best practices for AI ethics and governance, including through the IEEE Global Initiative on Autonomous and Intelligent Systems and other expert groups. Through these efforts, Debevoise delivers sophisticated, hands-on expertise and industry-shaping leadership on AI.

A Full Complement of AI-Related Legal Services

In today's dynamic regulatory environment, managing risks at the intersection of law and technology means measuring data optimization and data protection strategies against existing laws and regulations, as well as anticipated changes to these legal frameworks.

Our DSS practice layers deep AI experience across a variety of key industries and sectors, offering legal services for clients across the spectrum of AI matters, including:

Risk Assessments, Regulatory, and Compliance

- **AI Risk Assessments and Model Testing.** We conduct AI risk assessments for clients, including global financial institutions. Our work ranges from leading a full legal and technical risk assessment of various AI and data programs, typically performed in tandem with a technical vendor, to a targeted review of areas known to attract regulatory and enforcement focus. This includes testing AI systems for bias, explainability, model drift, and robustness against unexpected events, as well as implementing appropriate guardrails or technical measures to mitigate risks.
- **AI Regulation Tracking.** We track closely new and proposed AI regulations and guidance in the United States and around the world using our AI regulation tracking tool, which can show trends and predict where AI regulation is heading.
- **Communication with Regulators.** We communicate frequently with leading AI and data regulators in the United States and Europe, including in our Debevoise Data Strategy Webinars and our AI Roundtable Series, co-hosted with the IEEE.
- **Regulatory Enforcement and Examinations.** We provide seasoned representation to companies in high-stakes government examinations, enforcement, and litigation related to AI, including before federal regulatory and supervisory agencies.
- **Intellectual Property Protection and Enforcement.** We help companies ensure their valuable IP remains protected in the face of AI technology and assess and monitor risk of IP infringement. We are also market leaders in handling the most novel and challenging IP litigation involving new technologies.

Corporate Governance

- **AI Ethics and Governance.** We help companies establish AI ethics, governance, and compliance programs, including with respect to transparency, documentation, policies, and training. We also assist companies in establishing dedicated AI principles, cross-functional committees, and oversight processes.
- **Board/Executive Briefings and Training.** We offer sessions tailored to board members or company executives on the latest developments in AI regulations and risks, as well as guidance on their obligations in these areas.

AI Incident Planning and Crisis Management

- **Mock AI Events and Tabletop Exercises.** We help our clients prepare for business continuity events by conducting real-world drills of AI failures or other data events for various functions within the organization including legal, compliance, IT, risk, communications, executive management and the board.
- **Incident Response.** Our AI Incident Response Services include helping clients navigate AI incidents with crisis management, internal and external communications, fact investigation, regulator and law enforcement liaison, civil regulatory investigations, defense of civil litigation and attention to the needs of the Board and C-Suite.
- **Insurance.** We assist companies in determining whether their existing insurance is sufficient to cover their AI risk.

Corporate and Transactional

- **M&A Due Diligence.** We lead AI diligence investigations, including advising on policies and procedures for due diligence and for integration generally, as well as on issues raised by specific AI acquisitions and investments.
- **AI Licenses and IP Advising.** We negotiate AI-related technology agreements, licenses, and joint venture arrangements and advise clients on their IP rights in data sets, models, and model outputs.
- **Vendor Diligence and Oversight.** Many companies increasingly rely on third-party vendors to supply cutting-edge AI. We can look quickly at significant vendor agreements, and at the policies and procedures for administering vendor relationships, and advise on how they might be updated to mitigate AI risk.

“[A] fantastic ability to anticipate issues and a fantastic ability to work with in-house counsel in an extremely collaborative way.”

Chambers USA

“They have an unusual concentration of legal talent, from senior partners to associates. It is difficult to find a firm with such a number of respected individuals in this field.”

Chambers Global and Europe

Artificial Intelligence Select Representations

A leading financial institution in connection with federal bank supervisory expectations concerning artificial intelligence and data governance.

A major international bank in a comprehensive AI risk assessment for their artificial intelligence programs.

A global fraud prevention platform in development of a comprehensive artificial intelligence ethics and governance framework, including relevant policies and procedures, governing committees, trainings, board briefings, and AI tabletop exercises.

A major professional sports league with respect to legal implications of potential uses of facial recognition and other biometric technologies.

A major FinTech company on a broad range of artificial intelligence and data privacy issues concerning their use of machine learning and big data technologies, including related to the Fair Credit Reporting Act, the Gramm-Leach-Bliley Act, and the DFS cybersecurity regulation.

Represent **a global online advertising platform** in a federal regulatory inquiry concerning the use of machine learning algorithms.

The Securities Industry and Financial Markets Association in submitting a public comment letter concerning the Consumer Financial Protection Bureau's advance notice of proposed rulemaking on consumer access to financial records.

A leading private equity firm concerning reputational, regulatory, operational, and governance risks related to artificial intelligence.

Multiple clients in providing comments to draft state and federal legislation concerning artificial intelligence.

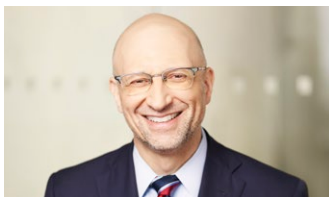
A global media company on intellectual property issues related to the license of archival media content for AI training and development.

Several leading insurers in developing artificial intelligence governance and compliance frameworks, including artificial intelligence risk assessments, bias testing, vendor oversight, board briefings, training of key stakeholders, and AI tabletops, among other activities.



Your Team

Avi Gesser



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Avi Gesser is Co-Chair of the firm's Data Strategy & Security Group. His practice focuses on advising major companies on a wide range of cybersecurity, privacy and artificial intelligence matters. He has represented global financial services firms, private equity firms, insurance companies, hedge funds and media organizations in large-scale ransomware attacks, cyber breaches by nation-states, and regulatory investigations relating to the use of artificial intelligence. Mr. Gesser regularly advises boards and senior executives on governance, risk, and liability issues relating to cybersecurity and AI. Mr. Gesser is also a primary author of the firm's Data Blog and the architect of the Firm's Data Portal, an online tool that helps clients quickly assess and comply with their cyber breach notification obligations and tracks AI regulatory developments.

Erez Liebermann



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Erez Liebermann is a litigation partner and a member of the firm's Data Strategy & Security Group. His practice focuses on advising major businesses on a wide range of complex, high-impact cyber-incident response matters and on data-related regulatory requirements. With decades of experience in data issues as a litigator, federal prosecutor and senior in-house counsel at a global insurance company, Mr. Liebermann regularly advises clients at the C-suite and board level on building strategies to reduce their data-related regulatory and reputational risks, and on navigating high-profile government investigations following data incidents. He is also widely acknowledged as a leading cybersecurity and data privacy professional and is ranked among the leading lawyers by *Chambers USA* (2022), where clients note that he is "one of the most intelligent attorneys, [and] very practical and great to work with."

Megan K. Bannigan



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Megan K. Bannigan is a partner in the Intellectual Property Group, representing clients across a range of industries including trademark, copyright, false advertising, rights of publicity, design patents, licensing and other contract disputes, artificial intelligence and related matters. Ms. Bannigan has extensive trial experience, helping to secure an over \$20 million jury verdict for client Learning Annex in the United States District Court for the Southern District of New York, among other trial victories. She also has experience representing clients before the United States Patent and Trademark Office, the Trademark Trial and Appeal Board and the International Trade Commission. Recognized by *Chambers*, *Managing Intellectual Property's IP STARS*, *The World Trademark Review* and named a Rising Star in 2019 by both *Law360* and *The Legal 500*, Ms. Bannigan also regularly writes and speaks on intellectual property-related issues and is an adjunct professor of Fashion Law and other classes.

Jim Pastore



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Jim Pastore is a litigation partner and a member of the firm's Data Strategy & Security practice. His practice focuses on privacy, cybersecurity and artificial intelligence issues. Mr. Pastore is recognized by *Chambers USA* and *The Legal 500 US* for his cybersecurity work, and has been included in *Benchmark Litigation's* 40 and Under Hot List which recognizes attorneys 40 and under with outstanding career accomplishments. Named as a Cybersecurity Trailblazer by *The National Law Journal*, Mr. Pastore has also been named three times to *Cybersecurity Docket's* "Incident Response 30," a list of the best and brightest data breach response attorneys. Prior to rejoining Debevoise in 2014, Mr. Pastore served for five years as an Assistant United States Attorney in the Southern District of New York where he spent most of his time as a prosecutor with the Complex Frauds Unit and Computer Hacking and Intellectual Property Section.

Matthew Kelley



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Matthew Kelly is a counsel and a member of the Data Strategy & Security Group. His practice focuses on advising the firm's growing number of clients on matters related to AI governance, compliance and risk management, and on data privacy. Mr. Kelly has extensive experience advising public companies, and companies across the financial services sector, on internal investigations and regulatory matters involving data strategy, governance and compliance. He has advised clients on the usage of quantitative modeling tools and data-driven operations, and on the design and implementation of post-Dodd-Frank model governance frameworks. Mr. Kelly has also led multiple advisory and regulatory matters related to algorithmic trading and data governance for broker-dealer and investment advisory clients, including SEC, FINRA, and New York Attorney General investigations.

Johanna Skrzypczyk



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Johanna Skrzypczyk is a counsel in the Data Strategy and Security practice of Debevoise & Plimpton LLP. Her practice focuses on advising AI matters and privacy-oriented work, particularly related to the California Consumer Privacy Act. Prior to joining Debevoise, Ms. Skrzypczyk served as Assistant Attorney General in the Bureau of Internet and Technology at the New York Attorney General's Office. In this role, she helped draft the amendments to New York's data breach law (known as the SHIELD Act), investigated, litigated, and negotiated the landmark settlement of an action against a national corporation regarding credential stuffing, one of the very few regulatory actions to address this widespread type of cyberattack, and co-led an initiative involving potential discriminatory impacts of AI. Ms. Skrzypczyk also worked on matters involving consumer privacy, data security and virtual markets.

Martha Hirst



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Martha Hirst is an associate based in the London office. She is a member of the firm's Data Strategy & Security practice and the White Collar & Regulatory Defense Group. Ms. Hirst has experience conducting international anti-corruption investigations for large multinational companies. Her practice has a particular focus on multijurisdictional matters covering, amongst other things, anti-corruption legislation, cybersecurity and data protection matters and economic sanctions. Ms. Hirst also advises clients on high-value, complex international litigation matters.



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