

Practices & Industries

# Artificial Intelligence

## Overview

Day Pitney LLP brings together cross-functional capabilities drawn from our experienced attorneys in the technology transactions, data privacy, cyber security, litigation, data and records management, employment, intellectual property, and other practice groups to advise businesses on a full range of issues related to Artificial Intelligence (AI).

With keen interest in emerging AI technologies and business models, backed by our significant experience across a broad spectrum of business and technology domains, we counsel clients in the healthcare, insurance, financial services, energy, technology, and other sectors as they explore responsible and secure use of AI.

Our capabilities are evolving rapidly to match the accelerated pace of AI innovation, enabling us to guide clients on legal and strategic aspects of AI. Our services include:

- **AI Governance and Risk Management** – Development of internal AI policies, product development guidelines, and governance structures addressing human oversight, transparency, fairness, accountability, liability, and ethical use of AI.
- **Commercial and Technology Transactions**– Structuring and negotiating agreements for AI-powered platforms and services, including AI vendor agreements, data licenses, and open source licenses, as well as joint ventures and strategic collaborations for the development and commercialization of AI technology.
- **Data Privacy and Cybersecurity** – Advising on data protection and compliance with data privacy laws and regulations, including the General Data Protection Regulation (GDPR), the California Consumer Privacy Act (CCPA), the Health Insurance Portability and Accountability Act (HIPAA), and state and sector-specific privacy and cyber laws and regulations, as they relate to the use of AI technologies; structuring data handling, including cross-border data transfers, in compliance with jurisdictional requirements.
- **Employment and Workplace Automation** – Counsel on the use of AI in employment decisions, employee monitoring, and workplace automation, including compliance with labor and anti-discrimination laws and evolving regulations and best practices.
- **Discovery and Litigation Support** – Guidance on the lawful and effective use of AI in e-discovery, generative AI, and machine learning, with the goal to reduce review costs and facilitate compliance with local rules.
- **Information Governance** – Advice on data retention policies for AI-generated or AI-processed information.
- **Intellectual Property** – Advice on patent, copyright, trademark, and trade secret considerations in the protection of AI models, AI training data sets and weights, and AI-generated works, code, inventions, and content.
- **Litigation and Dispute Resolution** – Representation in disputes involving the use of AI, including liability claims, bias allegations, and IP infringement.
- **Mergers & Acquisitions** – Due diligence and strategic advice on transactions involving AI assets, including risk assessment, integration planning, and IP ownership analysis.

- **Regulatory and Compliance Advisory** – Guidance on U.S. and global AI regulatory frameworks, including the Federal Trade Commission (FTC) regulations, the Telephone Consumer Protection Act (TCPA), state-level AI laws, and sector-specific compliance requirements related to AI in healthcare, insurance, energy, and financial services.

# Experience

*No aspect of this advertisement has been approved by the highest court of any state. Prior results do not guarantee a similar outcome.*

- AI technology company: Advising on trademark strategy and intellectual property protection for AI products and brand assets, including clearance, prosecution, and portfolio development. Developing an IP strategy to support commercialization and long-term brand protection.
- Healthcare organization: Advising on the development of an enterprise AI governance program for the deployment of AI-enabled technologies in a regulated healthcare environment. Counseling on governance structures, organizational oversight, AI risk assessments, privacy, cybersecurity, and healthcare regulatory compliance.
- Healthcare media and education company: Serving as strategic AI counsel on the development and commercialization of a proprietary AI platform, including governance, intellectual property, and technology transactions. Advising on AI-related copyright issues, commercialization strategies, and AI-focused diligence in support of acquisitions.
- Value-based oncology care company: Advising on the design and development of a patient-facing AI chatbot, including AI governance, privacy, healthcare regulatory compliance, and responsible AI deployment. Counseling on conversational guardrails, safety protocols, disclosures, and escalation procedures for use in a regulated healthcare environment.
- Global executive search and recruitment firm: Advising on the development and implementation of an enterprise AI governance framework, including internal AI policies, governance processes, AI vendor agreements, and technology strategy. Counseled on AI governance, intellectual property, data privacy, cybersecurity, and regulatory considerations supporting responsible enterprise AI adoption.
- National financial institution: Advised on the design and deployment of an AI-powered customer-facing voice agent, including AI governance, consumer financial services regulation, privacy, vendor management, and technology risk. Counseled on consumer disclosures, allocation of responsibilities among technology providers, and regulatory compliance.
- Property data and analytics company: Advised on AI-related data licensing and commercialization of proprietary datasets, including contractual restrictions governing the use of licensed data for generative AI and machine learning. Drafted downstream licensing terms protecting proprietary data while supporting commercial AI use cases.
- Global impact investment manager: Negotiated a strategic consulting and technology agreement for the development of bespoke AI-powered workflows supporting enterprise operations. Structured ownership, licensing, transition, and risk allocation provisions to protect the client's long-term technology investments and minimize vendor lock-in.
- Private philanthropic foundation: Developed an enterprise AI governance framework addressing AI policies, acceptable use, governance processes, risk management, and responsible AI adoption. Advised on legal, ethical, and operational considerations, including confidentiality, data governance, intellectual property, and regulatory compliance.
- Global manufacturer: Advised on enterprise AI strategy and governance, including negotiation of a strategic consulting agreement supporting the client's AI transformation initiatives. Structured contractual protections relating to ownership, confidentiality, implementation risk, and future use of AI-related deliverables.