DLA Piper Announces New Artificial Intelligence Practice

By **Reenat Sinay**

Law360 (May 15, 2019, 9:55 PM EDT) -- DLA Piper has launched an international artificial intelligence practice focusing on "emerging and disruptive" technologies and their accompanying legal and compliance risks, the firm announced Tuesday.

The AI practice will be led by experienced partners Larissa Bifano and Danny Tobey in the U.S. and Gareth Stokes, Mark O'Conor and Robert Seidel abroad, according to the statement.

The creation of a new AI practice was prompted by the increasing number of artificial intelligence inquiries from clients outside the traditional technology sector being fielded by DLA Piper's lawyers, Bifano told Law360 on Wednesday.

"Now we're seeing it come into other industries besides the technology industry; it's in life sciences companies, it's in consumer companies, advertising companies and financial companies as well," she said.

"A lot of us have been working on AI for years, but it's just hit a critical mass where so many of our clients are asking about it that we decided to formally organize," added Tobey.

The new endeavor capitalizes on the firm's expertise in AI across a variety of practices. It is the latest addition to DLA Piper's bevy of tech-focused practices it has rolled out in recent months, including blockchain and digital assets, proptech and fintech.

The practice will touch on a broad variety of emerging technology, from robotics and automation to machine learning, intellectual property protection and big data, Bifano and Tobey told Law 360 on Wednesday.

Tobey said that the practice's wide reach is intentional and speaks to the strength of the firm's attorneys across multiple areas.

"One of the nice things about having 4,500 lawyers is we really cover everything from the earliest intellectual property and invention of AI all the way through the regulatory and compliance and corporate aspects of it to even litigation that we're starting to see emerge around some of the liability and risk factors of AI," he says. "So for us it's really a subject matter expertise that spans all aspects of what we do as lawyers."

Both Bifano, who co-chairs the firm's patents practice and has a degree in physics, and Tobey, who is a medical doctor in addition to being an attorney, have been working on AI issues for several years, they said.

Bifano has conducted original research on neural computer interfaces using artificial intelligence and has spent years assisting clients with AI issues, particularly companies in the software sphere who use algorithms in their product development.

Tobey has advised clients on AI issues in the health and life sciences industries, including startups developing medical devices and hospital systems that can predict patient outcomes or streamline payments.

"What sets us apart is that we have so many people who are true experts in the field who have really been doing this work for years and years," he says, noting that the firm is affiliated with Lord Tim Clement-Jones, who chaired the House of Lords Select Committee on AI in the UK.

Tobey's work on AI software malpractice and liability is set to be recognized next week with a Burton Award from the Library of Congress for outstanding accomplishments in law.

Looking ahead, the two expect to be working with an increasing number of startups, both domestic and international, and anticipate new AI regulations from the U.S. Food and Drug Administration and the U.S. Patent Office. Bifano notes that on the IP side, they are working on strategies for protecting algorithms developed by their clients.

They are also starting to see some of the first litigation involving the use of predictive algorithms, but cannot detail any further, according to Tobey.

The AI practice will be anchored by a core group of seven attorneys, but includes 50 to 60 lawyers worldwide who actively work with AI, Bifano says.

"We have people across the world, across practices, across sectors that are dealing with these issues for clients," she said. "We can handle AI issues for clients no matter where they are located in the world and what industry they're in."

--Editing by Michael Watanabe.