

Artificial Intelligence (AI)

Artificial intelligence's promise is a solution to every problem, from cancer to climate change. Its perils — privacy violations, human rights offences, cyber attacks and more — are the stuff of science fiction. Eighty per cent of Canadian C-level executives [fear going out of business](#) if they can't scale AI, but there are no international standards for governance, law-makers are playing catch-up and AI-related litigation is on the rise.

With stakes this high, you need a law firm as invested in the future of AI as you are.

National privacy leaders: BLG has one of Canada's most respected [privacy and data protection teams](#), which was awarded a national top-tier ranking by Chambers in 2022. We bring a global perspective, direct industry experience and a practical, client-focused approach to any discussion of AI.

Tech-focused IP team: Our national [IP team](#) boasts 40+ patent and trademark agents, many with advanced degrees in tech, whose goal is to protect and enforce your IP in the most efficient and cost-effective way. We are skilled IP litigators and understand the tricky nuances of IP when it comes to AI inventions.

Skin in the game: We are industry participants, not spectators. Building AI tools for our clients, working closely with AI institutes like [Mila](#) and using AI software to optimize our own processes gives us direct experience with the power of AI and the best ways to mitigate risks.

Sector-specific expertise: You name it, we know it. Healthcare, supply chain, energy, financial services, aviation, automotive, accounting, retail, products, marine, government — AI is creating opportunities and challenges for them all, and BLG has the relationships and experience you need to see what's ahead.

Full lifecycle support: Whether you're an investor or inventor, user or distributor, government or name brand, we have the right advice for your stage of business and involvement with AI, including [specialized support](#) for new businesses and [strategic assistance](#) with any business transaction.

Canada's law firm: Artificial intelligence touches all areas of law within a complex and uncertain provincial and national regulatory environment. BLG is Canada's law firm: one team from Montréal to Vancouver with the reach and niche to achieve all your goals.

We can help you

- Conduct privacy impact assessments and compliance exercises to mitigate risks related to evolving Canadian privacy and AI laws.
- Draft notices about the use of AI systems for decision-making.
- Assist with the development of ethical data governance and de-identification programs that maximize data value while complying with regulations and contracts.
- Respond to privacy-related inquiries and investigations.

- Manage security breaches.
- Protect and defend your AI-related intellectual property, including the IP created by the technology itself.
- Determine user rights to data, including the potential applicability of the fair use and research exceptions to legal copyright in Canada.
- Conduct appropriate due diligence on AI-related companies during a merger or acquisition.
- Start a new AI company, including formation, branding and trademarks, stock options, warrant grants, corporate governance, unanimous shareholder agreements and employment agreements.
- Obtain financing, whether through venture capital, private financing or commercial partnerships.
- Draft, negotiate and defend contracts related to AI-powered products.
- Respond to litigation on everything from intellectual property to product liability related to AI technology.

These are exciting and uncertain times. Whether you're wondering about the ethical implications of using [AI-powered software for recruiting employees](#) or concerned about who owns the rights to data generated by the [autonomous vehicles used in your mining operations](#), we'd be happy to answer your questions and give you peace of mind, based on our expertise in both AI and your particular industry.

Experience

- Advising life science and medical device companies looking to deploy AI-enabled products in Canada (*i.e.* Software as a Medical Device)
- Advising a leading online retailer on the use of AI across its various business platforms
- Advising a leading agricultural manufacturer regarding the testing of autonomous agricultural equipment and the use of AI
- Acting for a leading hospitality group on the use and deployment of AI
- Assisted Desjardins Capital and BDC Capital in their convertible private placement investment into LeddarTech Inc. in connection with the business combination with Prospector Capital.
- Assisted McKinsey & Company on their venture capital investment and collaboration agreement as part of the \$200 million Series B equity financing round of Element AI, a company that builds AI tools for enterprises.
- Assisted McKinsey & Company in its role as a shareholder in the US\$230 million sale of Element AI Inc. to Silicon Valley software company ServiceNow Inc.
- Advised Craft Ventures in its role as lead investor in competitive intelligence platform Klue's US\$15 million series A round.
- Advised Cannacord Genuity Corp. in its role as agent in Goldspot Discoveries Inc.'s private placement of \$7.5 million of subscription receipts related to the reverse takeover of Duckworth Capital Corp. Goldspot is a technology investment company that has developed artificial intelligence for mineral exploration.
- Assisted Inpixon Canada Inc., a provider of indoor positioning analytics, in its acquisition of Locality Systems Inc., a private technology company specializing in location intelligence solutions.
- Advised on the creation and launch of the Emerge ARK ETFs across Canada. This group of ETFs is sub-advised by a U.S.-based advisor that invests in disruptive technology, artificial intelligence and genomics.
- Assisted Mila with privacy considerations regarding the development and deployment of a COVID-19 tracing app in Canada.

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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