

# AI and Law: In Legal Profession

Vidushi Aggarwal<sup>1</sup>

Dr. Gargi Bhadoria<sup>2</sup>

Amity University Noida

**Abstract-** The Underneath research paper talks about the basic structure of artificial intelligence and its latest developments in the market. It talks about self-learning technologies and algorithms adopted by AI to give more efficient results.

This research paper also talks about artificial intelligence technologies latest growth in legal corporates and professions in enhancing ethical and social implications and talks about how the AI technology will help legal professionals in extensive research and studies needed for their cases. The implications of landmark judgements and drafting documents with perfection is also one of the outcomes of the latest developed artificial intelligence.

The underlying paper also explains the relationship of the AI act of European Union to Indian strategies of coping with new age artificial intelligence. The AI act of the European Union will limit the risk in many areas like spam filters and video games. The AI act also legalizes extensive testing and proper legal documentation of the new algorithms created and their working in the market. This paper also mentions the concept of judge bots and the self-learning algorithm created by Europeans which can give judgements by understanding the law and arguments. This paper also talks about how artificial intelligence can protect intellectual property rights and the creators by filtering out impersonators and fraud creators of pirated goods.

**Key Words:** Artificial Intelligence, Judge bots, Intellectual Property rights, Legal corporates

## 1. INTRODUCTION

"He is no lawyer who cannot take two sides," famously wrote the English essayist Charles Lamb. For many people, AI and law programs operate similarly. It is insufficient to argue for one side alone, or even worse, to merely declare one viewpoint. One must be able to support their own position in court

while anticipating and responding to the opposing side's arguments. In the landmark tax case *Eisner v. Macomber*<sup>3</sup>, the first significant AI and law software, set out to rebuild the arguments of the majority and minority decisions. In TAXMAN, the goal was to merely be able to; there was no interest in evaluating and choosing between the two opinions. The idea is that the conclusion of a case is frequently unclear since there are usually competing views in each significant legal dispute, and judgments about who has the stronger case frequently diverge. At the highest stage of appeal, decisions are subject to being reversed once more.

Information mining and reasoning have long been a focus of research in artificial intelligence and law. Recently, professionals have been required to efficiently use advanced natural language processing technologies to huge quantities of freely available legal documents in order to benefit society as a whole.

## 1.2 BASIC STRUCTURE OF ARTIFICIAL INTELLIGENCE IN LEAGAL CORPORATES

Artificial intelligence (AI) might be defined as the automation of activities that "normally require human intelligence." This definition of AI emphasizes how frequently the technology is geared at automating specific kinds of jobs, particularly those that are seen to need intelligence when carried out by people.

Researchers have used AI technology to automate several difficult jobs, like playing chess, interpreting languages, and driving cars. Artificial intelligence is being used in the legal corporates to enhance their ethical and social implications in the corporate world it also enhances discipline.

Law is a field which requires extensive research work of case studies judgements and sections and their

<sup>1</sup> Student LL. B, Amity Law School, Noida, AUUP.

<sup>2</sup> Assistant Professor of Law, Amity Law School, Noida, AUUP.

<sup>3</sup> TAXMAN (L. T. McCarty, 1976),

amendments, a field like this requires high usage of artificial intelligence technologies to obtain information from prior or past instances in the recent case laws going on in the court. Technologies like artificial intelligence can help the advocates do believable work faster allowing them to focus more on the research for counselling clients and negotiating with the opposite party or the respondents and perform more enhancing work. Artificial intelligence legal technology has not only helped in extracting new information in the case laws and major research cases but also create new and original content in the research.

Artificial intelligence in legal corporates can help in-

- Litigation analysis and research of old judgments
- Risk assessment and management
- Electronic discovery identification and classification
- Legal research search engines
- Case outcomes and judgements
- Drafting documents with more collective points

Lawyers have a reputation for being technology sceptics who are resistant to change and new ideas. However, this perception of corporate counsel might be changing. The findings of a recent Thomson Reuters report titled "Ready or Not: Artificial Intelligence and Corporate Legal Departments" show that while corporate counsel consider themselves to be technologically savvy, they are aware of their limitations when it comes to artificial intelligence (AI).

Over the next ten years, AI tools will likely change how the legal profession conducts itself due to its expanding uses and influence. Take a look at how much technology has already altered how law is practiced: Each technological advancement—from typewriters to computers, fax machines to email—has revolutionized the practice of law. attorneys have agreed.

This pattern can now be used by the machine learning system to make Future spam-filtering judgments automated and sensible.

Machine learning algorithm decides that there is a good chance that this email is spam and will automatically send it to the spam folder. Because this

is roughly what a person would have done if he had rapidly skimmed the email, picked up on phrases like "free," and determined it was spam, we can consider this to be an intelligent outcome. In conclusion, in the example above, the system automatically discovered that the term "free" is a statistical indicator that an incoming e-mail is likely spam by looking for trends among past spam e-mail data.

## 2. ARTIFICIAL INTELLIGENCE ACT EUROPE IN RELATION TO INDIA

Artificial intelligence act of the European Union was published in March 2023 and the legal framework of this article was properly updated in June 2023. The legality of this act spaced on the proposal of article 14 of the Treaty of the functioning of the European Union. The above-mentioned treaty is for the smooth functioning of the common markets of the European Union. Artificial intelligence act is acting like a major pillar which is strengthening the digital single market strategy. This act strategizes to give the company's an edge who use artificial intelligence in their market activities and workings. The new legislation of this act was to improve the regulations and major developments in the artificial intelligence department in a legal framework. The new legislation proposed for the artificial intelligence act of the European Union has its major focus to strengthen the transparency, data quality and answerability. It also aims towards honorable questions and implementing challenges in numerous sectors oscillating from finances to health care even the schooling industry.

According to THIERRY BRETON the European union's commissioner for the internal market, artificial intelligence has been in the society for decades but in recent times it has reached new capacities fueled by the computing power and now it needs a new legislation to fulfil the requirements of the new foundation of artificial intelligence.

The European Union believes that AI systems like this will limit the risk in many areas like spam filters and video games. The systems also support real biometric identity systems in public spaces which prohibit unwanted problems with little exceptions in the system.

This act also accepts high-risk artificial intelligence systems only when the developers follow all the rules and regulations required to implement these

technologies. The creators of such technologies are required to go through extensive testing and proper and legal documentation of the quality of the data and the accountability the framework of these technologies will provide. Automatic vehicles, medical devices and critical infrastructural machinery can be considered as some of the higher risk artificial intelligence systems that are being introduced to society. The European Union act for AI is focusing on the usage of such high-risk AI technologies with the protection of the general public using it. The legislation proposed by them in this act also revolves and outlines regulations around the general AI that can be used in different tasks and can have different levels and degrees of risk while using them.

### 2.1 ASPECTS OF THE AI ACT OF EUROPE THAT INDIA SHOULD ADOPT

According to the IT and telecom minister Ashwini Vaishnav, the government and legal legislations should not shackle with artificial intelligence system and bring no unnecessary change to the regulations of AI system in India as it will create a hindrance In the innovation of AI . Indian system believes that Europe's approach towards artificial intelligence should be compared and analyzed to India's regulations towards Internet and artificial intelligence as India has no set rules or regulations for the working of the AI system.

The government has an unfair advantage when it comes to monitoring public conversations because to India's draft telecommunications bill. As things stand, the draft telecoms bill will benefit from unregulated AI systems because the state will be able to intercept automated conversations. This is not the AIA's method of operation. even for the use of facial recognition cameras in public settings, the EU requires prior authorization. Even if they are employed, it should be to track down a specific individual or entity.

India's artificial intelligence (AI) systems will be more business-friendly than citizen-friendly in the absence of AI legislation and lax data protection regulations. Users have the option to withdraw their consent under the 2022 Data Protection Bill, but there is no way to limit that consent. Once the consent form is circulated, it is assumed that one consent will cover the entire range of corporate operations. This makes it possible for AI systems to use the data in a way that is opaque to the user. In contrast, Article 5(a) of the AIA forbids certain actions.

The data protection bill 2022 excludes political gains, coercive controls, and knowledge about others without a monetary benefit when defining the term "gain." Thus, the latter two benefits can be achieved using personal data. Furthermore, psychological harm is not included in the definition of "harm." Given the descriptions given above, it is obvious that the law utterly disregards the psychological and social wellbeing of the general population in favor of the financial interests of the corporations.

## 3. JUDGE BOTS

### 3.1 BASIC CONCEPTS OF JUDGE BOTS

The basic concept of judge Bots is that an algorithm was created in the UK to see if artificial intelligence can be used in the courtroom for trials and how effectively and efficiently this algorithm can make appropriate judgements in certain cases.

The more intriguing portion of this project was when researchers showed the robot judge some cases under the jurisdiction of the European Court of Human Rights. The algorithm's decisions and the court's decisions agreed in 79% of the cases. (2017) The algorithm is still being studied to improve its functionality.

*“Dr. Nikolaos Aletras from the project disagrees with the notion that machines might fill judicial vacancies, but he asserts that the algorithm is close to reaching the level of efficient appraisal of the facts in a case.”*

Self-learning is what sets artificial intelligence apart from conventional computers. In essence, machines can educate themselves. With practice, these robot judges or attorneys would become more impeachable, similar to Google's "AlphaGo Zero." An artificial intelligence with a Go focus is called AlphaGo Zero. After some time, it eventually learns to play by only competing with itself in games that begin entirely at random. It swiftly outplayed humans as a result, taking down the human champion. Similarly, you don't need years of legal experience; you could be able to do it during some online hours.

Judges and lawyers are roughly in the middle of the list of occupations that are most likely to be replaced by technology, according to a study on the impact of technology on 702 different occupations. While 'Judge AI' or 'Judicial AI' advances are still in their infancy,

experts believe there are signs that they will become more significant. For instance, IBM's Watson computer helped the 2015 creation of the UK-based AI-driven 'robot lawyer' chatbot called 'DoNotPay'.

### 3.2 CONTRADICTING REVIEWS ON JUDGE BOTS

Researchers who developed the technique found that the ECtHR's decisions strongly correspond to non-legal facts rather than directly legal justifications, "suggesting that judges of the court are, in the complex of legal theory, 'realists' rather than 'formalists'" — that is, their decisions are affected more by the facts rather than just the law as a whole.

The team consisting of attorneys and computer scientists examined the ECtHR's publicly available database to gather case information. The court's judgements, as they describe them, have a specific framework that makes them particularly suitable for a text-based assessment.

The court-published summaries of these submissions are what we rely on because we don't have access to the applications that were filed to the court in order to test and improve our algorithm.

The court's verdict was found to be most accurately predicted by the literature employed as well as the subjects and situations covered in the case text. The text's situations, section provides details regarding every case's historical facts. An accuracy of 79% was attained by combining the data for all three articles and the information retrieved from the abstract "topics" and "circumstances" that the examples cover.

This is the first time judgments have been anticipated using analysis of material provided by the court. Previous research have predicted results based on the type of crime, or the policy perspective of each judge. We anticipate that such a tool would increase high-level efficiencies, eventually but not in the moment

## 4. USAGE OF ARTIFICIAL INTELLIGENCE IN PROTECTING INTELLECTUAL PROPERTY RIGHTS

### 4.1 IMPERSONATION IN THE IPR INDUSTRY

Intellectual property rights are made for people who create something new with an inventive step and the protection to their new creation is the reward for them. But even with extreme legal protection and steps taken towards protecting these new inventions the creator

always has to face problems in the form of fraud or someone impersonating their creation in the public spaces. the legal system of the country has taken all necessary steps to protect such inventions and their creators from false impersonations and false credit given to the wrong person.

The incidence of stolen and counterfeit items is expanding. The global trade in counterfeit goods accounts for 3.3% of all trade today, and it is estimated that it costs the economy \$500 billion yearly.

The growth of e-commerce has made it simpler for counterfeiters to carry out their business. Nowadays, anyone may set up a website to sell their goods or register as a third-party seller on well-known retail websites like Amazon, where 57% of items were bought from third parties in the second quarter of 2022. Counterfeiters can fool consumers into believing they are simply getting a good deal on a name-brand product by copying goods, logos, and names.

The effects of counterfeiting go beyond just inconvenience for businesses. Because counterfeit goods are frequently produced at a lower cost or without the same safety standards as genuine goods, they can also have a negative influence on brand reputation and consumer confidence.

### 4.2 INTELLECTUAL PROPERTY RIGHT PROTECTION THROUGH AI

There are millions of product listings spread throughout internet marketplaces. Given the volume, it's essential to be able to gather information from hundreds of online marketplaces, take screenshots of listings, determine whether they are pertinent to your brand, and then determine whether you are in possession of the requisite IP rights in that country. AI is useful in this situation. Instead of you needing to perform the manual effort, image recognition models may scan through millions of listings from international marketplaces to visually categorize things that are comparable to the genuine products of your brand and notify you. The best AI models can categorize a large number of product listings not only by product kinds (such as earrings and necklaces), but also by various product models.

In order to spot trademark infringement, AI models created with the most recent deep-learning computer vision technology can recognize trademarks inside of product photographs even if they are blurred or

concealed. By examining the product descriptions and customer evaluations for each item, text analysis models created using the most recent natural language processing (NLP) technology may also assess whether a product advertised is a fake. The benefit of artificial intelligence is that it gains knowledge with each reporting cycle and enhances its accuracy and depth, bringing back higher-risk listings with improved accuracy.

Every marketplace has different reporting forms and documentation requirements that might take a lot of time to fill out and submit each time a listing is reported as being infringing. Additionally, there are more than 1,000 worldwide markets with \$1 billion in annual transaction volume, including e-commerce sites, social networking platforms, and NFT marketplaces. The removal procedure may be sped up and the success rate of deletions is raised by using technology that can automatically generate and send reports to marketplaces.

#### CONCLUSION

After doing extensive research this can be concluded that AI technology can be considered as an upcoming new phase of legal professionals.

Law is a very complicated field because of its multitude of set rules and legal implications but AI will have a more prominent effect on assessment process of law firms and litigators. The correct analysis of the case laws can be a time-consuming task for humans, but the self-learning AI technologies can make it easier for lawyers to have more specified data and maintain extreme accuracy in the process of research and trials.

The research concludes that the AI act created by Europeans is somehow the start to a more efficient way of dealing with forward moving technologies. Extensive testing and proper legal documentation of such algorithms which will be used in public spaces can make lives safer and more efficient.

The concept of judge bots is not extremely efficient as even though it learns and researches on its own, a human judge is more efficient because their judgments are more focused towards the facts of the case which yet is not possible for a robot to understand but definitely AI technologies are extremely efficient in protecting the intellectual property rights and their creators by robotic filtration.

This research reached the conclusion that AI can be a beginning of a new face, but it cannot replace human intelligence and efficiency in some important fields of law as law is not just about rules but is also based on facts, arguments, theories and Special Situations faced by people on a daily basis Which can be handled by human intelligence and worldly theories more efficiently for providing justice to mankind.

#### REFERENCE

- [1] "L. T. McCarty. Reflections on TAXMAN: An experiment in artificial intelligence and legal reasoning. *Harvard Law Review*, 90:837, 1976."
- [2] "*The Power of AI in Legal Research* | *LexisNexis*. (n.d.). <https://www.lexisnexis.com/community/insights/legal/b/thought-leadership/posts/the-power-of-artificial-intelligence-in-legal-research>"
- [3] "*On artificial intelligence, trust is a must, not a nice to have,*" one lawmaker said. #AI. (n.d.). World Economic Forum. <https://www.weforum.org/agenda/2023/06/european-union-ai-act-explained/>
- [4] "Polcumpally, A. T. (2023, June 14). EU Artificial Intelligence Act and borrowable practices for India. *The Siasat Daily*. <https://www.siasat.com/eu-artificial-intelligenceact-and-borrowable-practices-for-india-2615054/>"
- [5] "Ilsa. (2018). *Robot Judges & Judicial Actors of Artificial Intelligence* | *ILSA eMAGAZINE*. ILSA e-MAGAZINE. <http://www.ilsaedergeri.com/en/robot-judgesjudicial-actors-of-artificial-intelligence/>"
- [6] "Rose, N. (2016). The robot judge – AI predicts outcome of European court cases. *Legal Futures*. <https://www.legalfutures.co.uk/latest-news/robot-judge-aipredicts-outcome-european-court-cases>"
- [7] "Lee, M. (2023). How artificial intelligence helps protect intellectual property. *Forbes*. <https://www.forbes.com/sites/forbestechcouncil/2023/02/24/howartificial-intelligence-helps-protect-intellectual-property/?sh=6646b6ea5338>"