NEW YORK STATE BAR ASSOCIATION - INTERNATIONAL SECTION

SEASONAL MEETING 2018 IN MONTREAL

M&A and the Technology Revolution

OUTLINE

Co-Chairs: **David R. Lallouz, Tannenbaum Helpern Syracuse & Hirschtritt LLP, New York**

Carl-Olof Bouveng, Lindahl, Stockholm, Sweden

Speakers: **Elliott A. Greenstone, Davies Ward Phillips & Vineberg LLP, Montreal, Canada**

Gregory E. Ostling, Wachtell, Lipton, Rosen & Katz, New York

Hernán Pacheco, EY Law, Costa Rica

Torsten Rosenboom, Watson Farley & Williams, Frankfurt am Main, Germany

Anna Dabrowska, Wardynski & Partners, Warsaw, Poland

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Artificial Intelligence ("AI")

- Practice development-perspective

    o How is AI affecting M&A practice today?

    o What do you see by way of internal projects within your firm or on the market relating to AI? Has your practice or that of other practitioners whether in your firm or on the other side of a transaction incorporated AI into any aspects of the transaction process?

    o How will AI be affecting the M&A practice 5 years from now?

- Risks and issues relating to AI to be covered in due diligence and drafting of transaction documents

    o Has the use of AI become sufficiently prevalent in acquisition targets to warrant new considerations in due diligence? In representations and warranties?

    o Does AI affect businesses in such a way that you found a need to conduct due diligence in a different manner or tailor the documentation, including warranties, differently?

Cybersecurity

- How do you address Cybersecurity issues in transactions?

- On the buy-side, are you conducting cyber due diligence? Are you requiring specific cyber-specific representations and warranties? On the sell-side are you encountering these requirements from buyer's counsel?

- Are buyers insisting on Sellers obtaining cyber insurance policies?

- How attentive are parties to the issue?

Other

- What do you think in addition to the above will be the most influential factor on your M&A-practice 5-10 years from now and what will it mean for the practice?

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