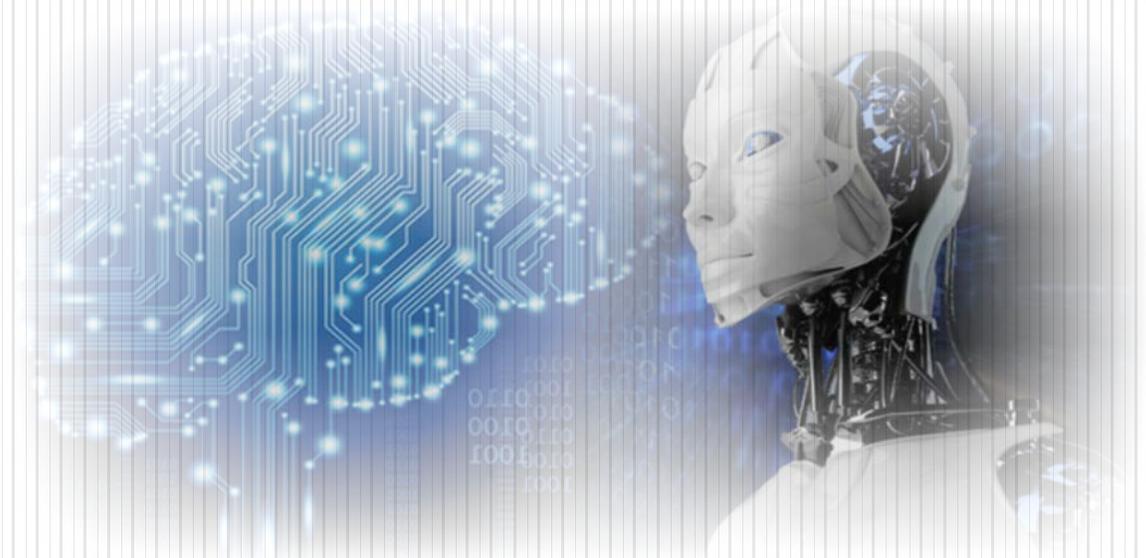# AI and Law Firm Marketing

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prepared for
   The College of Law Practice Management
   Futures Conference

October 2017

Relevance of AI to Law Firm Marketing Teams

1. Help your firm establish an AI Industry Team

2. Understand AI generally and your firm's use of AI in its practice
    In other words, understand what you're marketing

3. Communicate/promote your firm's use of AI to make your legal services better, faster and cheaper
    i.e., a better value to clients

4. Use AI to make your marketing better, faster and cheaper

WHAT IS A.I.?

- Augmented Intelligence
- Cognitive Computing
- Big Data Analytics
- Robotics
- Neural Networks
- Expert Systems
- Deep Learning
- Machine Learning
- Internet of Things (IoT)
- Deep Mind, Deep Blue, Watson

Computers performing analytic tasks heretofore believed to be the sole province of the human brain.

Also systems that are closely related to AI.

AI and Law Firm Marketing

- Leveraging technology

- Content marketing
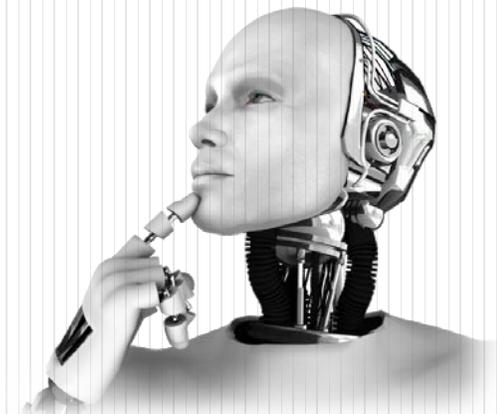
- Pricing

- Predictive pitching
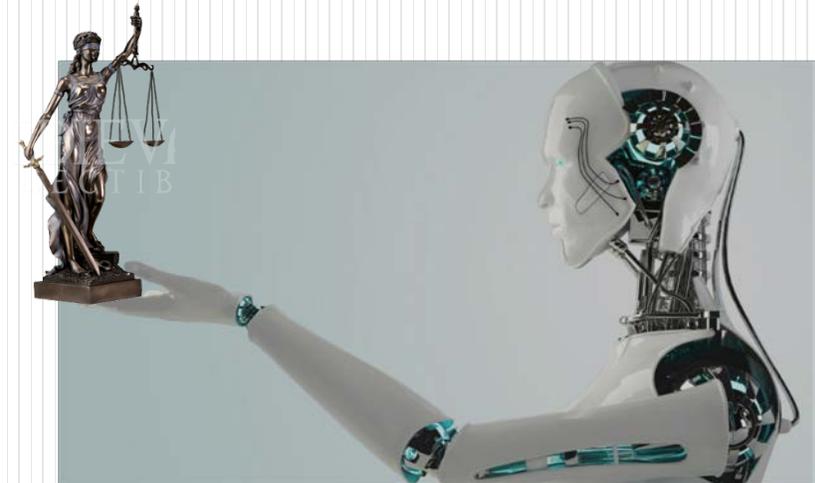
Leveraging Technology

- Website
- Blogs
- Social Media
- Chatbots
- Programmatic advertising
- Integrating systems
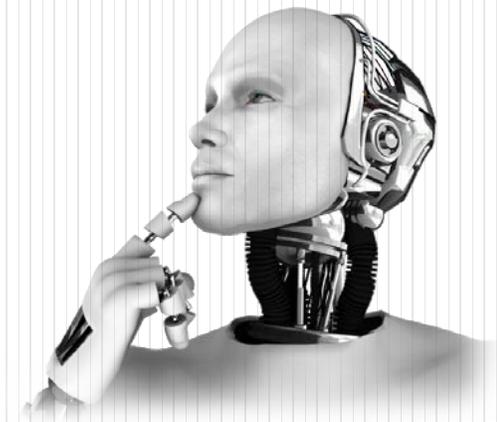
Content Marketing

- Better content
- Delivered more quickly
- To exactly the right people

Primer re CRISPR (1)

The most lucrative applications of CRISPR involve human medicine. The gene-editing technology promises to revolutionize not only the prevention of hereditary diseases but cancer treatment. PTAB issued its ruling on the ownership of patents related to CRISPR-Cas9 on Wednesday. Berkeley has subsequently filed an interference, arguing that the patent should not have been granted in the first place. The university claims that the link between the published research and possible applications of CRISPR-Cas9 was obvious. If the court is convinced, the Broad Institute's patents will be voided.

Primer re CRISPR (2)

The fight for control of the powerful gene-editing technology known as CRISPR may have a winner: the Broad Institute of Harvard and MIT. On Wednesday the Patent Trial and Appeals Board issued its ruling on the ownership of patents related to CRISPR-Cas9. Dana Carroll, a biochemist at the University of Utah in Salt Lake City, testified on behalf of UC Berkeley, arguing that the extension of the team's research to applications with human cells was "obvious". Doudna's group published a paper showing that CRISPR could edit such cells soon after Zhang's group published their study. But PTAB did not agree.

Primer re CRISPR (3)

The question at hand is who owns the intellectual property of a powerful new gene-editing technique, and potentially billions of dollars that will flow from its implementation. The Federal Patent Trial and Appeal Board issued its ruling on the ownership of more than a dozen patents related to CRISPR-Cas9. The decision is a major blow to the university's fight with the Broad Institute. In a statement, UC Berkeley said it "respects" the decision but maintains that Doudna and Charpentier were the first to invent CRISPR, citing their 2012 publication describing the gene-editing system.

Primer re CRISPR (4)

The fight over control of CRISPR appears to be over, at least for the moment. PTAB issued its 51-page ruling on CRISPR-Cas9 on Wednesday. The judges concluded that the Broad's patents for using the technology with eukaryotic cells did not interfere with Berkeley's patent application which claims the application of CRISPR technology in general.

Primer re CRISPR (5)

Researchers at the University of California, Berkeley and the University of Vienna are licking their wounds and vowing to fight. The Patent Trial and Appeal Board issued its ruling on Wednesday, suggesting that the work done at UC Berkeley was not sufficiently groundbreaking. The Broad Institute successfully argued that its claims, which are all limited to the application of CRISPR-Cas9 in animal and plant cells, are sufficiently different from UC's claims, which apply to all types of cells. Specifically, the judges agreed that the invention of such systems in plant and animal cells would not have been obvious, because a person of ordinary skill in the art would not have reasonably expected CRISPR-Cas9 to work in those cells.

The U.S. Patent Trial and Appeal Board has found no "interference" between patents by Feng Zhang at the Broad Institute of MIT and Harvard and those of Jennifer Doudna at UC Berkeley. The 51-page ruling suggested that the work done at UC Berkeley was not sufficiently groundbreaking, but the university disagrees and plans to appeal. Because it concludes that the two inventions are distinct, both parties' patent claims can potentially coexist. Doudna says that she will continue to pursue her own patent. What becomes of the UC Berkeley patent application is unclear. But the Broad's CRISPR patents have survived the challenge.
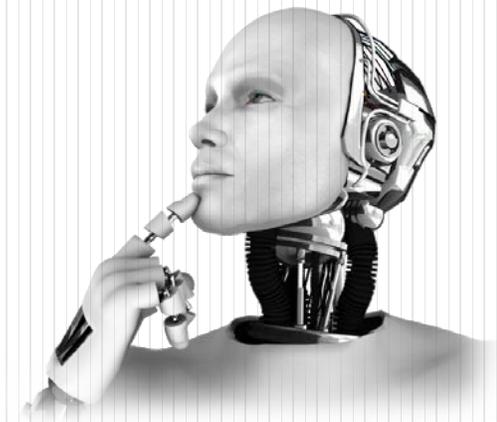
Pricing

- What pricing structure will be profitable in this instance?

- What is the competition changing for directly comparable services

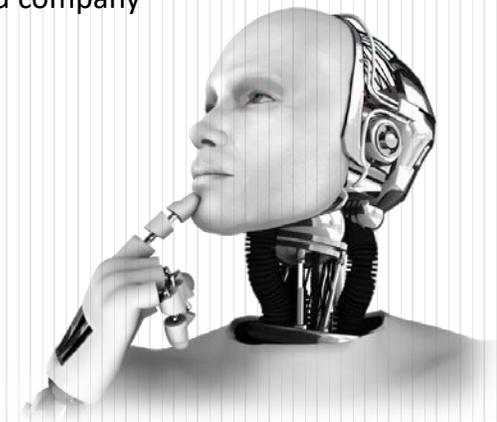- Given our value proposition, what is the client willing to pay
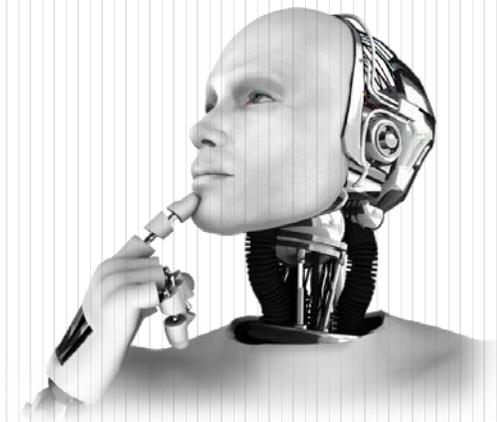
Pricing (Value Drivers)

Establish value proposition based on what
matters to this client in this situation.

Pricing (examples of "value drivers")

- Total net cost to the client

- Predictability of the net cost of the work

- Work done by a firm that is a "safe choice," that is, one that will cause no one to second-guess their use. This might be based on the firm's general reputation, their reputation for handling similar matters, or even the law schools their lawyers attended

- Win at all costs (perhaps to avoid precedent or when in a "bet the company" situation). This factor often trumps all other considerations causing the client to be cost-insensitive

- Resolve quickly (possibly to stay out of media)

- Knowledge that the work will be leveraged to their liking. Some clients in some important situations want to know that partners will be consistently involved. Other clients or in other situations may want leverage such that the client only pays for enough seniority to get each task done and no more

- Knowing that the specific partner whose reputation influenced awarding the work will be overseeing the matter

- A firm's footprint, be in national, international or in specific markets. This might include experience with specific judges

- A full-service firm, allowing the client to work with one trusted relationship partner over several types of matters. (Once trust is established in any context, its value to the client can be decisive.)

- Turnkey solution vs. ability to disaggregate work. This is especially common for commodity services for which the client may enter into a fixed fee arrangement for all of their work for a period of time, allowing their in-house team to focus on *ad hoc* matters as they appear

- Discounts (see "mark it up so you can mark it down" above)

- A firm's use of technologies such as Artificial Intelligence can add credibility to a firm's claims to be better, faster and cheaper than others

- Value-added services the firm may provide such as CLE training for the in-house team

- Perception of a "partnering" relationship between the client and firm. This may be achieved by the use of extranets, regular meetings between the firm's lawyers and the in-house team, and collaborative process improvement to keep costs down

- Deep understanding of the client's industry and company

- Use of the client's task codes in billing

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Pricing

Equity Partner Billing Rate for Situation X

Profitable Work
$100 $250 $500/hr.

Value to Client (Willing to Pay)
$100 $250 $500/hr.

Competitors Rates
$100 $250 $500/hr.

Range of acceptable rates

Predictive Pitching

- Pitch service to exactly the right client before they even know they (will) need it.

- Outcome variable, engagement of counsel for a practice

- Input variables
  - Firm history from billing system and CRM
  - External BIG data

- Been done with simple regression
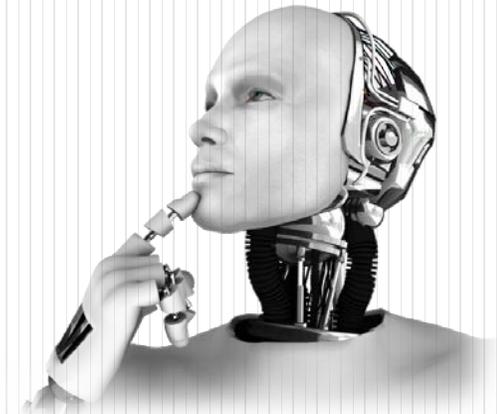
Impact of AI Implementation

- Business processes and legal processes:

  Everything better, faster, cheaper

- Better value to clients

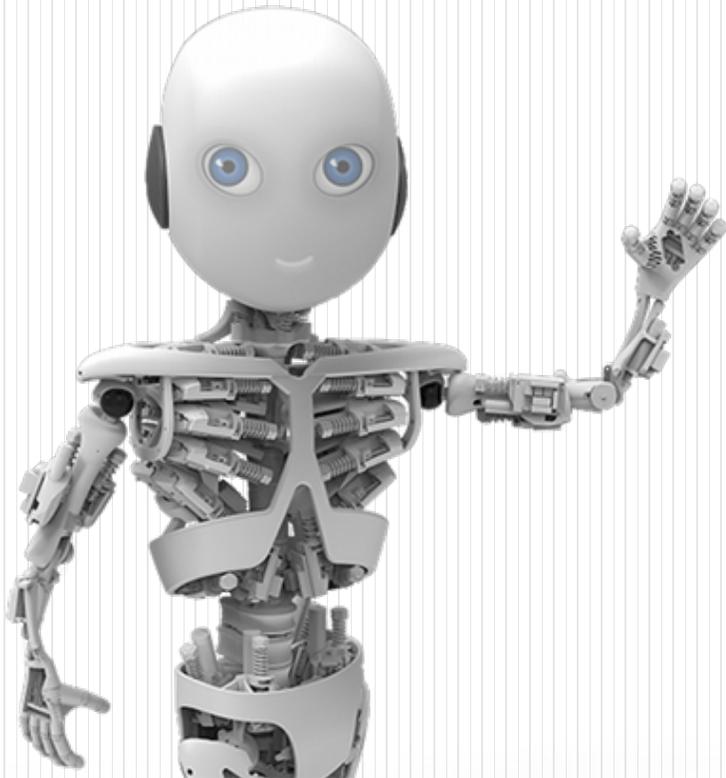- More profit to firm

- Image of market leader

Better

Faster

Results of AI Implementation

Cheaper
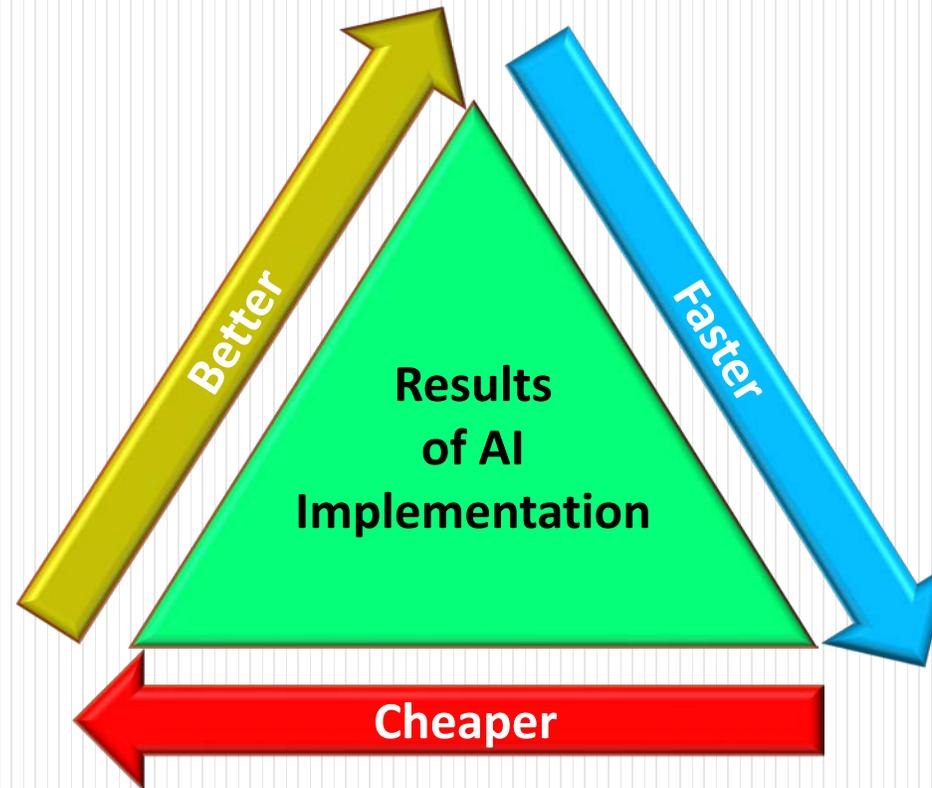
Summary:
The 4 Things Your Marketing Team Should Do

1. Help your firm establish an AI Industry Team

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Questions/Discussion