



FTI Technology's Expertise in Handling AI System Data Enables E-Discovery in Complex IP Dispute

A technology company is facing litigation and allegations that the database it uses for its models was used improperly. In responding to the litigation, the company needed support from experts with deep AI expertise, understanding of AI technology and applications and e-discovery experience to analyze its underlying systems, parse through numerous emerging data sources and AI databases, and determine whether there was evidence of violations.

Situation

At the outset of the case, the e-discovery scope spanned data residing in the organization's Google Workspace, Slack and Notion environments, in addition to other data sources and numerous versions of documents. While preserving and reviewing data from these sources was complex and challenging for the client, the workflows needed were core to FTI Technology's emerging data sources expertise.

In addition to handling various structured and unstructured data sources, the client also needed to capture and analyze its AI infrastructure, which served as the foundation for its products and their inherent functionality. This database included logs of how users engaged with the company's AI tools and what underlying data was used. Protected technical information was also in scope, requiring careful handling and review environments.

Due to the volume (hundreds of terabytes) and types of data involved, typical data migration processes, e-discovery models and document review systems were not feasible, and alternative workflows were required to access and examine the data.

Our Role

FTI Technology's industry-leading emerging data sources expertise and technical adaptability have been instrumental in enabling digital forensics, e-discovery and fact finding in numerous cases involving data from complex AI systems. The client and its law firm had seen this firsthand in a prior investigation, which led to selection of FTI Technology as the e-discovery partner when this case was filed.

Early on, the team worked closely with technical support at the provider for the hyperscale cloud environment behind the client's systems to determine the tooling available to access, migrate and query the database. Using capabilities embedded in the client's cloud infrastructure, FTI Technology transferred the data directly into FTI Technology's secure environment in a matter of days.

A key innovation in the workflow was the use of cloud native tools to enable data mapping and data interrogation within the database, functionality that was not possible using traditional e-discovery processes and tools. The ability to push the analytics to the data in its native environment, rather than within an e-discovery platform, made it possible to query the data faster, reduce the burden of data migration and run meaningful analytics on a novel data source.

Additional solutions FTI Technology provided during the engagement include:

- Technical expertise and flexibility related to the mechanics and logistics of accessing AI system data.
- Guidance for the legal team regarding the optimal way to analyze, understand and query the database schema and activity logs, which enabled counsel to identify IP that could not be disclosed.
- In-depth analysis of disputed information and system activity.
- Creation of a secure preservation environment to ensure all in-scope data was preserved in a defensible manner. Additional secure review environments were established for sensitive protected technical information.
- Development of a log to track changes across various versions of key documents.
- Application of IQ.AI by FTI Technology™ to support efficient and insights-driven document review.

OUR IMPACT

FTI Technology's technical expertise and understanding surrounding cloud systems and AI data provided the client — which did not have mature infrastructure to address complex legal and risk issues — with the guidance it needed to effectively respond to this high stakes litigation. Without the team's innovation and guidance, defensible discovery for this matter would not have been able to progress.

In the ongoing case, the team has enabled effective and insights-driven discovery. The creation of a secure and defensible foundation for counsel and opposing parties to review AI system data and related information has supported arguments and case strategy development, without exposing the data that is fundamental and critical to the client's business.

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