

Lecture Session on

Technology & Law - Emerging Areas



DDE, NALSAR University of Law

Scheme of Presentation - Session I

1. Concept of Drones
2. Regulation of Drones in India
3. Rules and Amendments
4. Privacy Issues in the usage of Drones
5. Suggestions for Regulation of usage of Drones
6. Concept of AI and Automation
7. AI and Legal Practice
8. Future of Legal Practice in wake of AI

Drones are Unmanned Aerial Vehicles (UAVs) or Remotely Piloted Aerial Systems (RPAS) that are controlled either by a pilot on the ground or with the help of technology.

Drones offer tremendous benefits to almost all sectors of the economy like – agriculture, mining, infrastructure, surveillance, emergency response, transportation, geospatial mapping, defence and law enforcement etc.

Drones can be significant creators of employment and economic growth due to their reach, versatility, and ease of use, especially in India's remote and inaccessible areas.

In view of its traditional strengths in innovation, information technology, frugal engineering and huge domestic demand, India has the potential to be global drone hub by 2030

Drone Rules, 2021¹⁵ were notified by the Central Government on August 25, 2021 amended in 2022

The Ministry of Civil Aviation vide gazette notification CG-DL-E-26082021-229221 dated August 25, 2021 published the Drone Rules and vide gazette notification CG-DL-E26012022-232917 dated January 26, 2022 published the Certification Scheme for Unmanned Aircraft Systems

Analysis of the Rules and Policies relating to regulation of Drones.

Privacy Issues involved in usage of Drones

Public Navigable Space - Aircrafts

Controlled Space for Governmental Surveillance

Zone above the ground - Free and Not Defined - Area of Contention

Judicial Responses for usage of Drones by Governmental Purposes

Concept of *Ad Coleum* - Common Law Doctrine - *Whomsoever the soil belongs he owns the Sky also*

Suggestions for regulation of Drones - Privacy Considerations

- 1. Property Rights based approach expressly fixing the Right over Air Space (Excluding Public Navigable Space and Governmental Regulation space)**
- 2. Fixing of Maximum Duration of flying time of Drones**
- 3. Data Protection Procedures for usage and storage of Data collected by Drones**
- 4. Publication of Real Time Data relating to operation of Drones by the Government**
- 5. Geo Fencing of Data - Collection and Analysis of Specific Data and exclusion of other data as collected from Drone Surveillance.**

Concept of AI and Automation

The primary applications of AI in the legal industry today are in the areas of

Legal Data processing,

Smart Automated Tools, enhancing Legal Research, and

Predictive Analysis.

Cognitive computing is a branch of AI that may be used to extract, organise, and analyse data from many sources, including text, images, and audio.

Natural Language Processing (NLP) is a kind of machine learning that helps computers comprehend human language and is often used in the contract drafting process at legal firms, where it is used to spot inconsistencies and typos in Documents.

In the same way that automation is dependent on NLP technology's language learning skills, AI-based research software is reliant on NLP's ability to help machine learning algorithms grasp the context of the words they're processing.

Predictive Legal Analytics

It examines databases of past case results in order to draw conclusions about new cases, which it then uses to make predictions about their likely outcomes.

Since the conclusions sometimes have a moral aspect, this kind of machine learning is among the most complicated.

Predictive analytics are now employed in litigation for a variety of purposes, including result prediction, strategy development, expedited settlement discussions, reduced trial frequency, and cost analysis.

Given the inevitability and imminence of AI's complete incorporation into contemporary legal processes, the industry must embrace innovation while protecting the ethical integrity of AI via testing, monitoring, and regulation.

Links for Popular Legal Predictive Analytical Softwares

<https://dwfgroup.com/en/services/legal-operations/legal-analytics>

<https://www.ezlytix.com/solution/law-firm-analytics/>

The legal sector is experimenting with technology in three main areas:

Internal adoption of legal tech

Client business tech implementation, and

Industry-wide digital transformation

Technology has played a vital role in helping legal companies save expenses, and this has led to a rapid evolution in the traditional job of the attorney.

The capacity to strategize and show compassion are two of these qualities that may be impossible to replicate using technological means.

The usage of Blockchain in Smart Contracts in dispute resolution proceedings is an example of how technology may speed up what used to be a tedious part of the legal process.

Data analytics is the practice of gathering and analysing data for the purpose of understanding and foreseeing outcomes in real-world processes.

The ability to gather data is a key enabler for using automation and possible AI.

This is because individualised data will be vital to the functioning of future discoveries and creations.

Scheme of Presentation - Session II

1. Assisted Reproductive Technology (ART) - Meaning
2. Surrogacy and IVF - Conceptual Clarity
3. Legal implications of Surrogacy Contracts
4. Assisted Reproductive Technology (Regulation) Act, 2021 and the Surrogacy (Regulation) Act, 2021
5. Role of AI in Medical Treatment
6. Liability of AI Medical Negligence

Genetic Surrogacy or Traditional Surrogacy: Is an arrangement when the surrogate provides the egg and carries the pregnancy. This is done through the process of Artificial Insemination (AI) or Intra Uterine Insemination (IUI).

Gestational Surrogacy: When the surrogate conceives through Embryo Transfer (ET), following the procedure of in vitro fertilization (IVF). The fertilization of the ovum happens outside the body and the fertilized embryo is transferred to the uterus of the surrogate.

Commercial Surrogacy: It is a form of surrogacy in which the surrogate enters the arrangement primarily for financial reasons. In such instances, the surrogate is paid to carry a pregnancy to term.

Altruistic Surrogacy: The surrogate receives no financial reward for her pregnancy and the relinquishment of the child. However, in such instances usually all expenses related to the pregnancy and birth are borne by the intended parent

Surrogacy Contracts - Abuse of Power

Weak Bargaining Power by Surrogate

Payment vs. Compensation

Medical Issues in Surrogacy

The Surrogacy (Regulation) Act, 2021

The Assisted Reproductive Technology (Regulation) Act, 2021

Why Two Laws

Homosexual Couples ?

Single Men and Women cannot go for Surrogacy

Discrimination between Widow and Divorced Women

AI BASED HEALTH CARE AND MEDICAL NEGLIGENCE

Medical AI often functions as a "machine-learning" system, analysing massive amounts of data and using intricate algorithms to draw conclusions and provide recommendations to human clinicians.

Black Box - Algorithmic Combinations which cannot be predicted

Machine learning, which uses algorithms to find patterns in "huge volumes of data," is the branch of AI most often used in healthcare settings.

Who is Liable for Negligence

Programmer

Manufacturer

Dealer

Doctor

Hospital

Discussion Time

Thank you

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