6th Annual Innovation and Technology Law Conference: Enabling Innovation in Law and Society

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Since 2018, the Seattle University School of Law has presented an annual late spring/summer conference on innovation and technology, with a shift to a virtual conference in 2020. The virtual format fosters participation from a broad base audience, which this year included about 150 registrants who joined us live or watched the recording.

 Co-sponsored by the Perkins Coie law firm, this year's conference built on the past annual themes starting with the initial conference held in 2018, titled Blockchain and FinTech: Innovation and Regulation (co-sponsored by the law firm of Fenwick & West LLP); followed by 2019's theme of RegTech: The Transformation of Regulation & Compliance (co-sponsored by Perkins Coie LLP); 2020's conference theme of Data Justice: Legal and Policy Issues in Data Collection, Usage, and Ownership (co-sponsored by Perkins Coie LLP), 2021's theme of Innovating for the Social Good (co-sponsored by Perkins Coie LLP), and 2022's theme of Deep Innovation Dives.[1] The annual innovation conference is part of the law school's SITIE institute (Summer Institute for Technology, Innovation, and Entrepreneurship), which offers a unique summer curriculum of cutting edge courses to help equip students with the skillset and values they need to represent start-ups and more established companies in Seattle's regional tech hub.[2] Since 2015, the law school has offered what has become the SITIE institute's signature course, known as the Immersion Course: Lawyering for Entrepreneurship and Innovation.[3] That intersession course has featured site visits (virtual ones from 2020-2023) with in-house legal counsel (and oftentimes corporate officers) of such regional companies over the years as Microsoft, Expedia, Zillow, T-Mobile, DocuSign, Starbucks, Chef, SubPop Records, Zulily, and more. Immersion students attend the annual innovation conference as their final class session, and the conference benefits from their active participation and engagement with the speakers and themes.

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[*] Associate Dean for Planning and Strategic Initiatives, Seattle University School of Law. My thanks to Joe Vincent for planning the FinTech panel, and to the law firm of Perkins Coie for their co-sponsorship of the conference and for hosting a live reception at their Seattle office for local participants at the conclusion of the otherwise virtual proceedings. And finally my gratitude to the staff of the Seattle Journal of Technology, Environmental, and Innovation Law for overseeing the publication of this online symposium.

[1] Since 2020 we have recorded all the conference programs and made them available on the law school's Summer Institute for Technology, Innovation, and Entrepreneurship (SITIE) webpage and, more recently, the Seattle Journal of Technology, Environmental, and Innovation Law webpage.

[2] In spring 2023, the law school launched its TILE program (Technology, Innovation Law, and Ethics), https://law.seattleu.edu/academics/degree-programs/jd/curriculum/tile/, as an umbrella to coordinate and feature the school's many technology-related degrees, courses, scholarship, and programming.

[3] In 2023, the SITIE institute also offered the following courses: Artificial Intelligence Law: Practice and Theory; Counseling Startups: Law, Regulation and Fundraising; and The Role of In-House Counsel: Lawyering within an Organization.

The innovation conference over the years has highlighted emerging technologies, particularly blockchain distributed ledgers and AI/machine learning, along with data (particularly personal health data) as a catalyst and tool for business innovation. The conference routinely confronts the balance of technology's potential to solve social problems as well as the risks for aggravating or perpetuating existing societal inequities, and more generally the ethics of technology-based companies, platforms, and innovations from the vantage points of attorneys and officers. A pivotal illustration of these tensions was the panel discussion in the 2020 Data Justice conference around the privacy and racial justice concerns of facial recognition technology, but this year's conference confronted these tensions (and opportunities) in settings that ranged from tackling the access to justice gap for clients in need of legal services, to addressing the lack of diversity in technology companies and the legal profession—specifically this year among intellectual property lawyers who mirror the stark absence of diversity in the legal profession generally. Additionally, the innovation conference has emphasized the skillset that lawyers and law students need to bridge any divides with innovators, and to add value to their breakthroughs, and this year we featured discussion around how diverse legal counsel can contribute to innovative companies and how lawyers and law students can ensure they are not replaced with AI technology by emphasizing the acquisition and performance of skills humans (still) do best. At the same time, we aim to educate our students in emerging and essential technologies[4] so that they can be part of the exciting possibilities of solving problems, or adding efficiencies, that technology makes possible, while also being aware of any ethical or other limitations or perils of technology-based approaches and solutions.

This year's conference, with the title of Enabling Innovation in Law and Society, revisited the areas of emphasis in both the annual Immersion course and the past innovation conferences, focusing on the legal profession/delivery of legal services, financial services, and the threat or need for regulation particularly (this year) in the financial services realm after several high-profile failures of management or business models. The Seattle region is a leader in innovation in these sectors, but the virtual format of the conference has allowed us to bring in speakers from other regions, as we did this year with, among other speakers, a key lawyer from Microsoft based in New York, and a STEM academic leader, both of them discussing the role on workplace diversity as key to innovation.

The first 2023 innovation conference cluster of presentations built on discussions at the 2021 conference around the possibility of designing and authorizing a regulatory sandbox in Washington to expand access to legal services (in the furtherance of access to justice) through online delivery of legal services and other innovations, as informed by the Utah and Arizona sandbox models detailed in the 2021 conference.[5] This year we hosted the co-founders of a

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[4] We assigned students in our Immersion course a textbook to help them understand several vital technologies and their applications—STEVE BROWN, THE INNOVATION ULTIMATUM: HOW SIX STRATEGIC TECHNOLOGIES WILL RESHAPE EVERY BUSINESS IN THE 2020S (2020), https://www.wiley.com/en-us/The+Innovation+Ultimatum%3A+How+six+strategic+technologies+will+reshape+every+business+in+the+2020s-p-9781119615439, and also arranged a virtual visit by the textbook author to answer student questions and entertain discussion around technology ethics, as well as allow the author to update the text with new developments, particularly ChatGPT.

[5] For the 2021 legal services panel, *see* https://media.law.seattleu.edu/hapi/v1/contents/permalinks/Cw3d5YJc/view.

company designed to narrow the access to justice gap for hiring of lawyers by providing a platform to streamline that process for consumers of legal services. We also focused on the delivery of legal services by hosting the founder and the chief legal officer of a company that uses AI technology to enhance the performance of legal services for business clients and deals. Discussion centered around what skillset lawyers need to remain relevant and irreplaceable in the delivery of legal services, while augmenting those services with innovative new tools steeped in cutting edge technologies.

The second cluster of discussion showcased diversity both in pipelines to technology companies and the legal profession and also in the delivery of legal services. The discussion and presenters situated diversity as key to innovation and included two virtual "fireside chats" with authors who have written about their experiences in diversifying the technology field, highlighted by Microsoft associate general counsel and author Bruce Jackson, who wrote the acclaimed book *Never Far From Home: My Journey from Brooklyn to Hip Hop, Microsoft, and the Law*.[6] The theme of innovation through diversity was also the catalyst for a panel exploration of the extent and causes of under-representation within intellectual property policies and practices, as well as an opportunity to include two Seattle University law student perspectives on intellectual property pipeline programs to address DEI issues.

Finally, the 2023 closing panel/roundtable continued the innovation conference theme of innovation in the FinTech sector, this year with a focus on regulatory developments and the appropriate role for regulation and regulators, along with a look forward from the vantage point of what has certainly been a newsworthy year for banking and blockchain based currencies, including the failure and emergency liquidation of two prominent regional banks, Silicon Valley Bank and First Republic Bank of San Francisco, the demise of the two largest U.S. bankers of crypto-company deposits, Signature Bank and Silvergate Bank, the failure of an algorithmic-pegged stablecoin, Terra Luna, and the spectacular demise of FTX from alleged criminal fraud and embezzlement on a massive scale.[7] A distinguished panel of national and international in-house lawyers and outside counsel addressed issue clusters prompted by these failures, but buoyed by the promise and inevitability of future innovation in the realm of FinTech, that included lively discussion around bank deposits, crypto-digital assets, AI technology and financial services, open banking, and policy and innovation. Among the questions posed in the roundtable were the key principles that should drive discussions around regulating AI in financial services, and how to solve the issues confronting crypto companies (market manipulation, fraud, unregistered/unregulated activities, money laundering, protection of retail investors, etc.) without stifling innovation that could make financial services more affordable/accessible to the under-banked/un-banked and provide other economic and societal benefits.[8]

All of these panels and discussions are detailed in more depth in summaries included as part of this online symposium edition, with links to the panel recordings.

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[6] https://www.simonandschuster.com/books/Never-Far-from-Home/Bruce-Jackson/9781982191153.

[7] Financial innovation—FinTech for short—has been a focus of every innovation conference so far under the guidance of Professor Joseph Vincent, who teaches the law school's cluster of FinTech courses to LLM, MLS, and JD students and moderated the 2022 FinTech panel.

[8] My thanks to Joe Vincent for his detailed and rich preparation of these and other discussion questions that he moderated.

Particularly evident this year was the broad diversity of presenters, with all but two of the conference speakers and moderators consisting of women or people of color, or both. The conference also benefited from a range of backgrounds that included law and STEM professors, law students, in-house counsel, outside counsel, and CEOs and founders of technology companies.

Looking ahead to 2024, the innovation conference will continue to append to the Immersion course, and to draw from the core technologies that businesses rely on to disrupt and benefit underserved markets or to stay relevant in their sectors, and as well to impart the skills, and the critical thinking of moral and ethical limitations, that flow from an in-depth understanding of the application of these technologies in law and society. In step with Seattle University School of Law's mission to educate powerful advocates for justice, we present in this online symposium format the compelling and timely themes and discussions of the sixth annual innovation and technology law conference for broader consumption and viewership.