



Is Your AI Strategy Built on Shaky Data?

EPISODE TRANSCRIPT

[Listen to the podcast](#)

Guest: Rob Keller, Senior Director of Legal & Associate General Counsel, Cisco

Host: Sara Morgan, Chief Revenue Officer, Axiom Law

Disclaimer: The views and opinions expressed in this podcast are those of Rob Keller in his personal capacity and do not represent or reflect the views, positions, or official statements of Cisco Systems, Inc. or any of its affiliates.

Sara Morgan 00:00:09 – 00:01:00

Hello everyone. Welcome back to the Axiom Insights podcast. I'm Sara Morgan, Axiom's Chief Revenue Officer and your host for today's show. I'm joined today by Rob Keller, Senior Director of Legal and Associate General Counsel for Cisco. Rob leads a 30-person team in Cisco's product legal department that supports more than 24 billion of Cisco's annual revenue.

His team's goal is to drive optimal business outcomes by navigating complex regulatory landscapes and helping his team's business clients sustain a smart level of risk. Rob has over 20 years of experience in all areas of technology law, including intellectual property, privacy, AI and data use, corporate law, contract negotiation, and more.

Rob, welcome to Axiom Insights, and thank you for taking the time to join us today.

Rob Keller 00:01:00 – 00:01:05

Thank you, Sara. You should probably do my intro more often. You do a better job than I do.

Sara Morgan 00:01:06 – 00:01:21

Before we get started, just a quick note. The opinions Rob shares today are his own and don't necessarily reflect the views of Cisco or any affiliated organization. It's a standard disclosure, but an important one. So with that done, let's dig in.

Sara Morgan 00:01:23 – 00:01:51

Rob, great to have you here. You're in charge of the legal work related to literally thousands of products over at Cisco, both new and historic products that are still in action. And it's one of the largest technology companies in the world in a time of rapid change in technology and related regulation.

Big question, but what's on your mind right now?

Rob Keller 00:01:53 – 00:02:48

Yeah, that's well said, well summarized. The big thing really is just the pace of change that we're seeing right now.

If you look back at Cisco and the history of it—you did a really good job of summarizing what my team supports—we support products that have been around for like 40 years. And then we also have stuff that is absolutely brand new. There's been this big shift in the tech sector really focusing on on-prem software and hardware towards moving to the cloud.

And now we're starting to see a lot of things that we didn't necessarily expect with that—basically things having to do with data sovereignty and, of course, AI being built into everything right now. And all this is happening at an accelerated pace. That's really what's keeping me busy more than anything: staying on top of all those accelerated changes.

Sara Morgan 00:02:48 – 00:03:16

Yeah, I can imagine. One thing that was interesting to me is Cisco's development, Rob. Because when I think of Cisco, I think of WebEx. Right. And you do so much more than that. And you've rapidly responded to the profound shift in business driven by AI.

So maybe you could just give us a quick kind of summary of the type of things that Cisco is now doing.

Rob Keller 00:03:16 – 00:04:13

Sure. It's funny. WebEx is what a lot of people know because it's what you see. It's a user interface. But we're not a company that's really consumer focused. So people will see WebEx because they see the name WebEx out there. But that's a really small bit of our business—less than 10%.

We are historically really more of a networking company and a security company. If you think about everything behind the scenes making this production we're doing right now possible, a lot of that stuff is powered by Cisco. We do all the networking—switching, routing, even things like wireless. And then you think about all the security that's being built into those types of products: how we make sure that these things are safe from hackers, how we make sure that our data is not being stolen, how we make sure that everything stays reliable.

Those are all the things that Cisco actually does—things they've been doing for years.

Sara Morgan 00:04:14 – 00:04:42

When we were talking ahead of this podcast, we were talking a lot about data governance, and that's become so critical. And you shared that you felt that data governance had almost become more critical than AI itself, which seems contrarian, I suppose, to a lot of the conversations that are happening right now.

Can you unpack that for us?

Rob Keller 00:04:42 – 00:06:32

Yes, I'm happy to. Let me put a few qualifiers in there. AI is without a doubt a massive game changer. As a result of it, we're going to see a whole lot more productivity. We're going to see lots of great new things being developed—great drug development, technology development. And there's also a whole lot of risk that comes with it. I don't want to play it down. AI is definitely significant. But you've got to think about AI in relation to data, and also the amount of attention it's getting right now.

Part of the reason that AI is getting so much attention right now is because it's big in popular culture. Even if you're not in technology, you understand it. You see it being used all the time.

But AI has been around for years. We had machine learning, large language models. What's different now is we have LLMs combined with an easy user interface. And that's really what, when we think of generative AI, which is what most people think of when they think of AI, that's what they're focused on. So everybody can see it, they can understand it.

And if you're interested in law around AI, there are a million presenters right now talking about it. However, AI is nothing without the data. When you think about what AI is, it's a

data aggregator. It's just taking massive amounts of data. So you can't even talk about AI without talking about data.

And people are not paying as much attention to that right now, I think. And that's why I think that data is arguably more important from a legal standpoint than AI.

Sara Morgan 00:06:33 – 00:07:09

It's so true, isn't it? Because we think of language and we don't always think language is data, right? But that's essentially what we're talking about. And I suppose five years ago we talked a lot about PII—personal information. And somehow that in my mind is different to language.

But even this idea that non-identifiable data has tremendous value and compliance implications. So what does that mean for you in your in-house role, and how do you think that's impacting the regulatory landscape?

Rob Keller 00:07:09 – 00:08:19

That's a really astute observation.

A few years ago—led primarily in the EU, but we're seeing it all over the world now—there was a realization that there is value in data, not just PII, but in the actual data that companies have, that individuals have. It's a commodity and it's worth something. And for a long time you had companies that were just gobbling it up. You could go into Starbucks, for example, and get on their free Wi-Fi. Great. But it wasn't free, because the provider was sucking up all that data and using it to improve their models and improve their products. And there's a realization that that's happening.

So governments and individuals are responding to it now. In the EU, you've got all kinds of regulations rolling out—the EU Data Act, the GDPR, the Cyber Resilience Act—all reflecting the significance of protecting data. And they also have the EU AI Act, which is frankly kind of an extension of the EU Data Act.

Sara Morgan 00:08:20 – 00:08:36

And how do you prioritize all that? You had the Data Act, AI Act, DORA, Cyber Resiliency Act—and there's probably another one coming that I don't know about. How are you prioritizing all that as a leader of a legal team?

Rob Keller 00:08:36 – 00:09:10

For a lot of that, honestly, you prioritize based on when the regulations are rolling out, when they're being adopted country by country, and when they're going to start enforcing them. There's no better way to prioritize it.

I will say, though, with one caveat: certain things that require a long lead time to make sure that your products are compliant—those you might need to prioritize because you've got to build that into the product development process.

Sara Morgan 00:09:11 – 00:09:19

And in terms of enforcement timings for those different acts—what have you seen? How has it played out?

Rob Keller 00:09:23 – 00:09:26

When you say in terms of enforcement of those acts —

Sara Morgan 00:09:26 – 00:09:36

Less about enforcement of infringing those acts, but the time from when they come in to when they actually need to be applied. What is the general period?

Rob Keller 00:09:37 – 00:11:03

Yes. It kind of depends on what the act is and what its implications are.

Talking about the Cyber Resilience Act—this is basically the requirement that we harden our technologies and make sure that they're protected against cyber threats. That one has a pretty reasonably long lead time because it's also impacting things like hardware. The timeline for that one, by the way—full compliance is December of 2027. So we still have a fair amount of time, but that's because of the massive lead times that you need.

So with all of these, for the most part, you have time to get compliant, provided that you start acting pretty quickly based on when they roll them out. What I have seen so far—and again, focusing mostly on the EU because they tend to be at the forefront of all of this—is they'll roll out an act and then solicit feedback from tech companies or interested parties to sort of shape how they're going to interpret these laws, and then the laws are adopted by the member states.

So you do have a fair amount of lead time as long as you're paying attention.

Sara Morgan 00:11:04 – 00:11:58

And Rob, how do you think about that? Because you're probably in a position where you've seen a lot of these. So you understand the way in which that happens—member states, etc. But then you're probably well versed in knowing, okay, no worries, I know what I need to do to implement this within Cisco.

There might be clients listening to this who are not in that situation—who are dealing with a new act for the first time. What would you recommend? How should they go through

implementing that change, making sure the company is compliant—reviewing all their documents, updating paper things if needed? How does that work, and how do you go about planning that in advance?

Rob Keller 00:11:58 – 00:13:03

We are fortunate at Cisco. Our legal department is over 500 professionals, and we have experts whose entire role is government compliance. We also have a whole other branch of government affairs folks who can help shape these laws. So we do have those advantages.

I think if you're a leaner legal department from a smaller company, I don't see how you do it without leaning on some outside experts for guidance—and then scaling up. Frankly, you and I talked about how companies can leverage places like Axiom when we were talking beforehand. This is probably one of those places, because you might need to leverage outside firms to give you some of that guidance.

If you're a small, lean legal department, you've then got to do some quick scale-up on your documents to make sure that they're compliant and provide guidance to your product development teams. And that might be where you want to scale up with companies like Axiom.

Sara Morgan 00:13:03 – 00:13:40

Yeah, I think you're right. It's a real combination where people are saying, okay, I'll go to my law firm for the very kind of pointy edge of what the exact act says and how should I think about it—and then coming to Axiom for the situation where I now need to review and update contracts. I need to make sure the clauses comply with the relevant act. I've got to look at my data protection audit rights, or whatever the relevant clause is. And then obviously documenting that, record keeping, making sure that policies and procedures are up to date.

And you're right—that kind of is one of the ways that people are getting it done.

Rob Keller 00:13:40 – 00:13:50

And becoming compliant with some of these big regulations is really lumpy in terms of the amount of work. So a lot of times you need to temporarily scale up.

Sara Morgan 00:13:50 – 00:14:09

That makes sense. And—I don't say this because I'm British and we're no longer in the EU—but is the EU the gold standard? And do you build everything you're doing internally around that gold standard, or how do you think about it?

Rob Keller 00:14:09 – 00:15:21

Yes. I see the EU as the gold standard because they're always thinking about these issues—they're always at the forefront. The head of our team that leads on AI governance and privacy law actually did a study a couple of years ago, and it showed that there were literally over 100 countries in the world that had put together privacy and data regulations.

In the US, we seem to be kind of doing it on a state-by-state basis—we tend to look to California and what they're rolling out. But the EU always seems to be at the forefront. And in some ways that might be to their own detriment because they're seen as overregulated. But basically, if you can ensure that you're compliant with what they're rolling out, you're going to be good everywhere else. I'm probably over-generalizing when I say that, but that's sort of the general self-guidance.

Sara Morgan 00:15:21 – 00:15:57

Can you pick up on that a little bit more? You obviously are launching products globally, so all countries have different requirements. And in some cases one assumes those requirements are ever evolving.

But as you say, we may view that the EU guidance is more strict and stringent and stifles innovation and growth. So how do you manage that—how do you manage multi-jurisdictional compliance without creating a bottleneck for the business?

Rob Keller 00:15:58 – 00:16:52

This is Rob's opinion. But I actually think that is a key element where product legal—where my team—gets involved. A really good lawyer who's an expert in an area is going to be hyper-focused on that area. They're going to want to make sure that you've got everything buttoned up and that you're compliant.

So I often feel like what my team is doing is working closely with those regulatory attorneys, hand in hand, and trying to ensure that you're not slowing down innovation—but working early on with the product development team to ensure they're going to be compliant as you're doing the development of the product. Not trying to figure it out on the back end right before the product launches, and then slowing down the launch.

Sara Morgan 00:16:53 – 00:16:56

And when you say early on—like how early?

Rob Keller 00:16:57 – 00:16:59

Years.

Sara Morgan 00:17:00 – 00:17:14

Rob, we're talking about multi-jurisdictional requirements here. And obviously there is news about Iran and the changes happening in the Middle East. Did that impact things for you? Have you seen things pop up?

Rob Keller 00:17:14 – 00:18:27

Yes, without a doubt. One of the big things we've seen in terms of push over the years is a move more towards the cloud. More and more features are being pushed to the cloud. But then you have to think about what the cloud actually is. The cloud is nothing more than something being hosted somewhere on a data center.

And with everything that's going on in the Middle East right now, there is definitely this concern about stability in the region. So suddenly we're rethinking our strategies—what does data sovereignty look like? Where are we putting data centers, and what is a smart place to be putting them?

There was historically a big push towards moving things to the cloud, not being as concerned about where your data was housed. But over the past few years—particularly given the geopolitics between the US, the EU, and now the Middle East—people are starting to think more about: I want my data to be in a place that's stable, but I don't necessarily trust the country where it's going if it's going somewhere else.

Sara Morgan 00:18:29 – 00:19:04

Fascinating. And what does that mean for your daily legal advice—for the products that are being produced? If you're so early on in the product development, you're talking about years before the product actually ships and launches. These kinds of changes—you didn't know they were going to happen two years ago. So how do you make sure that you weave that in in a way that doesn't stop development and shipping of products?

Rob Keller 00:19:04 – 00:19:19

Wouldn't it be great if we could always predict the future?

Yeah. There's basically—the best you can do is learn from these experiences and try to make sure that you don't get caught the next time around.

Sara Morgan 00:19:20 – 00:19:26

And I suppose keep a real kind of pulse on what's happening outside in the macro environment.

Sara Morgan 00:19:28 – 00:19:48

How, when things are uncertain—what's your advice to those listening about how in-house teams can provide legal advice that's both protective and pragmatic? And what's your preferred framework for calculated risk-taking?

Rob Keller 00:19:48 – 00:21:05

This is one of the reasons why I wanted to go in-house. I love being in-house because you're not just thinking about it from a risk-averse standpoint. I mean, if we want to be completely risk-averse, we just don't do any business, right? If you don't produce anything, then you don't have any risk.

My preferred approach is to make sure that we're doing whatever we can to make sure that the business is up and running and providing customers the service that they want. That's the way I always approach everything—with a business-first mindset. But then the second thing is looking at the situations, making good decisions, and being transparent about it with your customers.

One of the advantages that Cisco has as a company is that our customers trust us because we are transparent. Think about data use and AI collection—we follow a policy of being transparent about how we use customer data, what we're doing with their data, and giving them the choice to opt out of our using their data. That doesn't work across an entire universe of products, but always being transparent.

Sara Morgan 00:21:07 – 00:21:51

I listened to a really fantastic podcast from your CPO, Jeetu Patel. What a great guy—just such a great podcast. Clearly innovation and hard work are at the core of everything that you do at Cisco.

We've talked a lot about managing risk. Can I just flip that around? How does your team do anything that enables and accelerates the business? Obviously you've got to manage that risk. But talk a little bit about how you're involved with the product teams—or whichever team it is within Cisco—to really accelerate what's going on in the business.

Rob Keller 00:21:51 – 00:22:38

That's an excellent question. The best way that we get involved is by getting involved early. Sitting in the room with the team when they're at the business concept stage—when you're thinking about what products you want to release and where you want to go with it—so that we can start thinking about how to build in risk mitigation early on.

That's probably the biggest place where we can help accelerate innovation, because what you really don't want is to get to the 11th hour with a product release and suddenly realize that you're not compliant in a bunch of areas, and then have to put everything on hold—or

worse, you roll it out and then have all kinds of regulators coming after you, and then you have to pull the product back.

Sara Morgan 00:22:39 – 00:23:15

We got there. But one assumes that's a process Cisco has built over years—to a point where they know, okay, bring legal in early. You've built an amazing relationship where they come to you early.

But for those listeners who maybe are not at Cisco and don't have 500-odd lawyers and all the support that comes with that—what's your practical, tactical advice about making sure that legal is in early, that legal is part of that design and solution in those first meetings?

Rob Keller 00:23:15 – 00:24:19

That's a great question. And actually, Cisco has acquired a lot of small companies, and I've seen some of those small companies do a fantastic job at this. So it doesn't necessarily depend on the size of your legal department.

Being in the room—like, I love being on the business side, in the executive weekly meetings, just hearing what's going on. But it's a relationship that goes both ways. If I was in those meetings and was constantly telling them what they can't do—oh, don't even consider that product because you're going to run into X, Y, and Z issues—then they wouldn't invite me to those meetings.

So you need to be in the room and actively thinking: this is what they want to build. How can we make sure that this is going to not get us into hot water? And how is this going to still do what they want it to do? Having that business mindset is key.

Sara Morgan 00:24:20 – 00:24:44

You've mentioned that a few times, and I think it's a big part of why—I've been at Axiom now for 16 or 17 years and was a litigator before that—one of the things that we've always really worked hard on is finding lawyers who have a business mindset, the business of law.

How do you define that? What is that in someone? Maybe give me some examples of how it operates for you.

Rob Keller 00:24:46 – 00:25:39

The business of law—this is something I used to think about early in my career. What does a lawyer do? A lot of it is contract negotiation. In your case, early on, it was litigation. The business of law to me is really nothing more than: how do you keep bad things from happening that you can't see today?

That is the business of law. Whether it's contracts to make sure that you're getting the rights you need from your suppliers—or that you're not going to go out of business because you have to indemnify your customers on something you didn't see coming—or making sure that you have the right intellectual property, or complying with all these regulations. That's all it is: avoiding that risk.

In an ideal world, you don't even know the lawyers are there, because they've kept all of the risk away.

Sara Morgan 00:25:40 – 00:26:12

I love that idea—you don't even know the lawyers are there. That's so great. It's a great segue, because one of the topics that comes up a lot when I'm speaking to clients—particularly as it relates to AI for their own teams and also for any service providers they're using—is data governance.

What should I look for? What do I require in my AI providers? What does good due diligence look like? Can you give me a sense of how you're thinking about that for your own team?

Rob Keller 00:26:13 – 00:26:15

Specifically as it relates to AI?

Sara Morgan 00:26:16 – 00:27:22

Yes, exactly. So things like—my law firm might be using AI now, but do I have control over it? Do I know when they're using it? I now want to invest in maybe a contract management system or a platform that uses AI to get my work done. But I don't quite know how I should set up my teams, or what I should look for in these various providers.

So Rob, on the topic that our clients ask about as it relates to AI for their own legal teams—it's really twofold. One is: I've got various service providers, some of whom want to use AI, some of whom say they're not using AI. But then when I get the advice back, I'm thinking, oh, they probably have used AI. And then of course, in some cases looking at bringing AI into their legal teams and being unsure about what they should be looking for in AI providers. What does good diligence look like? What terms should they have in the engagement letters or MSAs?

How are you thinking about that internally in your team?

Rob Keller 00:27:22 – 00:29:13

I think it gets more complicated when you start thinking about vendors you're bringing in and how they're using AI. But bringing it to a more manageable level—we can talk about the AI vendors we use directly.

Cisco has the advantage of having an AI governance legal team that can assess these contracts for AI risk—something we pretty recently built out. But anybody at the company who wants to use an AI tool, whether it's for code generation or whether it's for building a chatbot into a product, they can request using a third-party AI tool. And the things that we look for are basically assessing what that provider is going to be doing with our data, and what type of use cases we're using here.

At Cisco, we want to make sure that we actually have control over all of our data. We don't want them to train their models based on our data. We don't want to lose the protection of our data. That's a big part of it.

And then downstream—it's the use cases. What are we going to be doing with this? One other thing I want to point out is you've got to look at who that provider is. Where was this AI tool developed? What country was it developed in? What type of code are they using? Are they using a really restrictive open-source model? So you'll end up losing, you know, losing the information that you combine with this tool. Those are the big things that we watch out for.

Sara Morgan 00:29:16 – 00:29:35

All right. A bit of a big question, but looking ahead 12 to 18 months—with that crystal ball we talked about earlier—what data or AI-related regulatory developments should GCs have on their radar that aren't getting enough attention today?

Rob Keller 00:29:35 – 00:32:06

There are a couple of regulations that have come out recently.

There's California AB 2013, which is basically requiring developers of generative AI to publicly disclose information on how they're using a customer's data. That one just rolled out in January. I think that's one that has implications in the US.

The other big one, related to the EU AI Act, is the high-risk AI use case directives that came out from the EU. They don't have a ton of guidance on these, but they expect compliance by this summer—so that's not even 12 months, that's six months. Those are two regulations that I say GCs should have on their radar.

But the bigger thing really is not specific regulations—it's everything else going on in the world right now and how it's going to impact GCs and what they need to think about with their data use.

On the AI side, there were a lot of AI litigation cases working their way through the courts, and decisions are going to be coming out on those soon. That's going to heavily influence how we have to think about AI and the risk that comes with it.

In terms of data—going back to something we talked about earlier—the whole geopolitical spectrum globally right now is in a totally different world than it was a year ago. The EU, who for a long time always wanted to make sure that their data stays within the EU, is now thinking: we don't know if we can trust countries outside of the EU to even develop our products. We're not sure we're going to work with them. So they're getting even more heavily focused on making sure that data security—everything—can be done within the EU.

And you also have countries like Saudi Arabia and India ramping up efforts to make sure that they have more control over what's being done within their country in terms of data and cloud providers.

Those are the things that I would be looking at right now. You've got to look at the changes that are going on geopolitically.

Sara Morgan 00:32:08 – 00:32:13

Fascinating, isn't it?

Rob Keller 00:32:11 – 00:32:14

It's a busy time to be a lawyer, that's for sure.

Sara Morgan 00:32:15 – 00:32:37

Well, look—thank you so much for joining us today. What started as a conversation about AI and data governance has turned into something much more fundamental and just fantastic. It has been incredibly thought-provoking. Thank you for your time. I know our listeners are going to get a huge amount out of this.

Thank you for joining.

Rob Keller 00:32:37 – 00:32:40

It was my pleasure, Sara. This was fantastic. Thank you.

Sara Morgan 00:32:41 – 00:33:27

For our listeners, I encourage you to visit Cisco's website to learn more about Cisco delivering the critical infrastructure that helps organizations thrive in the AI era. Cisco powers how people and technology work together.

Don't forget to check the show notes for useful links to our profiles on LinkedIn, Cisco's and Axiom's websites, and other resources we discussed today. And visit Axiom for more information about Axiom and our Legal AI Tech Plus Talent solutions. Stay tuned to Axiom Insights for more conversations covering the technologies and trends shaping in-house legal work.

I'm Sara Morgan and I hope you have a great rest of the day.

###