



G U N D E R S O N D E T T M E R

AI NOTETAKERS

RISKS AND CONSIDERATIONS

June 2025

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venture capital and
growth equity funds
formed since 2022

\$110B+

raised in venture
capital and growth fund
formations since 2022

\$184B+

in venture capital financings
closed since 2022

Presenters



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Agenda

- How Do AI Notetaking Tools Work?
- Risks and Best Practices
- Scenarios: What Should I Do When....?



How Do AI Notetaking Tools Work?

- **Audio Capture and Transcription**

- Record conversation – either by joining meetings as a virtual participant (bot-based) or by capturing audio directly from a user's device (bot-free)
- Transcribes into written text, often with high accuracy and speaker ID.

- **Summarization and Key Point Extraction**

- Uses NLP to analyze text, extract key points, decisions and action items and generate concise summaries

- **Organization and Searchability**

- Can categorize, tag and structure notes, making them easier to search.

- **Collaboration and Integration**

- Support real-time collaboration, allowing users to edit and share notes.
- Often integrate with calendars, task managers and cloud storage to streamline workflows.

Types of AI Notetaking Tools



Type	How It Works	Pros	Cons
Bot-Based	A virtual assistant joins meetings to record and transcribe conversations	Transparent, all participants notified	May impact privacy or meeting dynamics
Bot-Free	Captures audio directly from the user's device, no external bot present	More private, seamless, and secure	May have device compatibility limitations



Benefits of AI Notetaking Tools

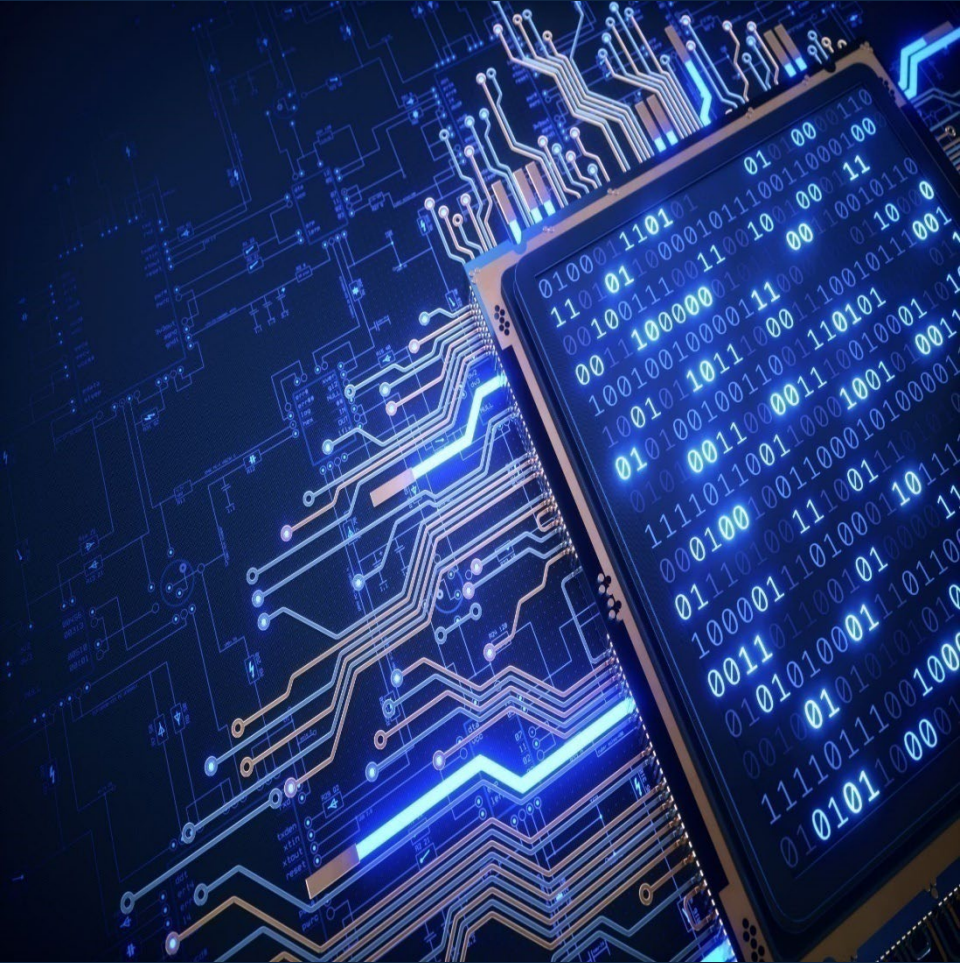
- **Saves Time:** Automates note-taking and generates instant summaries and action items.
- **Improves Accuracy:** Captures every detail, reducing missed information.
- **Enhances Collaboration:** Easily shareable and editable notes for all team members.
- **Boosts Focus:** Frees participants from manual note-taking to fully engage in discussions.
- **Organizes Information:** Smart summaries and searchable archives for quick retrieval.
- **Supports Compliance:** Provides thorough, consistent records for audits and governance.
- **Reduces Human Error:** Minimizes mistakes common in manual note-taking.

Risks and Best Practices



- Preserving Confidentiality + A/C Privilege
- Legal Compliance
- Fund-Specific Regulatory Obligations
- Altering Meeting Dynamics
- Recordkeeping and Discovery Risks

Preserving Confidentiality + A/C Privilege



- Risks
 - Data Use for Training
 - Exposure of Sensitive Data
 - Cloud Storage & Security Risks
 - Inadvertent Waiver of Privilege

Preserving Confidentiality + A/C Privilege

- Best Practices:
 - Vendor Due Diligence
 - Strict Access Controls
 - No Model Training
 - Data Deletion and Retention Policies
 - Policy Development
 - Limit Use in Privileged Settings
 - *If used, label transcripts “Privileged and Confidential” and limit access*



Legal Compliance

- Risks
 - Consent Law Violations
 - Data Privacy Risks
 - Jurisdictional Complexity
 - Industry-Specific Laws



Legal Compliance

- Best Practices:
 - Always Obtain Explicit Consent
 - Limit Recording to What Required
 - Pause or Redact for Sensitive Topics
 - Vendor Due Diligence
 - Regular Training



Regulatory Compliance Risks



- Investment Advisers Act of 1940 Recordkeeping Rule
- Gramm-Leach-Bliley Act (GLBA) and its implementing rules, including the FTC Safeguards Rule and SEC's Regulation S-P
- Insider Trading and Misuse of MNPI
- Regulatory inquiries and examinations
- SEC Priorities

Regulatory Compliance Best Practices



- Consider written policies and training
 - Permissible applications
 - Acceptable use
 - Retention under the Recordkeeping Rule
- Ensure transcripts are reviewed for accuracy and completeness

Regulatory Compliance Best Practices



- Review and update privacy policies and privacy notices
- Consider limitations on use of notetakers if any investor PII may be conveyed during a meeting
- Be mindful of notice requirements for breaches

Altering Meeting Dynamics



- Risks:
 - Reduced Candor and Creativity
 - Formalization and Reduction of Trust
 - Over-Reliance on Technology
 - Increased Conservatism From Counsel

Altering Meeting Dynamics



- Best Practices:
 - Establish Clear Usage Policies
 - Obtain Informed Consent
 - Empower Meeting Leaders
 - Educate Participants
 - Limit Access and Distribution

Recordkeeping and Discovery



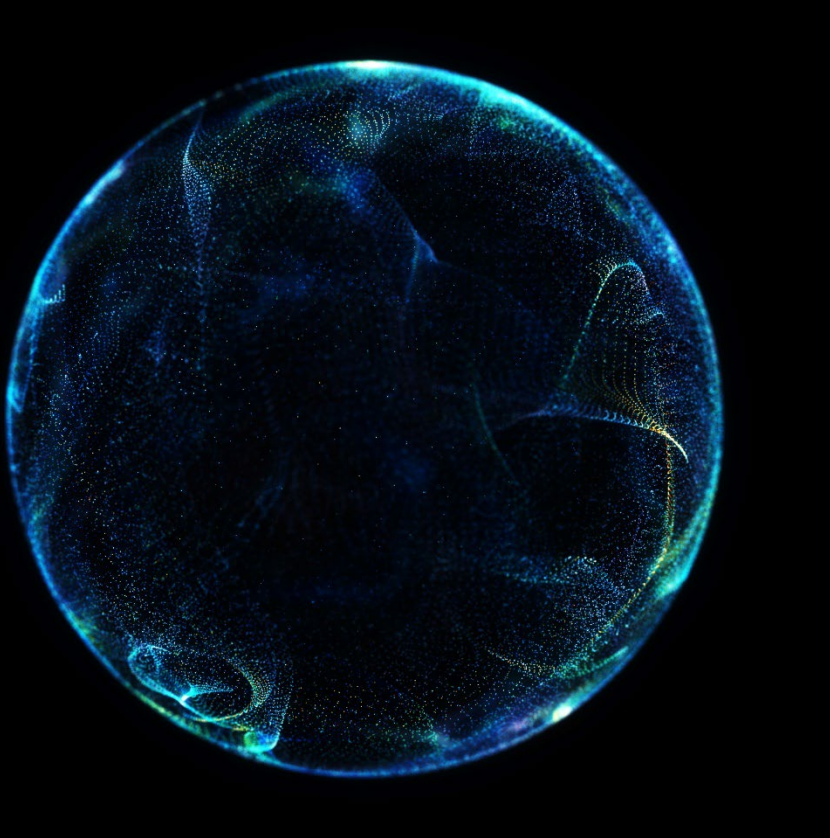
- Risks:
 - Expanded Discoverable Records
 - Litigation Hold Burdens
 - Inadvertent Disclosure
 - Accuracy and Misattribution
 - Retention Policy Gaps

Recordkeeping and Discovery



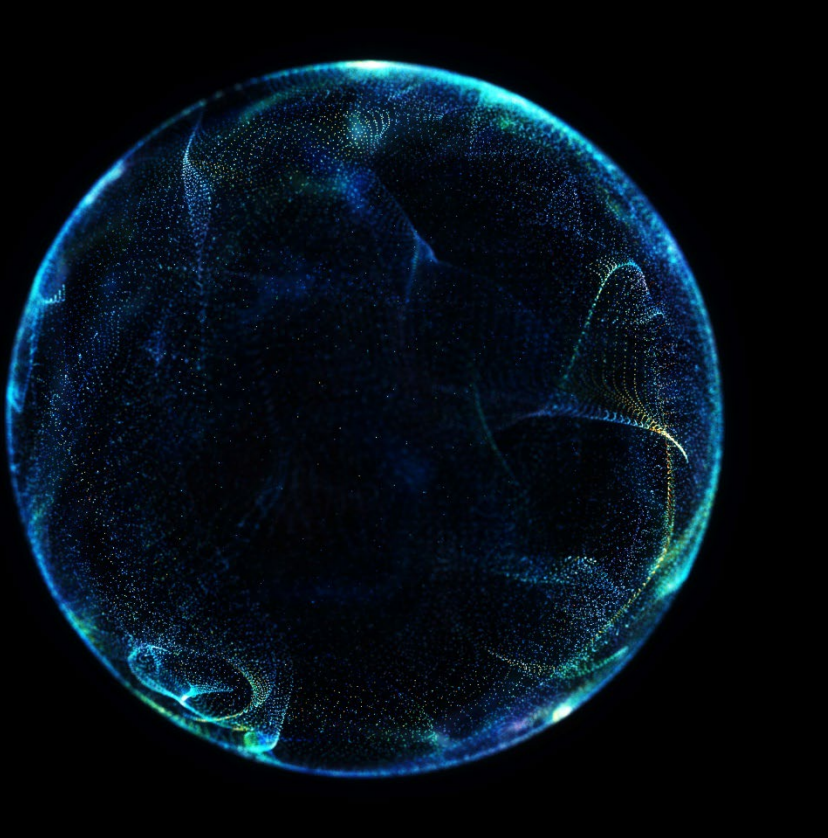
- Best Practices:
 - Define Clear Retention Policies
 - Prompt Review and Correction
 - Include Disclaimers on AI Transcripts
 - Litigation Hold Procedures
 - Regular Audits and Monitoring
 - Employee Training and Policy Awareness

Sample Scenario: Employee Personal Use of Tools



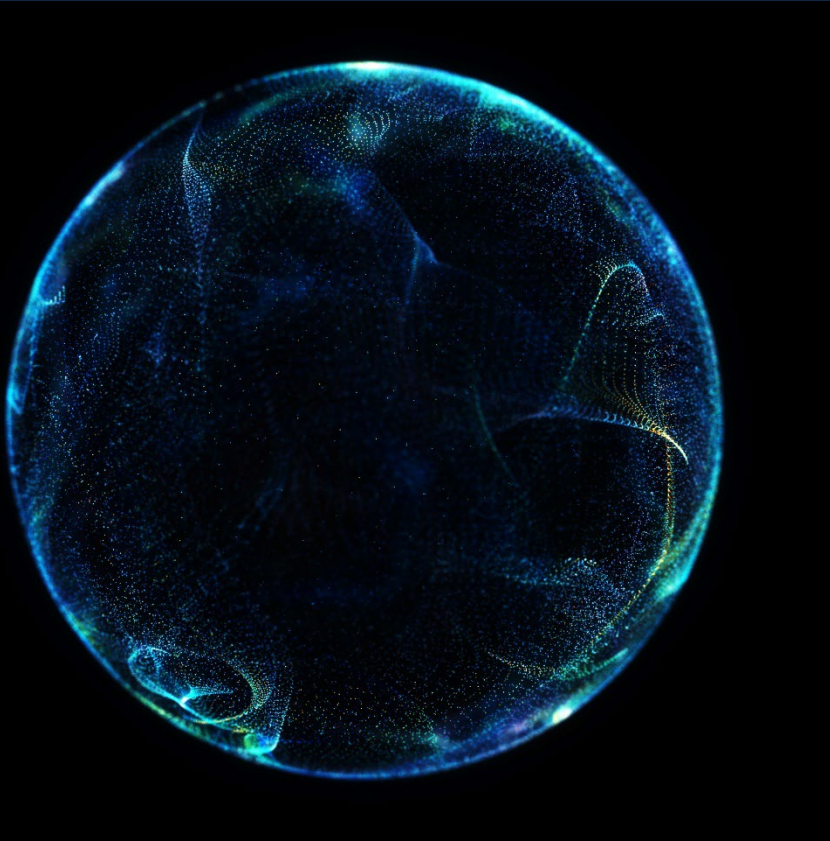
“We don’t have an enterprise subscription to an AI notetaking tool. Instead, many of our employees use their personal accounts to take meeting notes. Some use Otter, others use Fireflies or Fathom. Notes are often saved in individual email inboxes or personal drives. There’s no consistent access, formatting, or retention strategy — and we don’t know what data is being captured or where it’s going.”

Sample Scenario: Offsite Planning Session



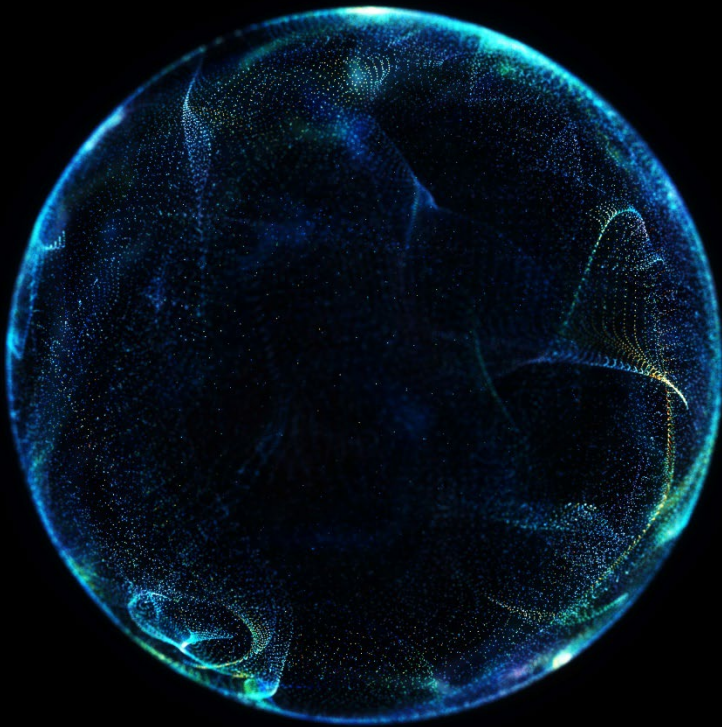
“Our executive leadership is conducting an offsite strategic planning session, mapping out long-term objectives and discussing confidential business strategies. A participant recommends bringing in an AI notetaker to ensure we accurately capture all decisions and next steps. What factors should we weigh before agreeing to use the AI notetaker during this session?”

Sample Scenario: Conversations with Legal Counsel



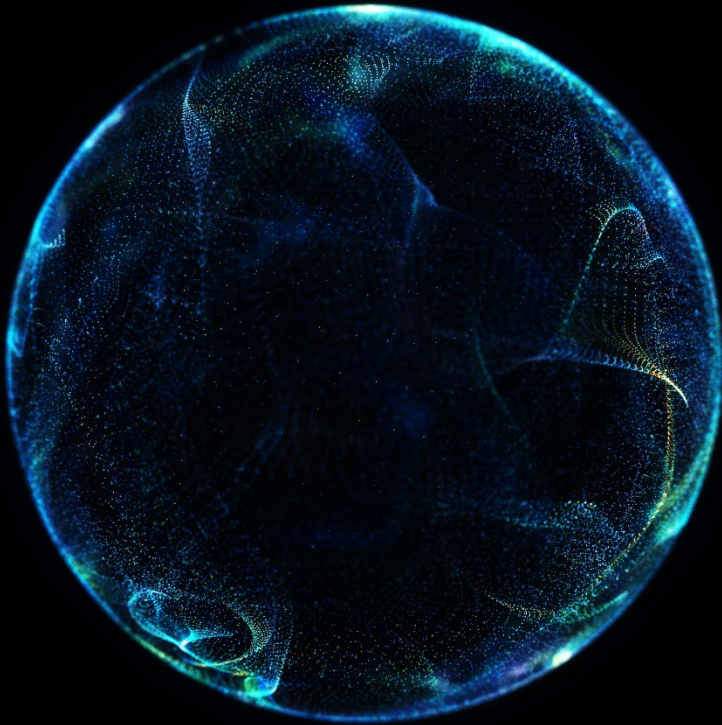
“Our leadership team is meeting with external counsel to discuss ongoing litigation and privileged legal matters, including strategy and potential risk exposure. Just before we begin, someone suggests turning on an AI notetaker to capture the conversation for easier follow-up and compliance documentation. What legal, ethical, and operational considerations should guide this decision?”

Sample Scenario: Internal Employee Training Program



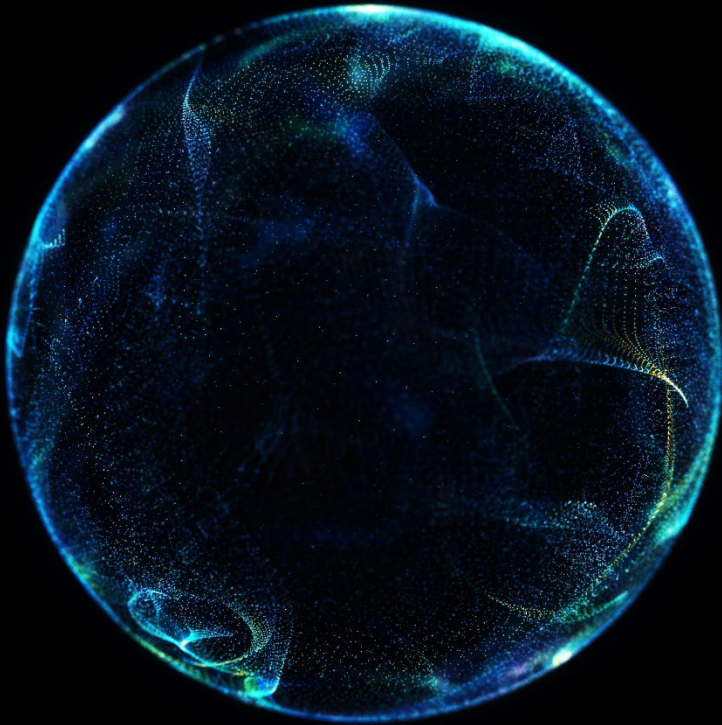
“Our learning and development team is brainstorming a new employee training program, discussing creative approaches, proprietary content, and hard-won lessons from past rollouts. A team member proposes using an AI notetaker to document the discussion in real time so no ideas or action items are lost. What should we consider before allowing the tool to capture potentially sensitive or proprietary information during a collaborative session?”

Sample Scenario: Recording a Board Call



“During a quarterly board call, directors are discussing strategic priorities, confidential financials, and risk exposure. A board member proposes recording the call with an AI notetaker to create a comprehensive, searchable record for future governance reference. How do we balance the benefits of documentation with the duty to preserve board confidentiality and comply with governance obligations?”

Sample Scenario: Using AI Notetakers in Diligence



“Our investment team is meeting with the founders of a startup to conduct due diligence, including review of confidential financials and business plans. A team member proposes inviting an AI notetaker to capture the conversation for our internal records. Should we allow it — and what are the legal, privacy, and trust considerations?”

Questions

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