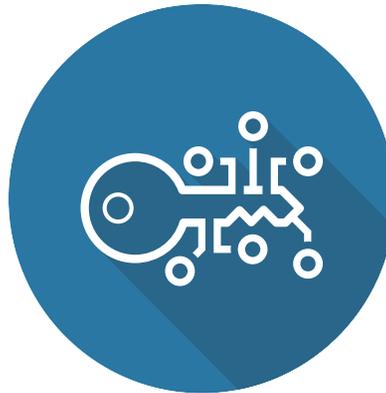


# CONTRACT PROBE

Solicitors needing the first review of individual commercial contracts turn to AI.



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## Which practitioners would find this technology useful?

Solicitors and in-house lawyers needing the first review of individual commercial contracts.

## How does it work?

The practitioner logs into Contract Probe via the web portal and then uploads the relevant contract (which is encrypted on upload). The type of contract, such as supply agreement or non-disclosure agreement (NDA), is selected from a drop-down menu. If the document type is not available, a more generic review can still be conducted but with less accuracy. A tailored review is also available – the agreement can be compared with the firm's standard template for the same type of document.

Contract Probe then runs its analysis which takes 30 seconds to a minute. Once complete, the following information is provided:

1. A score out of 10 in terms of how favourable the contract is to the client.
2. Important issues covered by the agreement, ie a summary of core terms.
3. Any problems with the agreement broken down into three categories: critical, important and minor.

For all problems, mark-up suggestions and comments are provided. A useful function is an analysis of how common such problems are in comparison with similar types of agreements already analysed by the system. This can provide useful leverage for a practitioner in negotiating a change to the clause with the other side. Another useful function of Contract Probe is identifying problem defined terms, in terms of defined terms not actually used in the agreement or capitalised terms used in the agreement but not actually defined.

Practitioners can choose to include the mark-ups in the document and continue drafting and editing.

## Benefits

Contract Probe could either replace an initial review by a junior lawyer or be used as a tool by a junior lawyer

in conducting their first review. The system could also be a quick safety net for a senior lawyer's review in ensuring all relevant problems are identified. Contract Probe is a potential training tool for junior lawyers' contract reviews. Data for the Australian product is hosted by AWS in Sydney and does not leave Australia. It is encrypted on upload and download. Contract Probe does not retain a copy of the contract once analysed.

## Risks

The system is not foolproof and may not identify all legal issues. It does not constitute legal advice and does not have the protection of professional indemnity insurance for errors. It is dependent on the vendor remaining up to date with relevant legislative and case law changes. It is also designed to deal with generic issues relating to a particular contract type: it is not provided with any context and is unlikely to be able to identify issues with bespoke clauses that are specific to the context of a particular transaction. It does not assess the agreement as a whole or at a commercial level, nor is it likely to be able to assess the impact of one particular clause on others elsewhere in the agreement. If it could do so, the lawyer could well become redundant to the task.

Cyber risk, as with any cloud offering, is present as regards confidential and sensitive data moving beyond a firm's internal systems. However, with encryption in both directions, the security is substantially better than when emailing the same data and a third party vendor is also liable to the law firm for the security of the data.

## Costs

A per contract price is \$50 for an NDA and \$100 for other contracts. Subscription plans are also available.

## Downsides

Over time, a practitioner may become reliant on Contract Probe and less able to exercise independent judgment and the ability to navigate the contract separately. Practitioners need to be careful when adding mark-ups not to accidentally include a Contract Probe comment in the version for the other side. The mark-ups, while designed to imitate the formatting of the previous clause, may create new formatting problems. ■

**Peter Moran** is principal at Peer Legal and founder of the Steward Guide, an online technology guide for lawyers ([www.stewardguide.com.au](http://www.stewardguide.com.au)).

### What is Contract Probe?

AI contract reviewing system

### What type of technology?

Web portal/cloud service with encrypted upload and download

### Vendor

Contract Probe

### Country of origin

Australia

### Similar tech products

Kira: Canadian product but marketed in Australia (for use more in mass reviews of contracts and due diligence than individual contracts)

Lawgeex: Israeli product but marketed in Australia

Thought River: UK based but marketed in Australia

### Non-tech alternatives

A well trained junior lawyer with an eye for detail

### More information

<https://contractprobe.com.au>

<https://youtu.be/4E90XhNxJXU>