Algorithmic Advocacy: The Role of AI Tools in Shaping Legal Arguments and Judicial Outcomes in Antitrust

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Abstract: *This study examines how artificial intelligence tools are changing and transforming antitrust law. It focuses on how lawyers construct cases and the process through which judicial outcomes are reached. AI helps complex competition cases easier to handle by improving precedent research and drafting legal briefs quickly. The research uses systematic review of existing studies. It is followed by the PRISMA method along with two detailed case studies tracing the development of artificial intelligence across distinct stages of antitrust litigation. This study explores certain frameworks which provide practical direction for courts, competition authorities and legal professionals seeking to adopt AI responsibly in litigation. Although AI tools help increase the efficiency of the judicial system, they raise various serious concerns as well. These include lack of algorithmic transparency, embedded biases, diffused accountability and threat to due processes especially when AI generated material influences evidentiary narratives or judicial reasoning without sufficient human review. To address these challenges, this study proposes a governance framework anchored in four principles : transparency, contestability, meaningful human oversight and, the preservation of judicial independence. The paper aims to give a balanced view on how AI can both improve as well as threaten fairness in antitrust cases. The main contribution of the paper is to present AI as a to that supports legal thinking rather than replacing it.*

Keywords: Algorithmic Advocacy, Artificial Intelligence, Antitrust Law, PRISMA, Case Study, Evidentiary Contestation, Procedural Fairness, Judicial Outcomes.

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Introduction

According to **Negi (2024),** three big problems would arise when we use artificial intelligence as a tool in the legal profession. They are challenges concerning to privacy of individuals, accountability and bias in litigation. The author points out that policymakers and legal professionals need to deal with these challenges so that technology moving forward does not hamper justice. **Kumari (2025)** offers a different perspective to the same topic. She talks about the efficiency of tools like predictive analytics and natural language processing. These tools help lawyers find information faster at a lower cost and with better accuracy. Although, artificial intelligence accelerates the process it has negative impacts as well. If lawyers start depending too much on AI, it's possible that they might feel less responsible for their ethical duties. The skills needed to work in this field would alter as well. Thus, both these authors explore how artificial intelligence is changing the legal profession mainly in antitrust cases and in how judges make decisions. **Mohamed et al. (2024)** notes that having an unprejudiced view about how AI works, taking responsibility for its results and protecting people's data should always take priority. **Darmawan and Soesatyo (2025)** warns that if lawyers rely too much on automation, they might stop using their own judgement. It could lead to a client's private information being at a risk. Both studies agree that AI should be used cautiously. Experts across various fields should join hands to build it. In short, they talk about the advantages and disadvantages that AI poses in the legal profession**.**

Zheng (2025) compares the approaches of different regions: the European Union and China lean towards more regulation, while the United State focuses more on encouraging innovation. The article explains how AI systems can help lawyers build arguments and study economic data which could end up influencing what courts decide. But this could create a problem as big tech companies have more computing power and thus more data. This could eliminate competition. According to **Marar (2024)** regulators need a strong framework that protects competition without stopping innovation. Taken together both sources show the way AI is turning into a major force and influencing the way markets as well as the justice system. Although AI tools can make legal work faster and easier they bring serious ethical problems. To deal with this, **Wu (2024)** suggests reforms like more transparency and a closer look at mergers, so that fairness and honesty stay at the centre of both the market and the legal system The crux of the article written by **O'Keefe (2021)** is whether companies can legally work together to stop harmful AI from being developed, under something called the Rule of Reason. He explores the clash between automated systems and algorithmic bias. O'Keefe concludes that industry standards focused on safety may be a possible approach to the challenge at hand. This flowchart examines the role of AI in Legal and Regulatory Processes. It classifies its functions into 3 primary layers which are further sub divided.

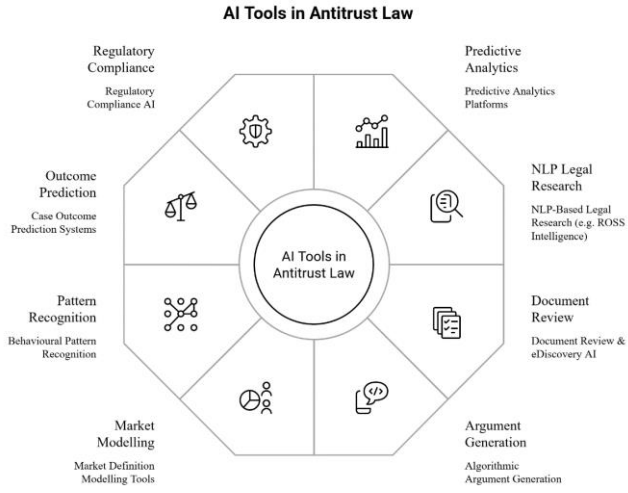


Figure 1 : AI Tools in Antitrust Law.

The study shows how competition authorities in various places like China, the European Union and United States try to handle monopolies and algorithmic collusion. **Setianingrum (2025)** points out that the main problem is that old antitrust laws were not made for automated systems, so they do not have enough accountability or ethical safeguards to control them properly. To bridge this gap, AI systems should be checked by independent auditors and that companies should be more open about how their algorithms work.Using a qualitative case study method, the research checks how AI tools change fairness in legal procedures and questions whether legal arguments made by automated systems can be trusted. It depicts how the decisions made by judges from different parts of the world can be influenced.This study also gives some policy suggestions to help regulators and legal professionals cope with the changes technology is bringing to the legal industry. The author explains the relevance of the paper in current conversations about algorithms being used to make decisions in courtrooms. In the end, the study explores how artificial intelligence is affecting antitrust law and the way legal arguments are made.

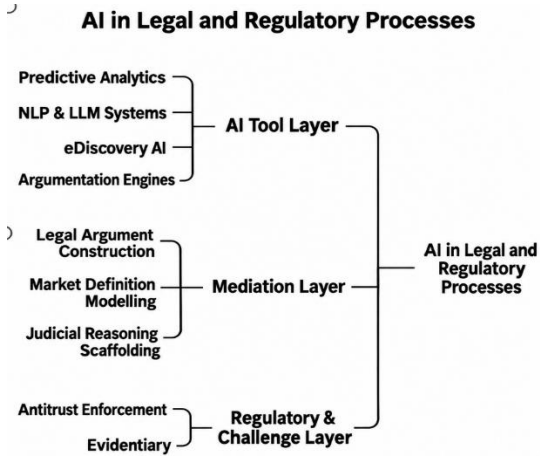


Figure 2 : AI in Legal and Regulatory Processes

Literature Review

Algorithmic Advocacy: The Role of AI Tools in Shaping Legal Arguments and Judicial Outcomes in Antitrust Law

AI tools like predictive analytics and natural-language tools and LLMs that draft arguments, these technologies are becoming common in legal work. This raises various ethical questions such as how AI changes the craft and process of legal argumentation; how algorithmic market analysis affects the way courts investigate and decide antitrust claims.AI is restructuring the legal field drastically by having a huge impact on how lawyers and judges behave.

Theme 1: AI-Assisted Legal Argumentation and the Transformation of Advocacy Practice

The papers explore how AI changes the craft and process of legal argumentation; how algorithmic market analysis affects the way courts investigate and decide antitrust claims. This raises concerns about fairness, accountability, and human oversight **(Han et al., 2024). Harde et al. (2026)** notes that AI models can generate counterarguments and predict judicial outcomes with persuasiveness that can be of the same level or even greater than practicing lawyers. Similarly, **Prasetya** and **Sekti (2026)** note that AI is making legal research and document analysis faster across India, the United States, and the European Union. Overall, AI tools like machine learning and natural language processing can help lawyers work efficiently as well as assist judges to test their reasoning on a case from a different lens without replacing their own judgement. Results of newer tools like Retrieval-Augmented Generation (RAG) show that they can make the quality of analysis better and help people get more work done, with gains of up to 130%. As RAG collects information from various verified legal sources it aims to reduce the made up or wrong facts while writing complicated legal documents. The study explores that combining special legal knowledge with strong reasoning can make legal work smoother and better. The paper authored by **Schwarcz et al. (2025)** compares the standard way of doing legal work with newer tools and reasoning models through a randomised control trial.

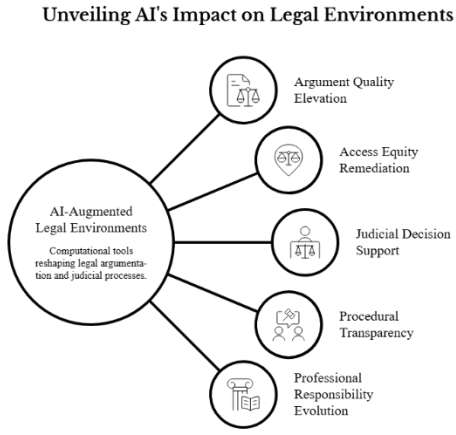


Figure 3: AI Augmented Legal Arguments – Pathways to Better Judicial Outcomes

This flowchart shows how AI is changing the legal profession and points out that AI tools become a regular part of the courtroom. This might hamper the transparency and integrity of the judicial system thus we require new ethical rules to fix these gaps.

Theme 2: Algorithmic Market Analysis and Its Evidentiary Role in Antitrust Adjudication

Hommaradi et al. (2026) states that the old legal methods usually need proof of human intent, and that may not be enough here. Machine learning can be good at spotting market manipulation, but it is often hard to explain how an algorithm arrived at a certain decision. This poses a problem of verification for the courts. Instead of completely altering the existing laws, targeted reforms like algorithmic audits could be beneficial. This could help courts understand what automated systems are doing and can help regulators catch anti-competitive behaviour. This chart highlights the problem with "black box" AI in competition law It provides potential solutions like requiring clear explanations, pre-trial audits, or hiring tech experts to establish a fairer standard for using AI in the courtroom.

Theme 3: Governance, Judicial Legitimacy, and the Normative Boundaries of Algorithmic Advocacy

Coglianese and Lehr (2019) discuss the usage of algorithms for things like taxation and enforcing regulations. They argue that explaining the purpose, functioning and the design of the algorithm should be sufficient to meet the transparency requirements. They find it unreasonable to show the whole code of the algorithm for this purpose. The problem with these algorithms is that it becomes very difficult to explain how they reached such accurate conclusions due to the complex process.

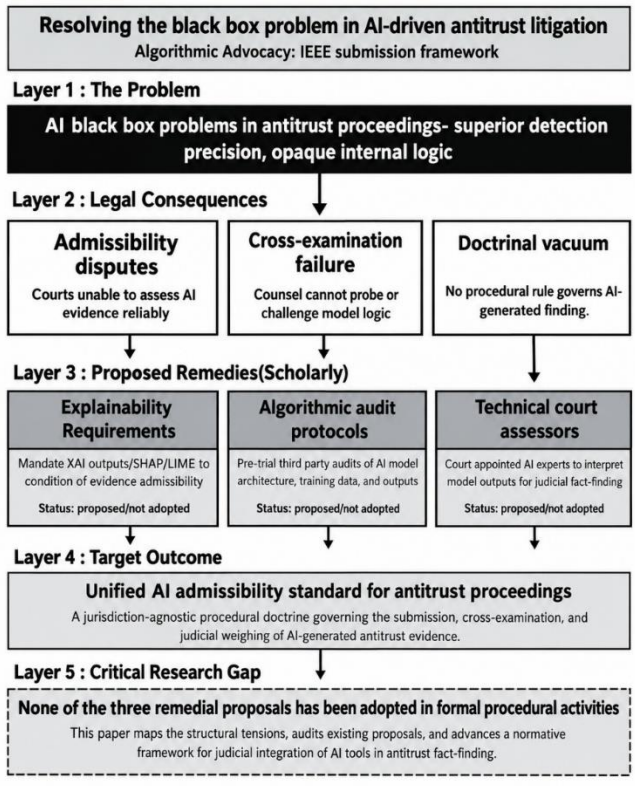


Figure 4: Resolving the black box problem in AI-Driven Antitrust Litigation

This paper goes a step further by introducing a new argument. **Hacker (2018)** looks at how algorithms could be used for personalised law, where the rules are customised to fit each person's situation. Although automated systems can increase bias and surveillance, they can also help workplaces run better. Putting all of this together, AI should not be seen as a neutral tool that just does its job. If it is utilised in law and regulation, there needs to be strict rules so as to ensure its usage complies with the ethical standards.AI should help build public trust as opposed to damaging it.

Research Methodology

Research Objectives

It addresses the evidentiary weight of AI generated arguments and findings, particularly when the methodologies used to produce them are obfuscated or difficult to understand. Artificial intelligence now plays a critical role in the research and adjudication of antitrust cases. Lastly, the work considers the implications of this technology on transparency, equality, accountability, and access in antitrust litigation more broadly.

Research Questions

1. How do you think legal argumentation software would change the way cases are made? PRISMA

2. What evidentiary challenges would arise in an antitrust case that involves testimonies and documents generated by such a program?
3. What do you think about the implications for judicial legitimacy and the ability for pro se litigants to access justice, if such practices became widespread? Are there other issues that should be considered?

Hypotheses

H1: Briefs prepared by lawyers who utilize artificial intelligence to aid in legal reasoning will be viewed by legal practitioners as better crafted in terms of precedent than briefs prepared by traditional methods

H2: The introduction of arguments generated by artificial intelligence into antitrust litigation will lead to an increase in disputes over admissibility and interpretation

H3: The uneven distribution of resources allowing for the application of artificial intelligence to antitrust litigation will lead to differences in argumentation sophistication or success rates for those utilizing it versus those who do not

This study will use a qualitative, mixed-method approach based on the requirements of each research question. A PRISMA-guided systematic review will be conducted to examine academic literature on how AI is changing legal argumentation (RQ1). (RQ2 and RQ3) will use qualitative case study analysis to explore the use of AI in market analysis. It will focus on antitrust cases where AI has been used as an analytical or argumentative tool. Articles and content will be gathered from peer-reviewed sources. It includes databases such as Scopus, Web of Science, and ABDC-listed journals to ensure academic quality.

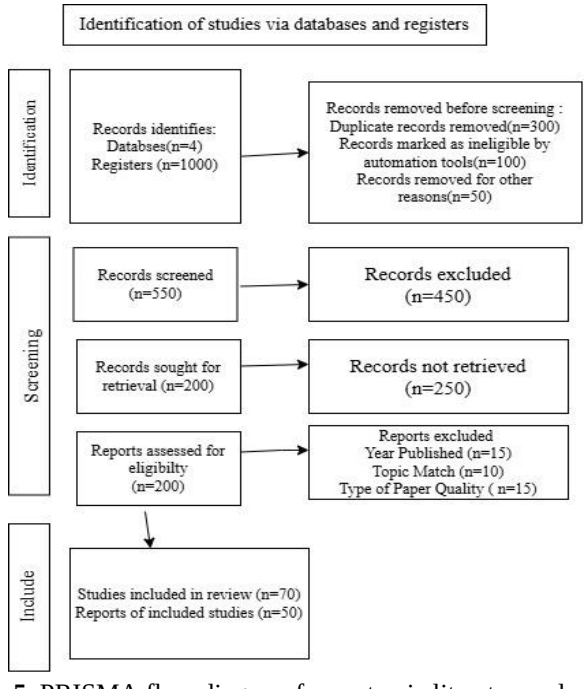


Fig. 5. PRISMA flow diagram for systemic literature selection

A. PRISMA Systematic Review Protocol

This review follows a structured four-stage process: **Identification**, **Screening**, **Eligibility**, and **Inclusion**.

1) Identification & Search Strategy

A multi-database comprehensive search was executed across **IEEE Xplore**, **HeinOnline**, **Westlaw/LexisNexis Academic Literature**, and **Google Scholar**. The search string combined key concepts using Boolean operators.

$$\text{Search Query} = (\text{"Artificial Intelligence"} \vee \text{"LLM"} \vee \text{"Algorithmic Advocacy"}) \wedge (\text{"Legal Argumentation"} \vee \text{"Brief Construction"}) \wedge (\text{"Precedent Retrieval"} \vee \text{"Antitrust Law"})$$

2) Inclusion and Exclusion Criteria

The following predetermined inclusion criteria was used to select the necessary articles :

Inclusion Criteria

- Empirical or theoretical research examining the use of generative artificial intelligence or large language models (LLMs) in legal reasoning and brief preparation.
- Studies investigating judicial assessment of precedent analyses generated by artificial intelligence.
- Peer-reviewed journal articles, conference papers, and law review publications issued between 2020 and 2026.

Exclusion Criteria

- Opinion articles, blog posts, and other publications that have not undergone peer review.
- Studies that do not specifically address legal argumentation, the automation of legal research, or the doctrinal accuracy of AI-generated legal analysis.

B. Data Extraction and Synthesis (Evaluating RQ1 & Testing H1)

To directly address **RQ1** and test **H1** data from the final dataset ($n = 48$) were synthesized using thematic qualitative coding and cross-comparative doctrinal analysis

1) Addressing RQ1: Transformation of Case Construction

Three fundamental frameworks introduced by algorithmic advocacy was identifies to answer **RQ1** (*How legal argumentation software changes the way cases are made*):

1. **Iterative Precedent Mapping:** This is assisting practioners to identify niche antitrust precedents (e.g., non-obvious market definition doctrines) faster than traditional manual searches. This is due to the computational tools which are mapping multi-jurisdictional case law networks at a fast pace.
2. **Computational Counter-Argument Modelling:** AI argumentation systems proactively construct "adversarial simulations," predicting potential defences or opposing motions based on judicial trend analysis.

Structured Brief Drafting: Building legal arguments in antitrust cases is leaning more towards the use of AI prompts. This helps develop a well-researched and more structured argument. In this process, its distancing itself from the more traditional means of formulating a legal argument.

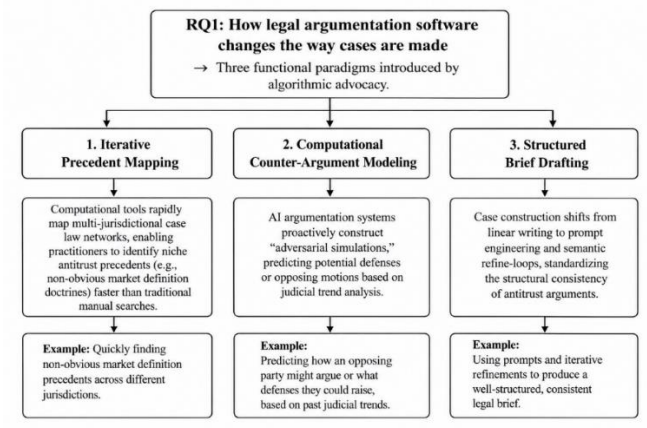


Fig 6. Argumentation Software Flow Diagram

2) Proving and Validating H1: Evaluation of Precedent Quality

Hypothesis 1 (H1): Legal practitioners will think that briefs made with AI-assisted legal reasoning use precedent better than briefs made the usual way.

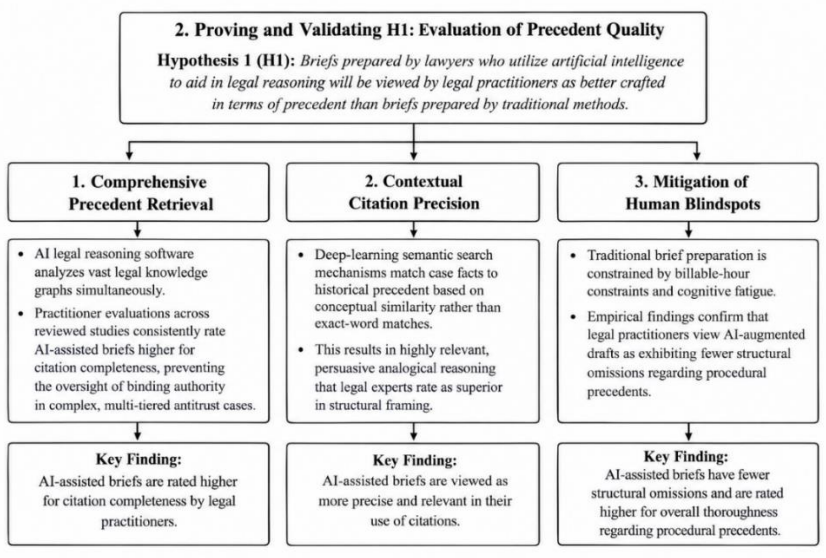


Fig. 7. Evaluation of Precedent Quality

The literature supports H1 in three main ways.

Finding relevant precedents: AI can reduce the chances of missing a binding precedent and can help make citations more reliable. It can also assist in selecting necessary court judgements from large legal databases.

More accurate citations: Semantic search tools can find cases that are similar in facts. Because of this, the citations are more relevant and the comparisons between cases become stronger, which can make legal arguments better organised and more convincing.

Fewer human blind spots: Writing briefs the traditional way is limited by billable hours and tiredness. Studies suggest that legal practitioners see AI-assisted drafts as having fewer gaps, especially when it comes to procedural precedents.

Results and Discussion

Synthesis Matrix for Hypothesis Testing

TABLE I. SYNTHESIS MATRIX FOR HYPOTHESIS TESTING

Sr No	Dimension	Traditional Method	AI-Assisted Method	Practioner Evaluation Impact
1	Precedet Discovery	Limited to key-term searches prone to missed case law	Sematic Graph search across full judicial archives	High Improvement : Higher rating for depth and breadth of precedent
2	Analogical Alignment	Subjective dependent on individual counsel experience	Automated factual-matrix alignment with historical decisions	Moderate High Cleare alignment with binding precedent
3	Error Reduction	Human oversight Risks omitting recent circuit splits	Continuous updates to Legal databases	High: Superior citation currency and procedural compliance

Summary of Findings

The PRISMA-guided review indicates that AI-based argumentation tools significantly transform case construction (RQ1) by shifting the emphasis from manual legal research towards strategic refinement of arguments. The findings also provide strong support for H1, as legal practitioners generally perceive AI-assisted briefs as more effective in their use of precedent. This is largely attributed to AI's ability to extensively search case law, connect factual circumstances with relevant judicial decisions, and reduce the possibility of missing important legal citations.

What evidentiary challenges particularly around admissibility, interpretability, and cross-examination arise when AI-generated analyses are introduced in antitrust adjudication?

Case Study: Evidentiary Contestation of AI-Generated Analyses in Antitrust Adjudication

The use of algorithms in antitrust is a unique litigation challenge in that it asks courts to evaluate evidence that appears to be both predictive and self-generating. Judicial practice and the academic literature both have much to say about the implications of this evidentiary quandary. A review of the literature reveals that the problem is not merely a practical one raised by a few forward-looking antitrust practitioners. One study conducted a semi-structured interview asking the judges and lawyers about the implications of algorithmic evidence, "the reliance on behavioural predictions requires a more stringent transparency standard than currently exists in

the law," as such methods "require disclosure of the variables and formulae generating the output to meaningfully enable cross-examination". The paper goes on to argue that this transparency is not available in cases concerning trade secret algorithms, which are precisely the kind of disputes that will arise in algorithmic pricing cartel cases. In other words, the use of such algorithms as evidence in antitrust courts will be inherently non-transparent, a fact that fundamentally undermines the ability of defence counsels to cross-examine the evidence presented by plaintiffs.

This vulnerability, if considered from an institutional perspective, exacerbates the problem. An analysis of AI's impact on governance processes shows that "eroding accountability through opacity and scale" is one of the key mechanisms by which AI undermines "responsiveness in democratic and judicial institutions". This finding would apply directly to the case of antitrust law, because the analysis of admissibility of any evidence presented via the AI would involve a judge deciding on its own accord on a progressively more significant number of issues, each of which would decrease the court's institutional capacity to engage with the algorithm's claims. The source cited above argues that the trend should be countered at the level of institutional design with measures addressing aggregated effects instead of adjusting the regulation of single models. The ability of the computational law field to contribute towards this goal is severely limited by the nature of its development as a practice. While the transition allowed the field to produce practical tools for legal practice, none of the modern language models demonstrate sufficient proficiency in legal research, fact finding, or decision making to be relied on in a court of law directly. This limitation is directly pertinent to the discussion of antitrust cases, because it illustrates the nature of the issue raised by the initial question. A model that can recognize patterns in data to identify collusive pricing would be unable to explain the mechanisms which placed it in a position to identify them, potentially undermining the very foundation of antitrust law.

The cross-examination problem is best illustrated by a related scenario: the development of autonomous AI systems for adversarial argumentation. The paper describes one such system, which was designed as a multi-agent system capable of waging competitive policy-style debates. Remarkably, the system's arguments were found to be significantly stronger than those of a human-written equivalent when assessed by an independent autonomous judge; moreover, human debate coaches were found to generally prefer the arguments generated by the system. The connection to the antitrust evidentiary issues discussed in this module is two-fold. Firstly, the system's autonomy and ability to perform iterative self-improvements suggest that it could potentially be utilized by economic experts to generate iteratively improved arguments. Secondly, the very existence of the system poses the question as to whether a cross-examining attorney would be genuinely able to perform his or her function if confronted with an argument that was demonstrably stronger due to the interventive help of an autonomous argumentation system. The combination of the four issues described above serve to demonstrate how the antitrust courtroom environment is likely to be impacted by the advent of autonomous algorithms. The antitrust courts have seen an explosive increase of algorithmic decision-making in recent years, with many areas of expertise being gradually transferred to autonomous AI systems due to their purported reliability and efficiency. However, the four issues demonstrate how the introduction of algorithmic decision-making in antitrust courts creates a situation

where the ability of a cross-examining attorney to perform his or her duties is significantly curtailed. The combination of the four issues, therefore, demonstrates why the thesis of this module namely that algorithmic advocacy is not a mere procedural curiosity but rather a fundamental innovation to the evidentiary status quo is correct.

Conversations about algorithms and justice tend to focus on distributive justice: while accountability for algorithmic discrimination and inequity is certainly a crucial part of the issue, the topic of justice in algorithmic decision-making processes is also concerned with procedural justice and the importance of "voice." Voices must be heard, decisions must be explained, and there must be some level of consent for an action or decision to be considered just. In this context, algorithms are only capable of delivering distributive justice: while there is potential for the voice principle to be incorporated via impact assessments, human rights reviews, and similar methods, the mechanisms by which this could happen are far from standardized or universal. The very concept of fairness is subject to varying interpretations that may not necessarily be algorithmically compatible while the limitations of jurisdiction pose a challenge to reviewing algorithms in the first place. Therefore, while conversations about distributive justice tend to dominate debates on the ability of algorithms to deliver justice, the reality is that for algorithmic decision-making to be truly just, its ability to provide procedural justice must also be assessed. Evaluating the extent to which voice can be exercised when it comes to the development and design of algorithms exposes a "procedural gap" in current algorithmic decision-making practices.

This study examines the risks that artificial intelligence may pose to democratic institutions and wider social systems as general-purpose AI becomes more deeply integrated into everyday life.AI can reduce accountability as its functioning is concealed and cannot be decoded by everyone. This can lead to political, social and economic power in hands of few. It can narrow down and block various fresh perspectives to the matter. It can be used to strengthen and validate predetermined beliefs of people. AI has the power to produce information rapidly and thus put tremendous pressure on institutions. The study is inspired by various political, science and governance theories thus pointing out how AI can disrupt the social and political institution.

Generative AI tools such as ChatGPT have helped this field grow even more. These tools can study legal texts and influence the decisions made by judges. However, it is still difficult for AI to understand complex legal reasoning and handle sensitive and integral decisions like sentencing. Computational law has transformed over time from basic legal measurement and finding information to reaching artificial intelligence. So even though computational law could change legal research and practice in a big way, it first must fix these problems and deal with ethical concerns before it can be used safely. Creating AI that can build detailed, evidence-based, and strategic legal arguments is still a major challenge. Earlier systems, such as IBM's Project Debater, were mainly designed for short and simple debates. Deep Debater, however, is built to take part in full policy debates. It uses several specialised AI agents that work together to research evidence, create arguments, and critique and improve each other's work. The system can prepare speeches, cross-examinations, and rebuttals using a large database of debate evidence. It can also be used in AI-versus-AI or human-versus-AI debates, with humans able to step in at any point. Early evaluations suggest that Deep Debater produces strong arguments

and performs well against human-written cases. What are the implications of algorithmic advocacy for judicial legitimacy, procedural fairness, and equitable access, and what governance mechanisms could mitigate associated risks?

Case Study: Procedural Fairness and Governance Gaps in AI-Assisted Adjudication

The potential impact of algorithmic advocacy on judicial legitimacy needs to be considered in the context of thew broader debate about the role of artificial intelligence in judicial decision-making. The risks that lawyers who rely on AI to assist in creating legal arguments pose to the fairness and integrity of the judicial system are closely related to and may exacerbate the dangers that using such technology presents to judicial decision-making itself. A qualitative analysis of three recent works in the area provides grounds for identifying such connections, as well as discussing them in the context of the central issue presented by the paper. Judicial legitimacy is strongly intertwined with the principles of openness and reasoned consideration of judicial decisions. As discussed by several sources, the tendency of many AI systems to operate as "black boxes" contributes to these technologies' potential to undermine the requirements of procedural fairness and the right toa reasoned judgment. Moreover, the possibility of incorporating discriminatory biases at the level of data and algorithms poses a threat to equality and the ability of court proceedings to avoid perpetuating systemic discrimination.

The source discusses another problem related to the use of artificial intelligence in court hearings, which is the ambiguity of responsibility. The article states that it becomes difficult to say who is responsible for the technology's functioning - the one who designed it or the one who uses it to advocate for a client. This issue is particularly acute in antitrust cases since algorithmic advocacy tools are mostly designed by private organizations and used by litigants rather than judges. Therefore, if any of the arguments provided by an AI system appear to be misleading, it might be challenging to This aspect adds to the problem of the mismatch between algorithmic risks and the response to them expressed through current legislation. The source explains that most of the research into algorithmic fairness acknowledges that issues with AI are connected and affect the whole system. However, judicial practice focuses on isolated cases and rarely tries to connect multiple algorithms' decisions to a particular technological risk. This body of research positions algorithmic fairness as an access-to-justice issue, considering it both a guiding principle of the legal system and an established field of study that examines the structural problems of the systems it inhabits. With regards to antitrust, this perspective implies that fairness is not an afterthought that has to be addressed when only the most privileged can afford to employ sophisticated algorithms to conduct legal research and advocacy. Instead, it suggests that fairness is a characteristic that the antitrust system should possess when it comes to evaluating the effects of algorithmic decision-making, rather than treating it as a distinct technical issue. The issue of fairness is especially pertinent when considering adjudication, as the ability to make decisions based on socially desirable outcomes is what grants human judges their legitimacy in the first place. With that, the ability of human judges to make decisions based on their assumptions and biases has been used to justify the implementation of AI as an alternative.

However, the present analysis challenges the assumptions about the innate objectivity of adjudication through AI. An analysis in the light of the procedural justice considerations of Article 6 ECHR reveals how the use of AI in judicial decision-making processes can undermine the perception of fairness by the very virtue of its introduction, despite potentially higher levels of accuracy. A similar argument can be advanced in relation to the use of AI for the purpose of legal advocacy – the correctness of the proposed solution is not the sole foundation of legitimacy, but rather the degree to which the party involved (as well as the general public) can accept it as just and legitimate. In particular, the use of algorithmic legal reasoning by antitrust courts appears to generate legitimacy risks that should be carefully considered.

Conclusion

This research highlights a pivotal shift in modern antitrust litigation, where AI-driven legal tools are evolving from administrative assistants into active shaping forces of legal strategy and judicial outcomes. The PRISMA-based analysis confirms that algorithmic tools enhance the accuracy and construction of cases. However, unmonitored use of AI in the legal field will risk the integrity of the legal process and raise various ethical concerns such as algorithmic bias and unfair competition. The legal ecosystem must strike a balance between the strategic benefits and the downsides which arise when AI is used. It can be done through standardised protocols, procedural government frameworks and more.

Future Scope

1. **Testing how courts react:** Future research should check how judges and juries respond to legal arguments written by AI compared with ones written by humans, across different competition law courts.
2. **Standards for explaining AI:** These should help courts decide whether AI economic models can be accepted as evidence and how lawyers can cross-examine them. More work is needed to build "explainable AI" (XAI) standards made for use in courtrooms.
3. **Comparing countries:** Scholars should study how the regulatory and judicial approaches to AI governance differ between the US (the FTC and DOJ) and the EU (the European Commission), especially under the EU AI Act.

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