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# CONSUMER PROTECTION IN ERA OF AI

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## *ABSTRACT*

Artificial Intelligence's (AI) quick development has transformed consumer markets by increasing convenience, efficiency, and personalization. But it also presents serious problems for consumer protection, especially when it comes to issues like algorithmic bias, privacy, transparency, and responsibility. AI-driven decision-making in many sectors of consumer raises issues about justice, accountability, and data protection. Customers frequently engage with AI systems without fully comprehending the ramifications, which could result in data breaches, prejudice, or exploitation.

Aligning with the March 15, 2024 theme, "Fair AI for Consumers," this research explores the evolving landscape of consumer protection in the AI era, focusing on legal frameworks in India and the International perspective.

It looks at how current consumer protection legislation handles AI-related concerns and assesses how well they protect consumers' rights. Many nations takes a sectoral approach, has taken the lead in creating a comprehensive legislative framework for AI. Whereas India mostly depends on the Consumer laws and rules of 2019 and 2020 respectively.

The study also addresses new worldwide trends, such as corporate responsibility, algorithmic transparency, and ethical AI principles. In order to guarantee equitable and responsible AI deployment, it highlights the necessity of strong legal reforms, improved regulatory monitoring, and consumer awareness. The research ends with suggestions for building trust in AI-driven marketplaces. For AI to assist consumers without jeopardizing their rights and interests, legislative protections must be strengthened.

**Keywords:** Consumer Protection, Artificial Intelligence, Fair AI, Algorithmic Transparency, Data Privacy

## I. INTRODUCTION

The growing adoption of AI in several industries has revolutionized consumer markets, allowing firms to improve productivity and customer experience. Chatbot-based customer service, automated financial services, and AI-driven recommendations have become essential components of contemporary business. The growing dependence on AI, however, brings up urgent concerns about consumer protection, including risky data security, opaque decision-making procedures, and possible abuse through deceptive AI-driven marketing tactics.

"Fair and Responsible AI for Consumers," highlights the importance of moral AI practices that protect the interests of consumers. This study assesses the efficacy of the current legal frameworks in abroad and India while looking at the main issues given by AI in consumer markets.<sup>1</sup>

Breakthroughs in artificial intelligence have taken the modern era by greater speed. This breakthrough is having an influence on lives of many and behaviour the procedure people work, communicate, and get information. The use of artificial intelligence can have implications for consumer safety. There are concerns about false messages, fraud, violations and some bad practices, in AI-powered platforms can spread wrong message. This study examines the key challenges posed by AI in consumer markets and evaluates the success of laws in India and across the globe.

## II. Benefits of AI for Consumers

- AI has introduced several advantages for consumers, including:
- New interest: AI improves user interest through tailored recommendations in e-commerce, relaxation, and monetary sectors.
- Enhanced Security: AI-powered fraud detection systems help protect consumers from cyber threats and financial fraud data protection.
- Improved Efficiency: Automated processes reduce waiting times in customer service, banking, and healthcare services.
- Economize: It reduces operational costs, leading to more affordable products and services for consumers with reasonable price.

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<sup>1</sup> <https://www.consumersinternational.org/news-resources/news/releases/world-consumer-rights-day-2024-to-call-for-consumer-protection-for-an-ai-future/visited@Feb> 10 2025

### III. Risks and Challenges of AI for Consumers

- Despite its lot of benefits, AI poses significant risks to consumer protection:
- Data Privacy Violations: AI relies on large datasets, raising concerns about misuse, unauthorized access, and lack of consumer consent.
- Algorithmic Bias and Discrimination: It can lead to biased outcomes in lending, hiring, and pricing.
- Lack of lucidity: The systems function as "black boxes," confusing for consumers to understand the decisions.
- Manipulative Marketing Practices: AI can be used for deceptive advertising, exploiting consumer vulnerabilities
- Liability and Accountability Issues: Assigning responsibility for AI-related harms remains legally complex.

### IV. Current Scope of AI in Consumer Laws in India

#### **\*The Consumer Protection Act of 2019<sup>2</sup>**

It modernizes Indian consumer laws, including tackling e-commerce and unfair trade practices. It establishes the Central Consumer Protection Authority (CCPA) to enforce and facilitate dispute resolution. However, as artificial intelligence (AI) shapes consumer interactions, issues such as algorithmic prejudice, data privacy, and fraudulent AI-driven ads emerge. The Act does not contain explicit AI laws, although it does address deceptive ads and unfair trade under product liability and unfair contracts<sup>3</sup>. Compared to the United States, Indian legislation is less precise about AI concerns. Future modifications may include AI-specific rules to improve consumer rights and accountability in AI-driven markets.

#### **\*Consumer Protection (E-Commerce) Rules, 2020**

With the advent of Artificial Intelligence (AI) in e-commerce, many AI-driven practices have gained popularity, including personalized suggestions, dynamic pricing, chatbots, and fraud detection. However, these improvements generate issues about consumer protection, data privacy, algorithmic bias, and deceptive trade practices, all of which are addressed indirectly

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<sup>2</sup> Consumer Protection Act, 2019 Ministry of Consumer Affairs, Government of India.  
<https://consumerhelpline.gov.in/visited> @ Feb 23 2025

<sup>3</sup> Consumer Protection Act, 2019: Analysis and Review. (2020). National Consumer Disputes Redressal Commission Report. New Delhi: NCDRC

by the E-Commerce Rules 2020. <sup>4</sup>The regulations prioritize transparency in AI-based recommendations, mandating platforms to publish ranking factors and prevent deceiving customers. AI-driven pricing methods must adhere to fair pricing standards to avoid price discrimination and deceptive pricing tactics. Furthermore, e-commerce platforms must protect consumer data and avoid AI-driven misuse of personal information. The standards also address misrepresentation and dark patterns, which include AI-generated descriptions, false reviews, and manipulative UX designs that may infringe consumer rights.

#### **\*The Digital Personal Data Protection Act (DPDPA), 2023:**

It regulates the personal data, directly impacting Artificial Intelligence (AI) systems that rely on consumer data for decision-making, recommendations, and profiling. It aims to balance consumer rights, business interests, and innovation while preventing misuse of AI-driven data processing.

#### **\*IT Act, 2000 and IT Rules**

The (IT) Act is India's fundamental regulation covering cyber activity, electronic commerce, and digital communication. The Act, which was passed to grant legal recognition to electronic transactions, makes it easier to conduct secure online commerce, file papers electronically, and sign digitally. It has evolved throughout time to meet new concerns in the digital economy, such as cybercrime, data breaches, and intermediary accountability. Section 66 of the IT Act addresses cybercrimes such as hacking and identity theft, Section 43A holds corporations liable for failing to protect sensitive personal data, and Section 72 prohibits unauthorized disclosure of personal information. The Act legalizes electronic records and signatures, allowing for smooth integration of digital services in governance and business.<sup>5</sup>

A number of IT Rules have been introduced to supplement the IT Act. Platforms like social media and e-commerce companies must guarantee transparency, content moderation, and data privacy in accordance with the Intermediary Guidelines and Digital Media Ethics Code, 2021. <sup>6</sup>Grievance officers must be appointed by intermediaries, user complaints must be resolved within predetermined time constraints, and user verification procedures must be offered. The

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<sup>4</sup> Sharma, N & Naresh, P. *The Role of Consumer Protection Act, 2019*. (2021). International Journal of Law and Technology, 8(2), 50-65

<sup>5</sup> Agarwal, R., & Sharma, S. (2021). Cyber Law in India: *The Role and Evolution of the Information Technology Act, 2000*. Journal of Cyber Security and Law, 9(1), 45-68

<sup>6</sup> <https://www.meity.gov.in/visited@Feb> 22 2025

CERT-In Rules also require businesses to swiftly disclose cyber security problems. Even though the IT Act and its regulations offer a strong framework for controlling digital activity, detractors frequently point out that modernization is necessary to handle modern concerns like algorithmic transparency, AI governance, and more robust data privacy protections.

#### **\*National Strategy for Artificial Intelligence (NITI Aayog)**

India's plan to use AI to boost economic growth, enhance social results, and position the nation as a global AI powerhouse is outlined in the Strategy on Artificial Intelligence (AI) published by Aayog in 2018. The plan, titled "AI for All," promotes equity, inclusivity, and responsible innovation while highlighting the application of AI to address societal issues. It outlines five key areas for using AI: mobility, smart cities and infrastructure, healthcare, education, and agriculture. These industries were picked because they have the potential to produce substantial social and economic gains.<sup>7</sup>

### **V. Current Scope of AI in Consumer Laws in US**

The consumer protection laws have historically been less centralized compared to the EU. However, with the rise of AI, there has been increasing focus on how existing laws, such as those governing data privacy and unfair business practices, can be adapted to address the problem posed by AI.

#### **\*Federal Trade Commission (FTC) Act:**

A pillar of American consumer protection and antitrust law has provisions that are becoming more and more pertinent in light of artificial intelligence (AI). The Act, which was passed in 1914, forbids unfair competition in business as well as unfair or dishonest activities or practices. The FTC has underlined its power to hold companies responsible for AI-related acts that hurt consumers or lead to unfair competition as these technologies become more and more integrated into corporate processes. This covers AI applications in fields including data analytics, automated decision-making, facial recognition, and personalized advertising.<sup>8</sup>

#### **\*California Consumer Privacy Act (CCPA):**

A historic privacy law in the US, this act gives Californians more rights when it comes to data protection and places requirements on companies about how they collect, use, and sell the

<sup>7</sup> <https://niti.gov.in/visited@Feb> 23 2025

<sup>8</sup> <https://www.ftc.gov.in/visited@Feb> 23 2015

information. Customers have a lot of rights under the CCPA, such as the right to know the information is being collected, the right to have that what is deleted, the right to refuse to have their data sold. Even when their personal information is used in AI-powered systems, these rights guarantee that users have control over it.

**\*Algorithmic Accountability Act:**

The Act is a proposed law that was first presented to the US Congress in 2019. Its goal is to guarantee responsibility, openness, and equity when using automated governing innovation. The Act aims to address issues regarding prejudice, discrimination, lack of transparency, and potential harms caused by computational methods, acknowledging their increasing importance in fields like recruiting, lending, healthcare, and law enforcement. Businesses must proactively assess the privacy, bias, accuracy, and fairness concerns associated with their AI systems.<sup>9</sup>

**\*Fair Credit Reporting Act (FCRA)**

A U.S. was passed in 1970 with the goal of guaranteeing the privacy, equity, and correctness of consumer data in the credit reporting system. It controls how credit reporting companies and customers are entitled to view their credit reports, contest any errors, and request corrections under the FCRA. It requires reporting companies to uphold appropriate protocols to guarantee the information they gather. The law restricts the conditions under which an individual or organization may get a consumer's credit report, usually necessitating the consumer's permission or a legitimate reason, like credit, employment, or insurance.

**\*The Consumer Review Fairness Act (CRFA) of 2016.**

This federal legislation in the United States was created to safeguard customers' freedom to express their honest thoughts and reviews of goods and services without worrying about reprisals from companies. The rule forbids businesses from putting "gag clauses" in contracts or terms of service that would stop clients from leaving unfavourable reviews. It focuses on clauses in contracts that try to limit or punish clients for providing unfavourable or critical reviews of a company's goods or services. Businesses are prohibited by the CRFA from punishing customers for submitting unfavourable evaluations with fines or preventing them from utilizing their services. The Act ensures that businesses cannot stifle sincere customer

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<sup>9</sup> Kovacic, W. E. Winerman, M. (2018) The Federal Trade Commission at 100: *Strengths and Challenges*. *Antitrust Law Journal*, 81(3), 837-872

comments by giving the Federal Trade Commission (FTC) the authority to enforce the law.<sup>10</sup>

## **VI. Current Scope of AI in Consumer Laws in Europe.**

### **\*European Union (EU) Regulation**

In an effort to promote innovation and guarantee the safe artificial intelligence (AI), it has taken the lead in creating a strong law for AI. The Artificial Intelligence Act, which was came in 2021 and establishes a difficult approach to regulating AI systems, is the cornerstone of EU AI legislation. In order to ensure that greater regulatory scrutiny is undertaken when there are substantial dangers to basic rights, safety, or social well-being. While difficult AI systems include those used in vital industries including healthcare, law enforcement, education, employment, and infrastructure, prohibited AI systems include those that use damaging social scoring processes or control behavior (e.g., subliminal tactics).<sup>11</sup>

### **\*General Data Protection Regulation (GDPR):**

The regulation was enacted in 2018, is one of the strong laws, and its principles play an important role in managing Artificial Intelligence (AI). GDPR focuses on protecting person rights in the present world, specifically in terms of personal data collection, processing, and storage. AI systems, which frequently rely on large volumes of personal data to train algorithms and provide personalized services, must meet GDPR's severe criteria. Key values such as lawfulness, justice, and transparency are critical in ensuring that AI applications do not exploit personal data.

### **\*The EU Artificial Intelligence Act (AI Act):**

This act which aims to regulate AI based on the level of risk it poses to consumers. The Act divides AI systems into four categories of risk. Large-risk AI systems, such as those employed in healthcare, banking, and vital infrastructure, are subject to more stringent rules. These standards include transparency, data governance, and human oversight to guarantee that AI systems do not hurt consumers. The Act stipulates that consumers be informed when interacting with an AI system and those AI judgments is explainable, which means that corporations must provide explicit explanations of how their AI systems operate.

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<sup>10</sup> United States Congress 2016 Consumer Review Fairness Act of 2016 Public Law No 114-258, 15 U.S.C. § . Washington, DC: Federal Trade Commission

<sup>11</sup> [https://ec.europa.eu/info/business-economy-euro/banking-and-finance/financial-services-consultations/visited\\_@Feb23\\_2025](https://ec.europa.eu/info/business-economy-euro/banking-and-finance/financial-services-consultations/visited_@Feb23_2025)

## **VII. Roles of AI in Protection of Consumers: Consumer Protection Issues in the AI Era**

The fast integration of Artificial Intelligence (AI) into different consumer-facing industries is altering how businesses engage with customers and how consumers perceive the marketplace. AI promises to personalize experiences, streamline services, and boost efficiency. However, as AI technologies grow more integrated into consumer-facing businesses such as e-commerce, finance, healthcare, and entertainment, they pose new concerns and risks. These dangers, which include worries about data privacy, algorithmic biases, fraud, and security, demand the implementation of a strong consumer protection framework. This chapter will look at the many roles of AI in protecting consumers across industries and address significant consumer protection challenges in the AI-driven marketplace.

### **\*The Role of AI in E-Commerce: Transparency and Fairness**

E-commerce is one of the most prominent sectors where AI is making significant strides. AI systems in e-commerce are used extensively for recommendation algorithms, price optimization, personalized marketing, and customer support. However, there is a serious problem with consumer protection because AI algorithms are opaque. For example, certain AI-powered systems may put profit ahead of customer demands, favouring higher-margin goods over those that are most appropriate. Additionally, companies may apply AI to generate customized advertisements based on customer information, frequently without providing complete transparency on the collection or use of said information. Clear laws that mandate businesses reveal the characteristics of their AI algorithms, the data they utilize, and the decision-making process are necessary to safeguard customers.<sup>12</sup>

### **\*AI in Financial Services: Data Privacy and Fraud Prevention**

By enhancing customer service, credit scoring, fraud detection, and investment strategies, artificial intelligence (AI) is significantly changing the financial services sector. Artificial intelligence (AI)-driven chatbots are used by financial institutions to offer round-the-clock customer service, assist customers with money management, and assist them in making decisions. Algorithms that determine eligibility for loans, mortgages, and other financial problems while AI has made services more efficient, there are serious worries about data privacy and the possible misuse of private financial data. Financial AI systems mostly rely on

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<sup>12</sup> <https://www.bigcommerce.com/articles/ecommerce/-ai/visited@Feb 24 2025>

consumer data, such as credit history, income levels, and spending habits, which raises the possibility of illegal data acquisition, breaches, and spying.<sup>13</sup>

### **AI in Healthcare: Ethical Considerations and Consumer Rights**

The integration of AI into healthcare offers tremendous potential in improving patient outcomes through better diagnostics, personalized treatment plans, and enhanced patient monitoring. AI algorithms are increasingly being used to analyse medical data, identify patterns in medical histories, and predict health risks. These applications can help healthcare providers offer personalized treatment, which could greatly benefit consumers by delivering more precise and effective care<sup>14</sup>. However, when it comes to AI in the healthcare industry, there are serious concerns about consumer protection. Careful thought must be given to ethical issues, such as the application of AI to make decisions in life-or-death circumstances. Consumers should have access to information regarding the algorithmic procedures used by AI systems to make medical decisions, and these systems must be transparent about their decision-making process. Furthermore, since AI systems frequently store and handle sensitive health data, data privacy issues are brought up by AI-driven health applications. Healthcare AI apps should follow stringent data privacy guidelines, like informed permission and robust data encryption, to safeguard customers.

### **\*Role of AI in preventing Discrimination and Algorithmic Bias across Industries**

AI systems can unintentionally perpetuate existing societal biases. Whether in hiring processes, healthcare treatment, financial services, or e-commerce, AI algorithms that are trained on biased data can lead to discriminatory outcomes that negatively affect consumers, especially marginalized groups. It is impossible to overestimate the significance of tackling algorithmic bias. Customers must be shielded from unjust treatment brought on by skewed or transparent algorithms.<sup>15</sup> Businesses and organizations must make sure that AI models are rigorously vetted for fairness and that they use a variety of data sets to prevent the reinforcement of pre-existing biases in order to prevent this. AI systems should also undergo routine audits to make sure they are operating fairly and giving all customers, regardless of their background, similar opportunity.

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<sup>13</sup> <https://cloud.google.com/discover/finance-ai/visited@Feb28> 2025

<sup>14</sup> Chokshi, D. A., & Mayer, K. H. (2021). "Artificial Intelligence in Healthcare: Risks and Opportunities." *The New England Journal of Medicine*, 385(7), 657-665

<sup>15</sup> Vogeli, C., & Mullainathan, S. (2019). "Dissecting Racial Bias in an Algorithm Used to Manage the Health of Populations." *Science*, 366(6464), 447-453.

## VIII Suggestions

- Developing strong legal regulation for AI no laws in present are sufficient to protect the consumers interface with AI.
- Security concerns are difficult to manage the proper measures should be taken to protect the consumers.
- Collaboration between governments, tech companies and consumer rights organizations to develop the ethical AI.
- Audits and reports should be made mandatory for companies.
- Stricter laws for AI generated deep fakes should be implemented.
- Awareness should be created about the AI.

## IX. Conclusion

In this study by the theme “Fair and Responsible AI for Consumers,” the theme of 2024, highlights the importance of moral AI practices that protect the interests of consumers the regulations must change to meet the particular threats AI presents to consumer protection as it continues to transform the global economy and consumer experiences. Legislation specifically focused on AI is required to provide transparency, responsibility, justice, and consumer control, even though current laws in countries like the US and the EU serve as a basis for AI regulation. Initiatives like the planned Algorithmic Accountability Act, the FTC's AI advice, and the EU's AI Act are positive moves. To safeguard consumer rights in the increasingly AI-driven industry, however, more international cooperation and stricter laws will be necessary. The goal is not only to manage risks but also to harness the potential of AI to create safer, more efficient, and more equitable consumer experiences.

The future of AI regulation for consumer protection will likely depend on on-going collaboration between governments, industry stakeholders, and civil society. It will require a dynamic and adaptable regulatory approach that can respond to new technological challenges while prioritizing the protection of individuals' fundamental rights.

Policymakers must also focus on promoting ethical AI development, encouraging businesses to adopt responsible practices such as algorithmic accountability, data minimization, and bias mitigation from the design phase onward. Additionally, fostering public awareness and empowering consumers with the tools to understand and control how their data is used in AI systems will be crucial.