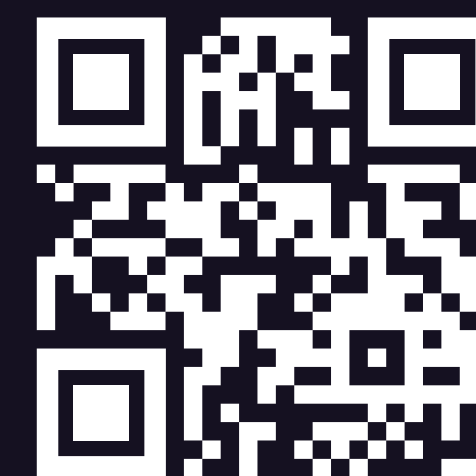


1. AI Legal and Banking Checklist



An AI product should be legally structured before it enters the market. For banks, PSPs, investors and B2B clients, it is important to see not only the technology itself, but also the company's overall legal readiness: who owns the product, which entity provides the service, which contracts govern relationships with users and contractors, who holds the IP rights, how data is processed, and which compliance risks have already been addressed. These elements form the foundation of an AI company's legal and banking readiness.

Regulatory Landscape:

Core AI & Data Regulation

- EU AI Act (Regulation (EU) 2024/1689)
- GDPR (Regulation (EU) 2016/679)
- AI risk category

Commercial, Contractual & IP Framework

- Terms of Use / B2B / API Terms
- Rights & responsibilities
- IP ownership

AI Company / AI Product

Banking, Payments & Financial Perimeter

- PSP / merchant acquiring
- PSD2 / E-Money / MiCA
- Payment

Sector-Specific Regulation

- Financial service
- Health / employment / education
- Additional legal review

Core AI and Data Regulation

AI businesses operating in or targeting the EU should first assess whether their products fall within the scope of the [EU AI Act](#) and the [GDPR](#).

The AI Act may apply depending on the role of the company (for example, provider or deployer), the intended use of the system and the risk category of the AI solution. The GDPR becomes relevant where the product processes personal data, including user inputs, account data, behavioural data or data used in model training, analytics or profiling.

Commercial, Contractual and IP Framework

AI companies also need a clear legal basis for the way their product is offered and monetised. This usually includes Terms of Use, B2B agreements, API terms, data processing documentation and a clear contractual allocation of rights and responsibilities.

From an IP perspective, the company should be able to demonstrate rights to the code, product architecture, datasets, prompts, documentation, branding and other key business

Banking, Payments and Financial Perimeter

Where an AI company needs merchant acquiring, PSP onboarding, cross-border payments, recurring billing or crypto-related functionality, banking and payments considerations become legally and commercially relevant. Depending on the business model, the company may need to consider the [Payment Services Directive \(PSD2\)](#), the [E-Money Directive](#), AML / sanctions expectations and, where relevant, the [MiCA Regulation](#).

Even where these rules do not directly apply, banks and PSPs will still expect a transparent business model, clean documentation and clearly explainable payment flows.

Sector-Specific Regulation

Additional legal review is often needed where AI is used in regulated or sensitive sectors such as financial services, health, employment, education, legal services or access to essential services. In these cases, the AI product may trigger both AI-specific rules and sector-specific compliance obligations.

What May Require Enhanced Legal Review?

An AI business is more likely to require enhanced legal review where it:

- processes personal data or behavioural data;
- uses AI in recruitment, lending, insurance, healthcare, education or legal services;
- generates outputs that may affect users' rights or economic interests;
- relies on third-party models, datasets or open-source components;
- offers subscriptions, recurring billing, cross-border payments or marketplace flows;
- integrates wallets, stored balances, payouts or crypto-related features;
- operates across multiple jurisdictions or targets EU customers.

Company Structure

- The company legally providing the AI service to clients and responsible for the product has been clearly identified.
- The chosen jurisdiction is aligned with the business model, target markets, tax considerations, banking expectations and investor requirements.
- The ownership structure, as well as the roles of founders, directors, shareholders and key project participants, are clear and properly documented.
- If the business uses a holding company, operating company or separate IP company, the function of each entity is clearly defined and separated.

Contracts

- Terms of Use / Terms of Service have been prepared and reflect how the AI product actually operates.
- For a B2B model, a SaaS Agreement, Service Agreement or API Terms have been prepared depending on how the product is provided to clients.
- The Privacy Policy, Data Processing Agreement and AI Disclaimer are aligned with the actual data flows, AI functionality and the company's role in relation to users.
- Agreements with developers, employees, consultants and contractors include IP assignment, confidentiality and restrictions on the use of confidential business information.
- Client-facing contracts include provisions on limitation of liability, acceptable use of the AI service, prohibited use cases and the status of AI-generated outputs.

Intellectual Property

- The company's rights to the code, product architecture, design, technical documentation and other key IP assets have been confirmed.
- The legal status of AI models, datasets, prompts, user inputs and AI-generated outputs used in the product has been reviewed.
- The terms of use of third-party AI tools, open-source components, data providers and other external technology solutions have been analysed.
- The product terms define ownership of user inputs and AI outputs, as well as how they may be used by the company and its users.

Compliance

- The company has identified which personal data is collected, processed, stored, transferred to third parties or used within the AI functionality.
- The applicability of the GDPR and the need for a Privacy Policy, Data Processing Agreement, DPIA or other data protection documents have been assessed.
- A preliminary assessment of the AI Act risk category has been conducted, taking into account the product's functions, target users and intended use.
- It has been assessed whether the product is used in high-risk or regulated sectors and therefore requires additional legal review.
- Users are provided with clear information on the use of AI, the limitations of AI-generated outputs and the limits of the company's liability.