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A POWERFUL NEW CHINESE AI MODEL JUST ARRIVED: 6 STEPS EMPLOYERS SHOULD TAKE BEFORE EMPLOYEES START USING MOONSHOT'S KIMI K3

Insights
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A Powerful New Chinese AI Model Just Arrived: 6 Steps Employers Should Take Before Employees Start Using Moonshot's Kimi K3

Your employees may soon ask whether they can use Kimi K3, a powerful new artificial intelligence model just released by Chinese company Moonshot, or they may simply start using it on their own without asking first. It arrived with a jolt late last week, drew immediate comparisons to the best AI systems built in the United States, and is set to become free for anyone to download on July 27. While Kimi K3 could lower the cost of AI for your business, it raises serious questions about data security, confidentiality, government contracting, and regulatory compliance. Here's what happened and the six steps you should take now.

What Happened?

Moonshot AI, a Beijing startup backed by two of China's largest technology companies, launched Kimi K3 on July 16 and unveiled it at a major AI conference in Shanghai the next day. The company calls it the largest "open-weight" AI model in the world and says it performs close to the most capable systems from leading US developers.

FP Explainer: What Does "Weight" Mean?

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Sheila M. Abron

Partner

803.740.7676



Patrick W. Dennison

Partner

412.822.6627

An AI model's "weights" are everything it learned during training: the millions of internal dials that decide how it answers. Closed models like ChatGPT and Claude keep those dials locked inside the company's own systems, so you can only rent access to them. An "open-weight" model hands the dials over to the user. Anyone can download the finished model, run it on their own machines, and customize it with no subscription and no vendor in the middle. That openness is exactly what makes Kimi K3 both powerful and hard to control, because it puts a frontier-level tool in the hands of anyone who wants it.



Rick Grimaldi

Partner

610.230.2136

What's Next?

Moonshot plans to release the full model for free download on July 27, which would let developers run and customize it on their own systems rather than only renting access through a vendor.

What Are the Implications?

What has everyone's attention is that Kimi K3 claims near-frontier performance at a small fraction of the price of the leading US tools, about a third of the cost of top-tier American models. Cheaper AI is not automatically better AI, and price is only one input into a responsible decision. But the cost savings will generate pressure to adopt this tool from your frontline employees up to your C-suite.

What Was the Global Reaction?

Early reactions have been dramatic, including a sell-off in some technology stocks. But it's worth noting that most of the performance claims come from Moonshot's own testing, and independent evaluation will not really be possible until the model is public.

What Can You Expect at Your Workplace?

Here's what could happen when a supposedly super-capable AI tool shows up in the headlines and claims it will cost a fraction of the price of existing products:

- Your employees might assume Kimi K3 is worth trying, regardless of your policies or the existing tools you have provided for them.

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- Your corporate leaders may assume it's worth kicking the tires on a new system that could bring significant cost savings.

6 Steps Employers Should Take Now

A Chinese-built model raises considerations that go beyond ordinary AI governance. Depending on how it is accessed, using it can implicate confidential business information, customer and employee data, trade secrets, government contracting obligations, existing client commitments, and cybersecurity. Here are six steps you should take now to address these issues.

1. Set Your Position Now

Decide where you stand on Kimi K3 before employees start experimenting with it on company devices or with company data. Your options include:

- prohibit its use outright until further notice
- allow it only with public and non-confidential information
- authorize a limited and controlled pilot program
- permit self-hosted deployments after a technical review

Whatever you choose, tell your employees, even if it's just a temporary "not yet" announcement. At a minimum, remind workers not to feed confidential information, privileged communications, trade secrets, source code, customer records, or personal data into any AI tool your company has not approved.

2. Treat the Hosted Version as a Data-Transfer Decision

The easiest way to use Kimi K3 is through its hosted service, which means your prompts travel to servers in China. That single fact can put you crosswise with data-residency promises to clients, confidentiality and business-associate obligations, and sector-specific privacy rules, because Chinese law can compel local disclosure of data held there. If you decide to use Kimi K3, make sure you work in coordination with your legal counsel.

3. Watch Washington, Because the Rules May Change Under You

Federal officials are actively weighing ways to discourage or restrict US companies from using Chinese open-weight models, including export-style restrictions that would cut off access without a license, as well as security advisories meant to steer businesses toward domestic providers. Nothing is final, and the measures under discussion stop short of an outright ban. But the practical risk for employers is your teams incorporating the use of Kimi K3 into your workflows and then losing access to them on short notice if they become off-limits due to White House or Congressional action.

4. Pressure-Test Your AI Vendor Contracts for a Market That Will Not Hold Still

Kimi K3 is a reminder that today's market leader may not lead for long. If you are negotiating or renewing enterprise AI agreements, you should scrutinize pricing commitments, exclusivity terms, minimum-spend requirements, data-portability rights, and exit flexibility. Avoid building critical workflows that depend on a single provider you cannot easily swap out. Your durable advantage will come from your data, your workflows, and your governance, not from loyalty to one model.

5. Tighten Your Shadow-AI Controls Now

Whether or not you approve this particular model, your employees will keep trying new AI tools. Use this development to revisit your acceptable-use policy, your approved-tool list, your employee training, and your technical controls. This week, before the July 27 release, send your whole workforce a short reminder: no confidential, privileged, or customer data goes into any AI tool the company has not approved, Kimi K3 included.

6. Invest in What a Cheaper Model Cannot Commoditize

As capable AI becomes cheap and widely available, simply having access to a good model will matter less and less. The advantages competitors cannot copy are your proprietary knowledge, your high-quality internal data, your governance, your human oversight, and your workforce's fluency with these tools. Those are what will still matter after the current model leaves the headlines.

Conclusion

If you have any questions, contact your Fisher Phillips attorney, the authors of this Insight, any attorney in our [AI, Data, and Analytics Practice Group](#), [Government Relations team](#), or our [International](#) team. Make sure you are subscribed to the [Fisher Phillips Insight System](#) to receive the latest developments straight to your inbox.