

3 Moves Ahead: How Mercado Libre’s Jacobo Cohen Imach Is Reimagining the Legal Department

Interviews and Profiles



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ACC Interview conducted by Justin Connor



Jacobo Cohen Imach, Senior Vice President — GC — Legal & Public Affairs, Mercado Libre

When Jacobo Cohen Imach joined Mercado Libre in 1999, he was the company's first lawyer.

The distinction is more significant than it might initially sound. Mercado Libre was then a startup at the beginning of what would become one of Latin America's most remarkable corporate growth stories. Cohen Imach did not inherit a legal department, established processes or a playbook for managing the legal issues of a major e-commerce and financial-services ecosystem. He had to build them.

More than a quarter-century later, that experience still shapes his philosophy as Mercado Libre's general counsel: Legal cannot simply respond to the business in front of it. It needs to anticipate what the business will become.

"I think part of the role of the GC is to understand not only the business needs of today, but the business needs three moves ahead," he says. "If I know what is going to happen three moves ahead, I can organize now."

It is an approach that has led Cohen Imach to repeatedly rethink the conventional boundaries of an in-house legal department, from building an intellectual-property protection system before most Latin American regulators had developed rules for e-commerce, to introducing legal self-service tools a decade before generative AI, to hiring engineers and other nonlawyers into Legal.

Today, as artificial intelligence transforms legal work, Cohen Imach believes that willingness to continually reinvent the function has become essential.

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A lawyer who almost became an economist

Interestingly, law was not Cohen Imach's original ambition.

Before becoming a lawyer, he wanted to be an economist. But when choosing a university course of study in Argentina, where students enter professional degree programs directly rather than completing the undergraduate-plus-law-school path common in the United States, he began thinking about which education would preserve the greatest number of possibilities.

Law, he concluded, offered unusual flexibility. A lawyer could later study economics, business or other disciplines. Someone trained in those fields could not simply decide later to practice law.

"I thought law opened many doors and was flexible enough to allow me to do many different things afterward," he recalls.

He sees an unexpected parallel between that decision and the demands facing in-house lawyers today. Modern general counsel are no longer expected merely to practice law. They must understand business models, technology, operations, risk, people and strategy. "What is required from a GC, and from an in-house lawyer, is many things," Cohen Imach says. "It is not just practicing law."

More than the "Amazon of Latin America"

Mercado Libre is sometimes described as the Amazon of Latin America. Cohen Imach understands the comparison, but thinks it misses much of what makes the company distinctive.

Mercado Libre today encompasses three major pillars: its digital marketplace and logistics network; Mercado Pago, its fintech and payments ecosystem; and a large retail advertising business. Its broader mission is to "democratize commerce and financial services" across Latin America.

In commerce, that has meant overcoming geographic barriers that historically disadvantaged consumers and merchants outside major metropolitan areas. The platform allows sellers to reach customers throughout their countries while giving consumers access to products, pricing and delivery options that were once concentrated in major cities.

Financial services presented an even deeper infrastructure problem.

When Mercado Pago began, Cohen Imach explains, large portions of Latin America had limited access to bank accounts, credit and debit cards. What initially began as a way to facilitate transactions on Mercado Libre's marketplace evolved into a much broader financial ecosystem offering payments, transfers, lending, cards and investment products.

That is where the Amazon analogy begins to break down.

"Mercado Pago wasn't simply an add-on to the marketplace," he says. "It was an answer to a problem that Amazon never had to solve."

Mercado Libre had to help create infrastructure where infrastructure was missing: payments where card penetration was low, trust mechanisms where strangers were unaccustomed to transacting with one another online, and logistics capabilities in markets without the mature delivery networks available elsewhere.

Growth without simply adding lawyers

That same problem-solving mentality drives Cohen Imach's approach to managing Legal.

One of the most common mistakes legal departments make, he argues, is assuming that headcount needs to increase proportionally with the company.

At Mercado Libre, the question is different: How can Legal build systems capable of absorbing growth without continually adding lawyers?

He points to the company's shipping business as an example. Over a recent three-year period, he says, the business grew exponentially while the legal team supporting it did not grow at all.

The answer was not simply to ask existing lawyers to work harder. It was to redesign processes, anticipate demand and determine which tasks actually required lawyers.

"The question shifts from, 'How do we cover this?' to, 'What part of this actually needs a lawyer, and what can the business resolve with the right tools?'"

That distinction has become even more consequential with AI.

Turning the legal organization upside down

Cohen Imach has reorganized Mercado Libre's legal department several times as the company itself has evolved.

The earliest structure was largely country-oriented. Over time, however, he concluded that the model no longer reflected the way the company operated. Marketplace, fintech and logistics were no longer versions of the same legal problem arising in different countries. They were increasingly distinct businesses with different regulatory frameworks, risks and operating dynamics.

So Legal reorganized around business verticals. Interestingly, the broader company moved toward a similar structure around the same time.

But he did not regard that as the end state. The organization continued evolving, including eliminating some country-level management layers and increasingly organizing lawyers into cross-border “squads.”

A lawyer with deep lending expertise in one country, for example, might lead a squad working on lending products being introduced across several markets. Geography matters less than assembling the right expertise for the problem.

Cohen Imach compares the model to a sports team: people move into different combinations depending on the game being played.

The objective is flexibility and cross-pollination rather than defending traditional organizational boxes.



From legal service provider to legal product platform

That evolution leads to what may be Cohen Imach’s most provocative proposition about the future of in-house law.

“The historical monopoly of the ‘producer lawyer’ on value is ending,” he says, deliberately sharpening the point.

If a lawyer’s principal value consists of drafting or redlining contracts, he argues, technology can increasingly perform much of that work faster and, in many instances, better.

The implication is not that lawyers become unnecessary. It is that lawyers must become valuable in different ways.

“We have to ask ourselves: How are we going to add value to the organization as in-house counsel?”

For Cohen Imach, the answer is to move Legal away from functioning primarily as a service organization that receives requests and produces legal work. Instead, he envisions Legal as a platform of legal products, with lawyers increasingly acting as product managers who happen to possess legal expertise.

“We have to move from a service team to a platform of legal products,” he says. “We have to be product managers with legal backgrounds.”

That requires lawyers to be embedded much earlier in the life cycle of the business.

“I want product people and business people to include us from the inception of the idea,” he explains. The lawyer should not feel like an outside adviser who has been invited into the room to

identify legal constraints. Instead, the lawyer should understand the product “from A to Z” and participate in the underlying business discussion.

His metaphor is a chameleon.

> I want the lawyers to be part of the business discussion. You have to be like a chameleon: part of the business team, but bringing a legal point of view that nobody else at the table has.

A successful in-house lawyer must be capable of speaking the language of product and business teams so naturally that colleagues regard the lawyer as one of them, albeit one who brings a distinctive legal perspective.

“It’s not easy,” he acknowledges. “But it’s possible.”



Legal self-service before AI

Mercado Libre began experimenting with this model long before ChatGPT or modern generative AI.

In 2015, the legal department launched what Cohen Imach calls a “legal kiosk.” Business users could answer a series of questions and automatically generate certain agreements without requiring

a lawyer to draft each document individually.

Some lawyers resisted.

Their reaction, Cohen Imach recalls, was essentially: “I didn’t study law for five years to become a robot.”

His answer was that highly trained lawyers should not be spending their time repeatedly producing agreements for routine transactions that were peripheral to Mercado Libre’s core business. Automation could free them to perform work that created greater value.

Today, the company is developing the same concept “on steroids,” using AI agents and more sophisticated tools to provide legal self-service.

Mercado Libre is also using automation and AI in high-volume disputes. Cohen Imach points, for example, to systems used to prepare responses in large numbers of small-claims matters in Brazil and to an earlier automated process developed for consumer-protection proceedings in Chile.

To him, the important story is not AI itself. It is the philosophy underneath it: stop assuming that every legal problem should be solved by assigning another lawyer.

Ask instead whether Legal can create a product, system or tool that allows the business to solve the problem safely on its own.

Building the rules before there were rules

Cohen Imach’s instinct to anticipate problems emerged extraordinarily early in Mercado Libre’s history.

In 2000, when e-commerce regulation in Latin America remained embryonic, he developed Mercado Libre’s first intellectual-property protection program.

He was watching developments in the United States and Europe, including the Digital Millennium Copyright Act and the European Union’s e-commerce framework, and recognized the emerging questions surrounding platform responsibility for infringing goods.

Rather than waiting for Latin American governments to decide what Mercado Libre’s responsibilities should be, he adapted concepts from those emerging regulatory frameworks and developed a voluntary system for the marketplace.

He viewed the project as a “win-win-win.”

Consumers gained greater confidence that they could buy legitimate products. Intellectual-property owners received meaningful protection for their brands. And Mercado Libre reduced the legal and business-model risk created by uncertainty over platform liability.

Over time, he says, Mercado Libre’s approach itself became an influential standard for IP protection in the region.

But even a successful system cannot become sacred.

“Don’t fall in love with your own ideas,” Cohen Imach says.

When Mercado Libre concluded that its original program needed modernization, teams from across the organization gathered and redesigned it. The company subsequently developed additional anti-counterfeiting initiatives, including collaboration with brands and legal action against sellers of counterfeit products.

The larger lesson is quintessential Cohen Imach: anticipate early, build something that works, and then be willing to dismantle or redesign it when circumstances change.

The ACC meeting that changed his legal department

One of those moments of reinvention came from outside Mercado Libre.

About 15 years ago, a friend in Argentina repeatedly encouraged Cohen Imach to attend an ACC Annual Meeting. He had participated in some ACC activities locally, but the global Annual Meeting was different.

For a GC leading a major public company in Latin America, one immediate benefit was access to peers confronting comparable issues. There were relatively few opportunities in his home market to sit candidly with GCs of large multinational businesses and discover how much they had in common despite operating in different industries and jurisdictions.

But what Cohen Imach remembers most vividly was encountering ideas that were ahead of what he was seeing at home.

It was there that he first seriously encountered the emerging discipline of legal operations and, crucially, the idea that not everyone who creates value inside a legal department needs to be a lawyer.

The experience, he recalls, was nearly life-changing.



Cohen Imach returned to Argentina and decided to hire an engineer into Mercado Libre’s legal department.

The decision required some explaining. His colleagues in the people function wondered why Legal needed an engineer.

Cohen Imach knew exactly why.

“I wanted somebody who was not a lawyer to help me design legal products for us and for the rest of

the organization.”

That first experiment ultimately developed into a legal operations team of more than 20 people, a group Cohen Imach describes as crucial to the transformation now underway within the department.

> I came back from the ACC Annual Meeting all fired up about legal ops and so I hired an engineer into Legal. People at the company thought I was crazy. Today, our legal operations team has more than 20 people and is a crucial part of our transformation.

For him, the experience demonstrates the particular value of a professional community such as ACC: exposure not simply to what peers are doing today, but to ideas that might change how a legal department operates tomorrow.

Embracing what comes next

Cohen Imach’s confidence about AI therefore does not come from believing that technological change will be easy.

It comes from having spent more than 25 years changing.

He watched Mercado Libre grow from a startup into a public company. He built a legal function from scratch. He has reorganized that function repeatedly, introduced nonlawyers, automated legal processes, moved work into self-service systems and continually challenged his lawyers to reconsider where they create value.

AI is another transformation, albeit an unusually powerful one.

“I am very excited about the times we are living in as lawyers,” Cohen Imach says. “I’m not afraid at all of these changes. I want to embrace them.”

His advice to other CLOs is similarly straightforward. Lawyers can fear the transformation occurring around them, or they can become early adopters and use it to redefine their contribution.

For Cohen Imach, the choice is obvious.

“If you embrace change, if you are an early adopter and you take advantage of the opportunities technology gives us, you will be able to do much more with fewer resources.”

Twenty-seven years after becoming Mercado Libre’s first lawyer, Cohen Imach is still following the philosophy that built his legal department in the first place:

Look three moves ahead.

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