

# ***Electronic Signatures***

*Authentication Technology  
from a Legal Perspective*

**M.H.M. Schellekens**

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# Electronic Signatures Authentication Technology From A Legal Perspective

**William J. McIver Jr., Ahmed K.  
Elmagarmid**



## **Electronic Signatures Authentication Technology From A Legal Perspective:**

**Electronic Signatures** M. H. M. Schellekens, 2004-08-12 With these issues the subject of legal usability is not completely covered Enforcement is perhaps the most obvious issue that is not dealt with Therefore I will indicate for what reason enforcement has been omitted as a separate issue This has the following background A signature may alleviate evidentiary burdens that may arise when enforcing a contract but enforcing a contract involves much more than evidence of the existence and contents of a contract E commerce has opened the possibility to engage in cross border business with a low value per transaction Even if one has the authenticated identity of one's contracting party it may still be too complicated or expensive to commence legal proceedings against a party A signature does not in itself result in compliance with contracts and legal rules A digital signature may however be an important part of a more encompassing enforcement concept The security dimension of signatures only makes sense if one is really willing to embark upon enforcement instead of accepting the loss Enforcement in the Internet environment is not something that can be done on an ad hoc basis The territorial division of the law hampers enforcement in the borderless Internet environment each country has its own system for determining and administering law Furthermore traditional courts are not as yet tailored to the enforcement needs that originate from the Internet

**Electronic Signatures** M. H. M. Schellekens, 2004 The contention that the provision of European Directives on functional legal requirements for digital signature validity solves a core problem of electronic commerce can at best be called naïve The catch phrase what holds off line holds online may be in tune with a general emotion towards the invasion of information technology into business in this book it is made clear that there are no simple shortcuts for the lawyer who is concerned with authenticated digital transactions The author first sets out to describe the main aspects of authentication technologies presenting the technical insights needed to get to the legal semantics of functional equivalence between traditional and digital signatures The second part of his research focuses on the usability of authentication technology and what it entails for its users Aspects considered are qualification as electronic signature limitations of electronic signatures the electronic signature as evidence alternatives to electronic signatures liability and the burden of proof and last but not least privacy concerns The research for this book is based on an in depth literature study and interviews with highly qualified experts in the field It provides valuable tools and background information not only for everyone active in or setting out on e business in its widest concept but also for practising lawyers and students of information technology Dr Maurice Schellekens is a senior researcher at the Center for Law Public Administration and Informatization of Tilburg University He specializes in technology law with a special emphasis on ICT and law This is Volume 5 in the Information Technology and Law IT Law Series

**Electronic Signatures in Law** Stephen Mason, 2012-01-26 Using case law from multiple jurisdictions Stephen Mason examines the nature and legal bearing of electronic signatures

*Electronic Signatures for B2B Contracts* Aashish Srivastava, 2012-08-31 The last few centuries have seen paper based

documents and manuscript signatures dominate the way businesses enter into a contractual relationship with each other. With the advent of Internet replacing paper based contracts with B2B electronic contracts is a possibility. However, an appropriate technology and an enabling legislation are crucial for this change to happen. On the technology front, this feature has the potential to enable business executives to sit in front of their computer and sign multi million dollar deals by using their electronic signatures. On the legal front, various pieces of legislation have been enacted and policies developed at both national and international levels to give legal recognition to such type of contracts. This book presents the findings of an empirical study on large public listed Australian companies that examined businesses' perception towards the use of electronic signatures in B2B contracts. Essentially, it identifies six key factors that create a disincentive to businesses to move from the practice of paper based signatures to the new technology of electronic signatures. This book offers legal practitioners, academics, and businesses insights into issues associated with the use of electronic signatures and suggests a number of measures to promote its usage in B2B contracts.

*Electronic Signatures in International Contracts* Carolina M. Laborde, 2010. Originally presented as the author's thesis, doctoral Freiburg Breisgau University, 2008. Basic Documents on International Trade Law Chia-Jui Cheng, 2012-04-27. Anyone involved in trade law knows the time consuming nature of obtaining primary source material and consulting each of the main trade laws. Now in its fourth edition, *Basic Documents in International Trade Law* solves this problem by assembling in a single, easy to use resource, a very comprehensive collection of the most important and frequently used documents on the law of international trade. In addition to its obvious practical value, this work reveals much about the process of harmonization in international trade law and the operation of the key international trade bodies. This makes the book a helpful reference for international business lawyers, researchers, legislators, and government officials in the field. Since the successful publication of the previous editions of the book, the appearance of new conventions and model laws has considerably enriched the law of international trade, and the present edition contains a wealth of new material. The book has been substantially revised, and several new instruments have been included. Among the most significantly important improvements to this new edition are new chapters added to different parts of the book, a redesigned and thoroughly revised Part 6 reflecting the expansion of intellectual property rights under the framework of treaties administered by World Intellectual Property Organization, and bibliographies and other research resources updated and enlarged to include an extraordinarily rich collection of books and articles in many trading languages besides English, including for the first time major Chinese works in the international trade law field. As the late Prof. Clive M. Schmitthoff commented on the first edition, the book is not only of practical usefulness but has also considerable jurisprudential value and reveals the methodology of the harmonization process in the area of international trade law. The International Business Lawyer first commented in 1987 that the book can only be described as a *vade mecum* for every international business lawyer; an assessment that now seems more merited than ever.

**Managing Records in Global Financial Markets** Lynn

Coleman,2011 Although there are a number of publications covering records management generically very few are focused on the specific challenges of particular sectors and fewer still on current regulatory legal and governance issues associated with managing records in global banking and finance businesses This timely book fills this gap by exploring these complex issues fully and offers strategies and examples of best practice to meet the recordkeeping challenges to which they give rise in corporate and commercial banking enterprises operating in global capital markets The examples and cases studies encompass recordkeeping in investment banking asset management brokerage and other financial services which serve global markets and the book will be of particular significance to the financial sector However covering as it does the issues that arise from operating across borders and jurisdictions it will also be of relevance to multi national businesses in other sectors The key chapters cover setting the scene background and concepts regulatory and legal compliance common trends in financial services balancing risk and return litigation related issues recordkeeping approaches Whilst the expert team of authors are careful to ensure that the book reflects recognized records management principles the accessible language used will assure its value to information professionals and others without a formal records management background Readership This much needed textbook will be essential reading for records managers archivists and information professionals who manage records in the financial sector It will also be invaluable for individuals engaged in a wide range of disciplines who rely on records to meet the increasing number of legal and regulatory obligations to which institutions engaged in global banking and finance are now subject These include compliance professionals data protection officers governance professionals regulators and risk managers senior managers and directors chief operating officers and IT specialists     *The SAGE Encyclopedia of the Internet* Barney Warf,2018-05-16 The Internet needs no introduction and its significance today can hardly be exaggerated Today more people are more connected technologically to one another than at any other time in human existence For a large share of the world s people the Internet text messaging and various other forms of digital social media such as Facebook have become thoroughly woven into the routines and rhythms of daily life The Internet has transformed how we seek information communicate entertain ourselves find partners and increasingly it shapes our notions of identity and community The SAGE Encyclopedia of the Internet addresses the many related topics pertaining to cyberspace email the World Wide Web and social media Entries will range from popular topics such as Alibaba and YouTube to important current controversies such as Net neutrality and cyberterrorism The goal of the encyclopedia is to provide the most comprehensive collection of authoritative entries on the Internet available written in a style accessible to academic and non academic audiences alike     *Electronic Government and the Information Systems Perspective* Andrea Kó,Enrico Francesconi,Gabriele Kotsis,A Min Tjoa,Ismail Khalil,2020-09-05 This book constitutes the refereed proceedings of the 9th International Conference on Electronic Government and the Information Systems Perspective EGOVIS 2020 held in Bratislava Slovakia in September 2020 The 15 full and one short papers presented were carefully reviewed and selected from

24 submissions The papers are organized in the following topical sections Knowledge representation and modeling in e Government e Government theoretical background E Government cases data and knowledge management identity management and legal issues artificial intelligence and machine learning in e Government context

**The Future of the Public Domain** Lucie M. C. R. Guibault, 2006-01-01 The presence of a robust public domain is an essential precondition for cultural social and economic development and for a healthy democratic process But the public domain is under pressure as a result of the ongoing march towards an information economy Items of information which in the old economy had little or no economic value such as factual data personal data genetic information and pure ideas have acquired independent economic value in the current information age and consequently become the object of property rights making the information a tradable commodity How and to what extent does the commodification of information affect the free flow of information and the integrity of the public domain Does the freedom of expression and information guaranteed inter alia in the European Convention on Human Rights call for active state intervention to save the public domain What means both legal and practical are available or might be conceived to guarantee and foster a robust public domain These were the main questions that were addressed in a major collaborative research project led by the Institute for Information Law of the University of Amsterdam IViR in co operation with the Tilburg Institute for Law Technology and Society TILT of Tilburg University and funded by ITeR the Dutch National Program for Information Technology and Law Thirteen contributions from academia worldwide make up the present book addressing the future of the public domain from a different angle In addition all authors were invited to reflect upon the notion and role of the public domain in the context of information law and policy Should this concept be limited to that of a negative image of intellectual property protection i e all publicly available information not subject to a property right and therefore freely i e gratis available or should a broader approach be taken e g all information available from public sources at affordable cost Should information policies be aimed at maximizing the public domain or optimizing information flows To what extent are these aims congruent This book takes a broader information law oriented approach towards the question of preserving the public domain in which a wide range of interrelated legal questions converge Issues treated in this book include Economic analysis of the public domain Fundamental rights analysis of the public domain Impact of the application of technological protection measures and contractual restrictions on the public domain The impact of the expansion of copyright database right and patent rights on the public domain The impact of the commodification of private data government information indigenous knowledge on the public domain The capacity of the Open Source and Creative Commons Movements to preserve the integrity of the public domain The Future of the Public Domain is an important work for all those interested or involved in the regulation of the knowledge economy Legal scholars academic and research institutions corporate counsel lawyers government policymakers and regulators all these and more will benefit enormously from the thoughtful and incisive discussions presented here

*Challenging the Chain* N. Bharosa, R. van Wijk, N. de

Winne,2015-04 What is digital business reporting Why do we need it And how can we improve it This book aims to address these questions by illustrating the rise of system to system information exchange and the opportunities for improving transparency and accountability Governments around the world are looking for ways to strengthen transparency and accountability without introducing more red tape which is a source of growing frustration and costs for businesses In 2004 the Ministry of Finance and the Ministry of Justice in the Netherlands started to investigate the potential of XBRL eXtensible Business Reporting Language as a uniform data standard for business to government information exchange In 2006 there was a comprehensive architecture for Standard Business Reporting SBR including the requirements for the information infrastructure One year later the first reports in XBRL were successfully delivered to the Tax and Customs Administration and the Chamber of Commerce via a secure infrastructure Today millions of business reports are being exchanged using SBR As a solution SBR empowers organisations to present a cohesive explanation of their business operations and helps them engage with internal and external stakeholders including regulators shareholders and creditors Challenging the chain describes the journey of SBR from challenge to solution Specialists in the field flanked by academics provide detailed insights on the challenges actors faced and the solutions they achieved In its versatility this book exemplifies the necessary paradigm shifts when it comes to such large scale public private transformations Policy makers managers IT specialists and architects looking to engage in such transformations will find guidance in this book      **Reasonable Expectations of Privacy?** Sjaak Nouwt,Berend R. de Vries,Corien Prins,2005-07-28 Examines the practice meaning and legal performance of privacy and data protection in an international perspective      *Online Marketing* Richard Gay,Alan Charlesworth,Rita Esen,2007-03-15 This exciting user friendly textbook provides a colourful and engaging introduction to online marketing It is suitable for students studying internet marketing e marketing e commerce or e business as part of specialised marketing programmes or mainstream business management programmes From the back cover      **Online Resolution of E-commerce Disputes** Jie Zheng,2020-10-03 This book discusses how technological innovations have affected the resolution of disputes arising from electronic commerce in the European Union UK and China Online dispute resolution ODR is a form of alternative dispute resolution in which information technology is used to establish a process that is more effective and conducive to resolving the specific types of dispute for which it was created This book focuses on out of court ODR and the resolution of disputes in the field of electronic commerce It explores the potential of ODR in this specific e commerce context and investigates whether the current use of ODR is in line with the principles of access to justice and procedural fairness Moreover it examines the major concerns surrounding the development of ODR e g the extent to which electronic ADR agreements are recognized by national courts in cross border e commerce transactions how procedural justice is ensured in ODR proceedings and whether ODR outcomes can be effectively enforced To this end the book assesses the current and potential role of ODR in resolving e commerce disputes identifies the legal framework for and legal barriers to the development of ODR and makes

recommendations as to the direction in which practice and the current legal framework should evolve In closing the book draws on the latest legislation in the field of e commerce law and dispute resolution in order to make recommendations for future ODR design such as the EU Platform to Business Regulation on Promoting Fairness and Transparency for Business Users of Online Intermediation Services 2019 and the United Nations Convention on International Settlement Agreements Resulting from Mediation 2018 which provide the legal basis for ODR s future development

**Electronic Evidence in Civil and Commercial Dispute Resolution** Quynh Anh Tran,2022-12-07 This book provides a deeper understanding of electronic evidence and its use in civil and commercial dispute resolution The explosive growth of information technology has had major impacts on the development of the economy society and also on the improvement of legal proceedings with the use of modern technology in all areas of criminal and civil procedures This book focuses on the current provisions of UNCITRAL the European Union Germany and Vietnam concerning electronic evidence in civil and commercial dispute resolution It analyses the notion and the basic aspects of evidence and electronic evidence and explores the process of finding electronic evidence Further it discusses how the effectiveness of finding electronic evidence can be reconciled with a respect for fundamental rights in particular with personal privacy and personal data protection The book subsequently addresses the authentication and admissibility of electronic evidence the evaluation of electronic evidence and the burden of proof and the challenges of using electronic evidence in civil and commercial dispute resolution Finally it puts forward proposals for promoting the use of electronic evidence in these contexts As the book focuses on the current texts of UNCITRAL and the civil procedure legislation of the European Union Germany and Vietnam it relies on a comparative method which deals with the most significant provisions of the above legislation

*Information Technology And E-Governance* N. Gopalsamy,2009  
*ISSE 2004 — Securing Electronic Business Processes* Sachar Paulus,Norbert Pohlmann,Helmut Reimer,2013-11-11 The Information Security Solutions Europe Conference ISSE was started in 1999 by EEMA and TeleTrust with the support of the European Commission and the German Federal Ministry of Technology and Economics Today the annual conference is a fixed event in every IT security professional s calendar The aim of ISSE is to support the development of a European information security culture and especially a cross border framework for trustworthy IT applications for citizens industry and administration Therefore it is important to take into consideration both international developments and European regulations and to allow for the interdisciplinary character of the information security field In the five years of its existence ISSE has thus helped shape the profile of this specialist area The integration of security in IT applications was initially driven only by the actual security issues considered important by experts in the field currently however the economic aspects of the corresponding solutions are the most important factor in deciding their success ISSE offers a suitable podium for the discussion of the relationship between these considerations and for the presentation of the practical implementation of concepts with their technical or organisational and economic parameters

**Saraswati Informatics Practices** Reeta Sahoo



& Gagan Sahoo, This series equips the student with clear understanding of the concepts of informatics Based on the latest recommendation of CBSE this series provides in depth knowledge to students on Informatics Practices under one cover This series is prepared with extensive practice papers assignments chapter wise solved and unsolved examples including CBSE sample paper questions and previous year s questions      **Information Technology Law and Practice** Vakul Sharma,2011

**Advances in Digital Government** William J. McIver Jr.,Ahmed K. Elmagarmid,2008-01-20 Advances In Digital Government presents a collection of in depth articles that addresses a representative cross section of the matrix of issues involved in implementing digital government systems These articles constitute a survey of both the technical and policy dimensions related to the design planning and deployment of digital government systems The research and development projects within the technical dimension represent a wide range of governmental functions including the provisioning of health and human services management of energy information multi agency integration and criminal justice applications The technical issues dealt with in these projects include database and ontology integration distributed architectures scalability and security and privacy The human factors research emphasizes compliance with access standards for the disabled and the policy articles contain both conceptual models for developing digital government systems as well as real management experiences and results in deploying them Advances In Digital Government presents digital government issues from the perspectives of different communities and societies This geographic and social diversity illuminates a unique array of policy and social perspectives exposing practitioners to new and useful ways of thinking about digital government

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