



CLOUD COMPUTING: LEGAL TIPS

What companies (especially SMEs) need to check before entering into a Cloud Service Agreement

ICT Legal Consulting Events #1

25 November 2013, Lloyd Hotel, Amsterdam, NL

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Introduction

*“2012 and 2013 have been
very interesting years
from the cloud computing
data protection & data security point of view”*

*“More precisely, from July 1st 2012
the relevant legal risk is measurable”*



STRUCTURE OF THE WORKSHOP

1. CLOUD SERVICE AGREEMENTs
2. FOCUS ON DATA PROTECTION (PLA)
3. DATA SECURITY & CONTROLS

It is about interaction & sharing practical experience!



Cloud Computing

Contractual TIPs & recommendations

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CLOUD COMPUTING AGREEMENTS

Contractual structure:

- Terms of Service (ToS)
- Service Level Agreement (SLA)
- Privacy Level Agreement (PLA)
- Acceptable Use Policy (AUP)



CLOUD COMPUTING: contractual challenges

- Applicable law & Jurisdiction
- Allocation of responsibilities
- Variation of terms/parties
- Confidentiality & IP
- Portability / migration / transfer back vs. lock-in
- Termination
- LEAs access to data into the Cloud
- SLA + PLA



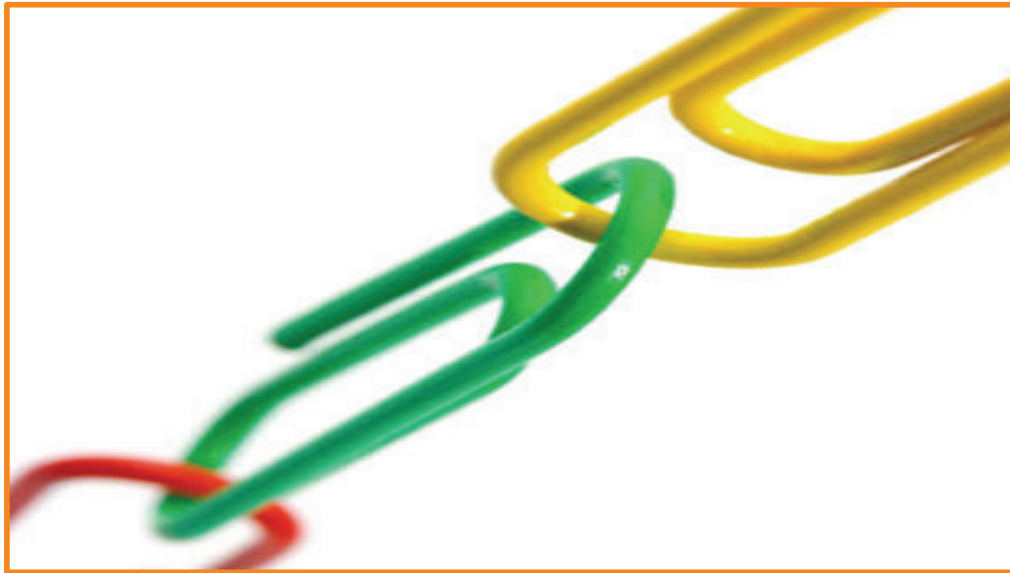


Applicable Law & Jurisdiction





Allocation _{of} responsibilities





Changes & Amendments





Confidentiality & IP rights





Vendor Lock-in & Portability





Termination





Law Enforcement Agencies

Access to data into the Cloud



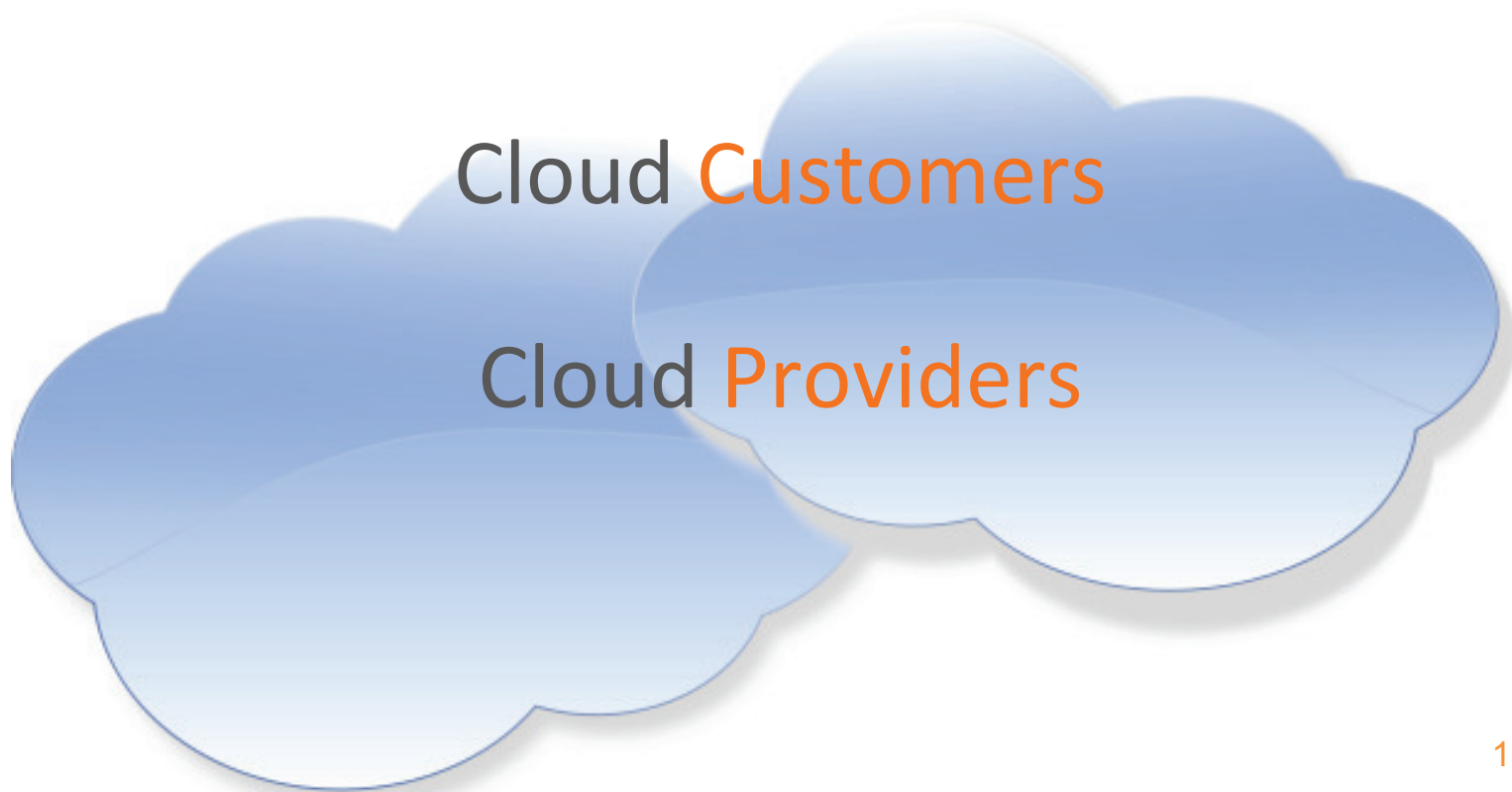


Service Level Agreement & Privacy Level Agreement





Conclusions





Business trends are changing!

- In order to remain competitive CLOUD PROVIDERS have to:
 1. Tailor their services to client's needs
 2. Take into account user concerns
 3. **Demonstrate compliance and transparency**



Best practices

+

Legal & Contractual safeguards

=

Customers' Trust



CUSTOMERS' TRUST = BUSINESS



Thank you for your attention!

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European Lawyer specializes in the areas of Information Technology, Privacy and data protection, Intellectual property and Internet Law.



Senior Associate at ICT Legal Consulting, Domenico carries out its activities in Italy and throughout Europe by providing legal assistance and consultancy services to multinational corporations, companies and innovative start-ups on a wide range of legal issues related to technology law. Domenico widely enjoys an outstanding reputation as a Lawyer for the Internet sector and he is appreciated thanks to his ability to combine technical skills, legal knowledge and business-oriented approach. He holds an LL.M in Law & Technology at Tilburg University (the Netherlands), a diploma of School of Specialization for Legal professions and a combined Bachelor and Master's Degree in Law at University of Perugia (Italy). Author of several scientific publications with national and international internet and data protection law journals, he is an active part of prestigious committees and associations: in particular, he is Member of the ICANN's Intellectual Property Constituency, Fellow of the European Privacy Association (EPA) and of the Italian Institute for Privacy (IIP) and Member of the ITechLaw Data Protection Committee.