

Wacom e-Signature solutions: Creating electronic signatures in a privacy compliant way



BUSINESS
SOLUTIONS

New Whitepaper from DLA Piper

As privacy matters to Wacom, it has requested DLA Piper, a world-wide leading law firm, to prepare a white-paper where they explain the importance of setting up and using privacy compliant e-Signature solutions and how Wacom's products could help businesses to act in a privacy compliant way.

Within this work DLA Piper briefly explains the European current and future regulatory principles for the protection of personal data that are relevant to the use of e-Signature solutions and analyses how those principles apply to e-Signature solutions.

Biometric data, such as dynamic signatures, qualify as personal data in the sense of European data protection legislation. Organisations using electronic signature solutions, such as Wacom's e-Signature products, should be aware that data protection legislation may be applicable to them. In accordance with those rules, Wacom customers operating as a data controller or as a data processor, should implement appropriate technical and organisational measures to protect personal data and take into account the new 'privacy by design' principle.

Pursuant to the 'privacy by design' principle, it is important that the entire signature process, and not just parts of it, is in compliance. As devices and applications used by data controllers and data processors should enable them to act in compliance with data protection laws, also device manufacturers, such as Wacom, are to take into account the right to data protection when developing its products.

DLA Piper further explains the main features of Wacom's e-Signature solutions and reviews those key features in its analysis of the privacy compliant nature of Wacom's e-Signature solutions. In the context of this legal analysis Wacom's e-Signature solutions have been in particular tested against the data security requirements and the new concept of 'privacy by design'.

From a legal perspective, DLA Piper can conclude that when correctly implemented, Wacom's e-Signature solutions could be regarded as supporting the 'privacy by design' principle and may allow to create and process electronic signatures in a data protection compliant way.

The Whitepaper from DLA Piper shows that Wacom's e-Signature solutions are for most uses a reliable tool for vendors, system integrators and customers helping them to act in compliance with data protection laws. It however remains up to the Wacom customer to make an in concreto assessment of its needs and obligations under the applicable data protection law(s). Moreover, it should be emphasized that as Wacom's e-Signature solutions often only constitute a very small part of a large IT-system, customers have an important duty to ensure that also all other parts of their system are privacy compliant.

Wacom's e-Signature solutions are being used in different industries and applications, by customers all across Europe. Many companies and institutions already signed up for an efficient future reducing workflow cost by implementing Wacom's e-Signature solutions. Here are some examples from our reference list: Orange, O2; Vodafone; Santander; Lloyds TSB, BBVA, Caisse d'Epargne, Banca Intesa San Paolo, Spanish Savings Banks (CECA), Unicredit, Poste Italiane, Correos, Decathlon, Hilti, IKEA Germany, Goertz Shoes, Jack Wolf-skin, Mercedes-Benz, French Gendarmerie, Norwegian police, German municipalities.

Note:

DLA Piper is a global law firm with 4,200 lawyers located in more than 30 countries throughout the Americas, Asia Pacific, Europe and the Middle East. DLA Piper's technology practice has deep industry sectors experience that allows the firm to provide valuable practical advice and innovative solutions over and above its first-rate base of technical know-how. DLA Piper's practice counts many of the world's largest high profile IT companies as clients.

The author **Prof. Dr. Patrick Van Eecke** is a Partner in DLA Piper's Brussels Office and head of the Internet law group. He is a specialist in privacy, data protection and electronic signatures and advises on the legal impact of big data, cloud computing and Internet of Things. Patrick has extensive expertise in advising and assisting national and multinational organizations with respect to privacy, data protection and electronic signatures issues and has in-depth knowledge of regulatory developments both in EU Member States and on a pan-European level.

Wacom's e-Signature solutions consist of hardware and software. On hardware there are different signature pads, pen displays and mobile signature solutions available. Software can be either Wacom's own sign pro PDF software or Signature Development Kits as well as third party applications from Signature Solution Partners. Mobile signature solutions and third party applications however fall outside the scope of this White-paper (which however does not imply that they would not be compliant with data protection laws).