DocuSign

Understanding European eSignature and Identity

DocuSign PUBLIC

A modern system of agreement works globally

Agreements can be signed in a legally valid way around the globe

But every country has its own rules

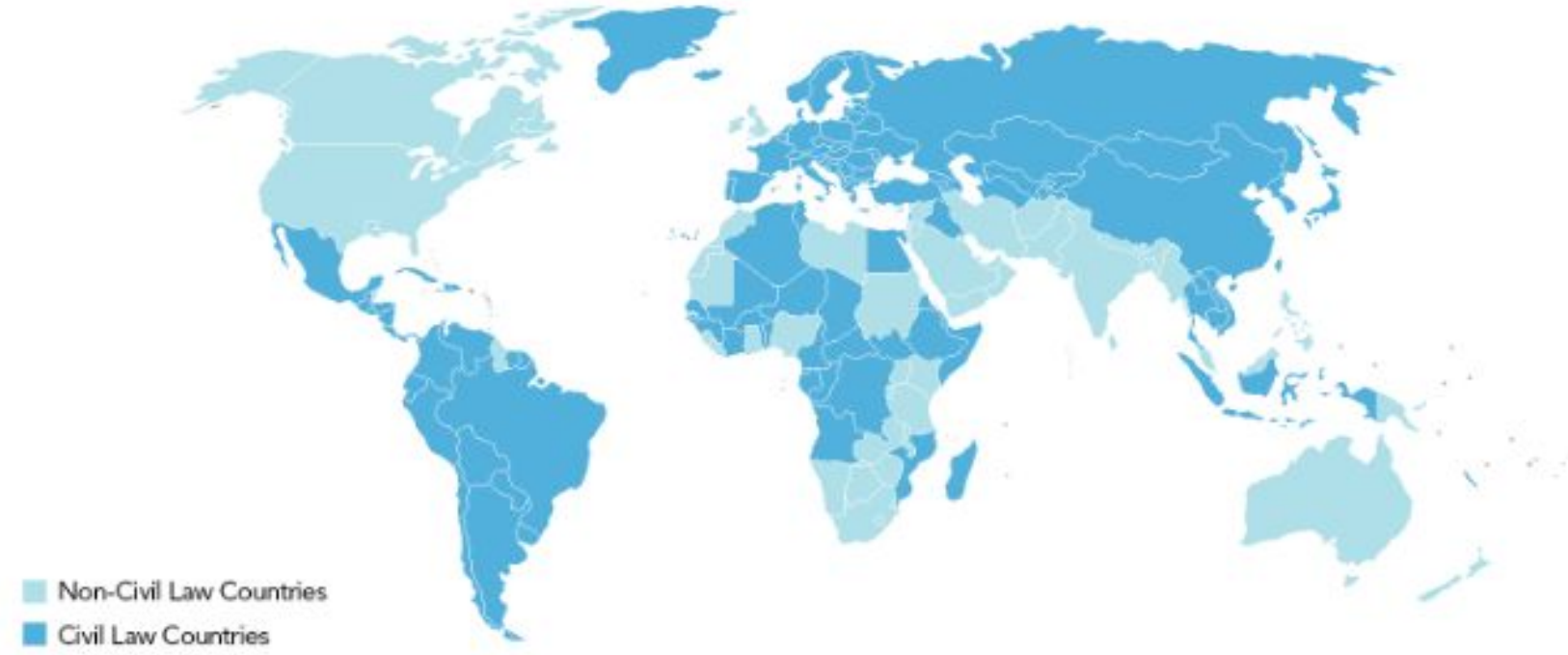
Global landscape: Common law vs. civil law countries

Common law country examples:

- US
- Canada
- UK
- Australia

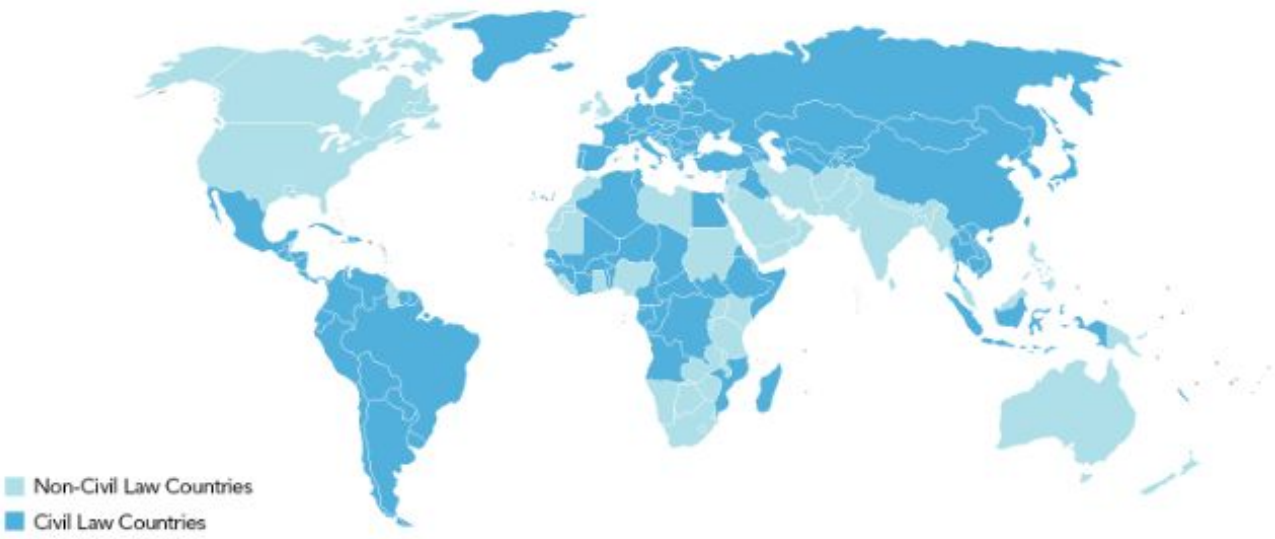
Civil law country examples:

- Most of Europe
- Most of Latin America
- Most of Asia



Common law countries

Generally follow a “minimalist” or “permissive” model where electronic signatures hold the same legal weight as handwritten signatures.



Civil law countries

Often use a “tiered” approach that distinguishes between types of e-signatures, granting them different legal weight.

Only a few take a "prescriptive" approach, which may deny the legality of e-signatures unless they meet specific technical guidelines.

eSignature legality is largely about enforceability

Weighing the evidence

Paper Record

5/1/2016

DocuSign

Secure container

5/1/2016 8:41:12 PM EST

name@email.com

IP: 192.156.22.122

Additional ID proofing options:

- One time password
- Phone authentication
- ID Verification
- Witnessed signing
- Digital certificate validation

Digital Audit Trail

Key pieces of evidence collected:

Comprehensive digital history tracks activity for each signature including:

Date & Time

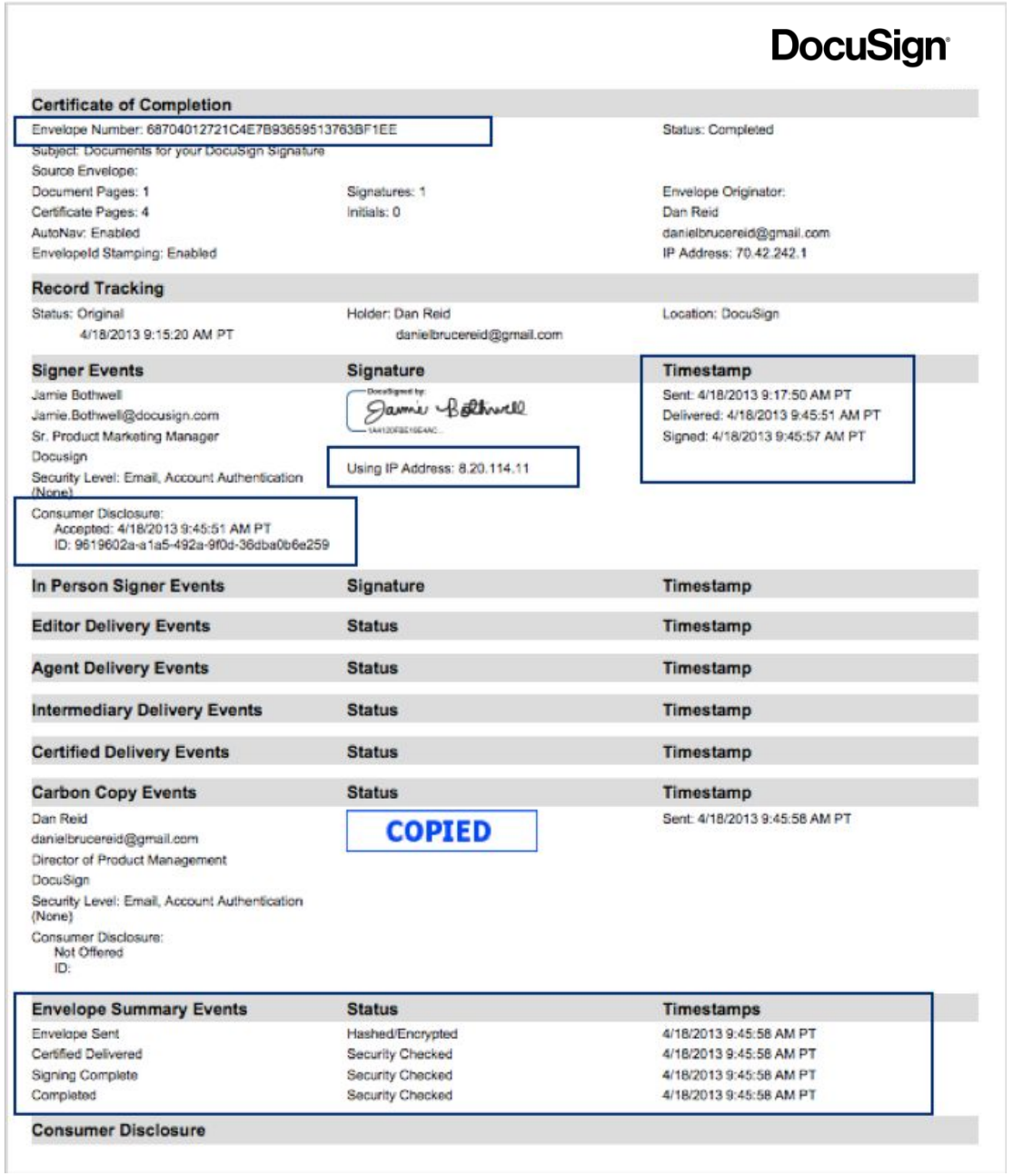
IP address

Unique signer ID

Location (where enabled)

All within a tamper-proof container

Certificate of Completion provides proof to confirm the validity of your transactions



DocuSign

Certificate of Completion

Envelope Number: 68704012721C4E7B93659513763BF1EE
Subject: Documents for your DocuSign Signature
Source Envelope:
Document Pages: 1
Certificate Pages: 4
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Signatures: 1
Initials: 0
Status: Completed
Envelope Originator:
Dan Reid
danielbrucereid@gmail.com
IP Address: 70.42.242.1

Record Tracking

Status: Original
4/18/2013 9:15:20 AM PT
Holder: Dan Reid
danielbrucereid@gmail.com
Location: DocuSign

Signer Events	Signature	Timestamp
Jamie Bothwell Jamie.Bothwell@docusign.com Sr. Product Marketing Manager Docusign Security Level: Email, Account Authentication (None)	Using IP Address: 8.20.114.11	Sent: 4/18/2013 9:17:50 AM PT Delivered: 4/18/2013 9:45:51 AM PT Signed: 4/18/2013 9:45:57 AM PT
Consumer Disclosure: Accepted: 4/18/2013 9:45:51 AM PT ID: 9619602a-a1a5-492a-9f0d-36dba0b6e259		

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
Dan Reid danielbrucereid@gmail.com Director of Product Management DocuSign Security Level: Email, Account Authentication (None) Consumer Disclosure: Not Offered ID:	COPIED	Sent: 4/18/2013 9:45:58 AM PT

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	4/18/2013 9:45:58 AM PT
Certified Delivered	Security Checked	4/18/2013 9:45:58 AM PT
Signing Complete	Security Checked	4/18/2013 9:45:58 AM PT
Completed	Security Checked	4/18/2013 9:45:58 AM PT

Consumer Disclosure

eIDAS – the pan-European regulation for eSignatures

eIDAS paves the way for a unified eSignature market in EU

Adopted by **all EU member states**

3 levels of signatures
(standard, advanced and qualified)

Makes cross-border
transactions **easier**

eIDAS summarized

Creates a predictable regulatory environment for easier cross border business. Valid across EU.

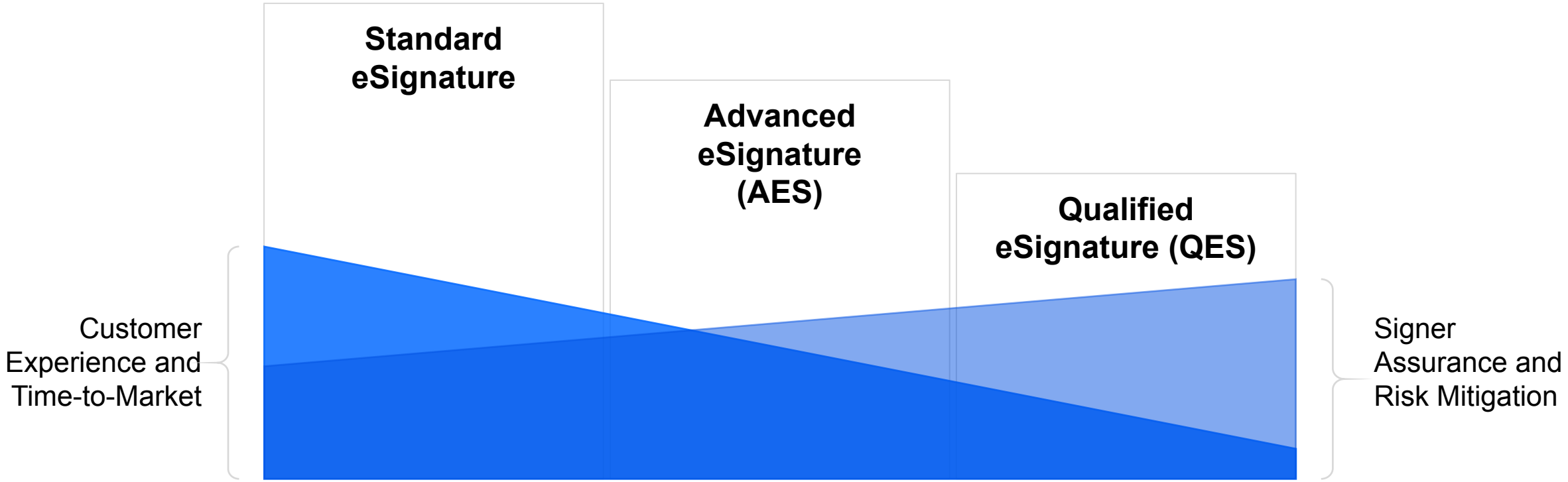
E-signatures must be admitted in court as evidence.

Majority of transactions require standard eSignature.

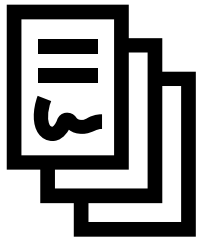
National law defines the type of signature for each transaction type.

National law requires qualified eSignature only for a small % of transactions.

There’s a signer assurance spectrum: Trade-offs between experience and risk mitigation



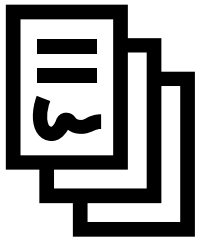
The tiered structure approach (EU example)



Standard Electronic Signature

Basic signature in electronic form

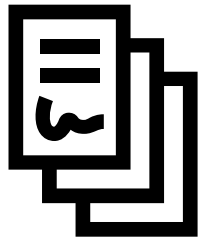
- No identity verification of signatory required
- Used in many common transactions



Advanced Electronic Signature (AES)

Adds identity verification

- Links signatory identity to the signed document
- Signature record can show evidence of tampering



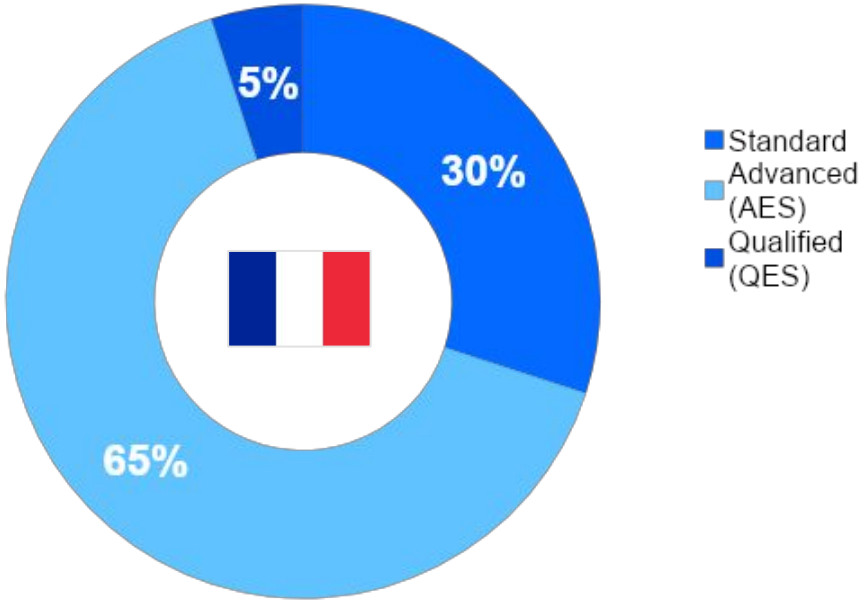
Qualified Electronic Signature (QES)

Requires heightened identity verification

- Special EU legal status: equivalent to handwritten signature
- Sometimes required by law
- Reverses the burden of proof

There are cultural preferences for signature types

France



Standard

Use cases: proof of delivery, internal documents

Advanced (AES)

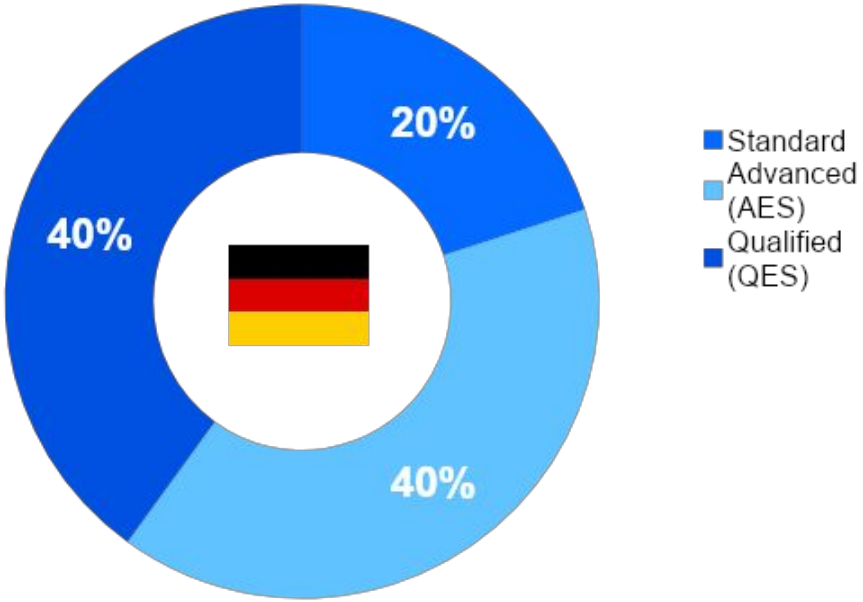
Use cases: commercial contracts, contracts with known entities, and contract amendments

Qualified (QES)

Use cases: international or border agreements, new client contracts, high value contracts, and documents at risk, (e.g. insurance or loan contracts)

There are cultural preferences for signature types

Germany



Standard

Use cases: internal documents, trusted suppliers or long-term partners, EU contracts

Advanced (AES)

Use cases: internal (CEO level) documents

Qualified (QES)

Use cases: external signatures, HR Temporary Work Agreements, Consumer Loans or high-value transactions

Comply with EU Signature Standards

Warranted eIDAS-compliant signatures at the advanced and qualified level

The only global agreement lifecycle solution, listed as a Qualified Trust Service provider on the EU Trust List

Portfolio of identity and authentication methods to suit your identity requirements for signers across the EU

Meet signature compliance globally

Signer identification

Identity verification options for all your global needs

eWitness capabilities for multiple regions

Certificate based signing

Globally accepted signatures delivered by DocuSign

- Digital certificates issued by DocuSign France for AES and QES
- Support for signer-held certificates
- e-Hanko (Japan)
- eSeals

Multiple cloud deployment options

One experience, multiple levels of control in markets with strong regulation.

- Public Cloud
- Private Cloud
- Hybrid Cloud

Connect with a preferred local provider

Connect easily to trust service providers globally via APIs to meet your local requirements

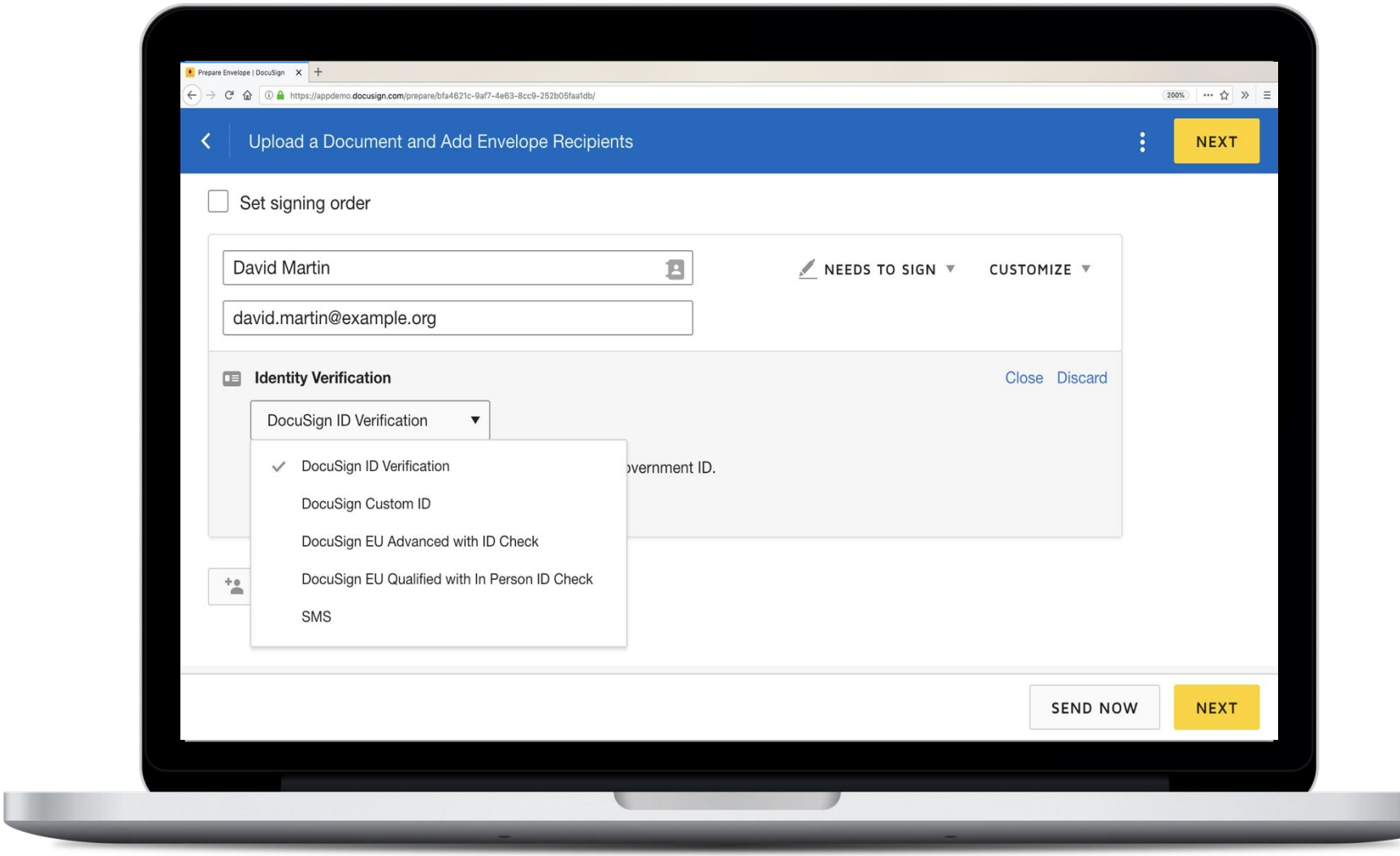
Support eIDAS compliance with DocuSign

Automating identification with DocuSign Identify

Streamline the agreement process by automating identification, available on any device, anywhere

Minimize risk for agreements globally

Support compliance requirements such as KYC or eIDAS



Modernizing systems of agreement with Identify

DocuSign Identify is our suite of identity verification and authentication products.

We offer several products for the ID Verification component of AES/QES

ID Verification - for AES

ID Check Remote for QES

ID Check in Person for QES

Other trusted 3rd party options for AES/QES

DocuSign Identify Portfolio and eIDAS signatures

ID Verification

SMS/Phone/
Access Code

ID Check Remote for QES
(powered by IDnow)

ID Check In Person for QES
(powered by AriadNext)

EU Qualified Signer Held
(requires signer to have a pre-issued qualified certificate)

Other Trust Service Providers
(itAgile, D-Trust, FirmaProfessional, Intesa)

Standard eSignature **Advanced eSignature** **Qualified eSignature**

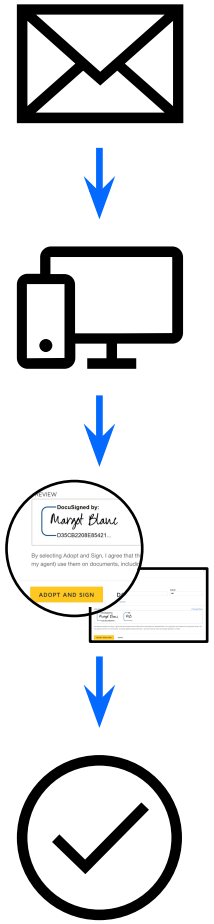
Standard eSignature – No ID verification required – Sufficient for most use cases

Standard eSignature

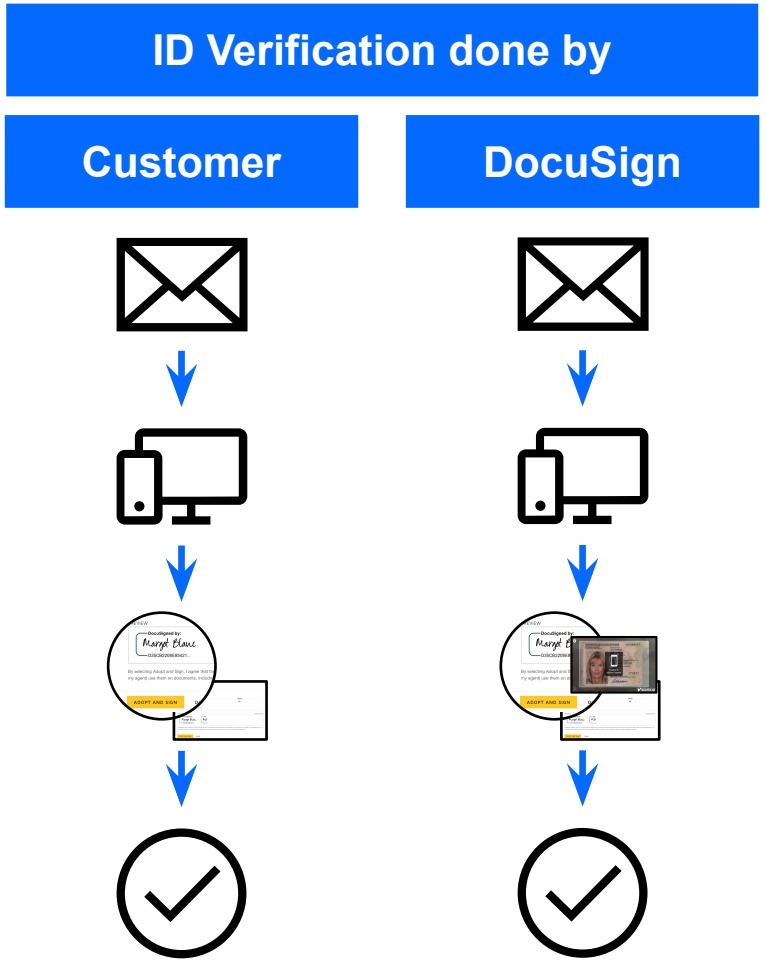
Customer experience and time-to-market

Signer assurance and risk mitigation

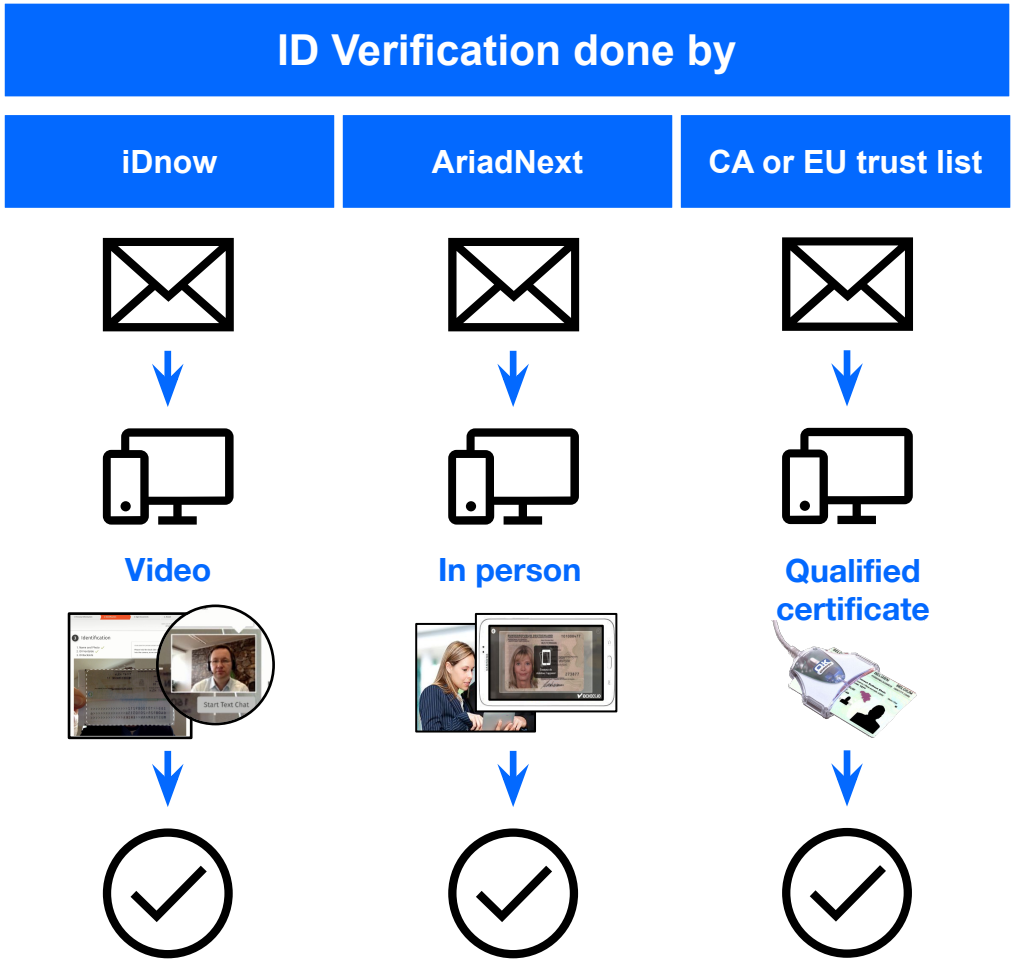
Optional: 2-factor auth such as sms, access code, phone OR ID Verification to protect the agreement



Advanced eSignature – Moderate trade-offs in experience with official photo ID verification required



Qualified eSignature – Multiple face to face identity options – equivalent to a handwritten signature



Options for Advanced eSignature (AES)

Options for AES

Option 1

Signer Identification delegated to customer + OTP SMS or Access code

Identify your own signers with established processes with DocuSign France issuing an advanced certificate.

Pros

- Leverage existing business process for signer identification

Cons

- Puts more liability burden on you to commit to verifying signer identities

Option 2

Signer Identification by DocuSign

Rely on DocuSign for both identity verification and advanced certificate.

Pros

- Full warranties of DocuSign
- Protect access to the document
- Store the evidence of the identification process
- **Supports both photo IDs and eID schemes in Europe**

EU Advanced Only – You verify signer identity

DocuSign EU Advanced use case

Prior Signer identification by Customer. Signer's email and mobile phone registered

Customer sends an envelope (email + mobile phone)

Signer enters signing interface and reviews document to be signed

Signer is prompted for EU Advanced Terms of Use and authentication interface

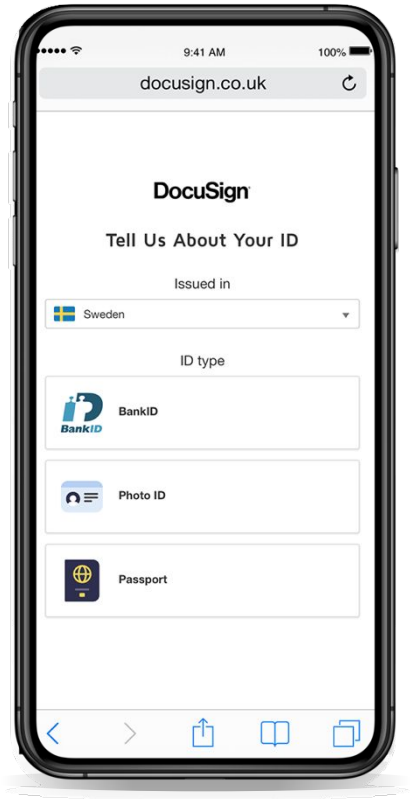
Consent to sign is confirmed by OTP sent by SMS on signer's mobile

AES is applied on the contract and result is available in Customer's account

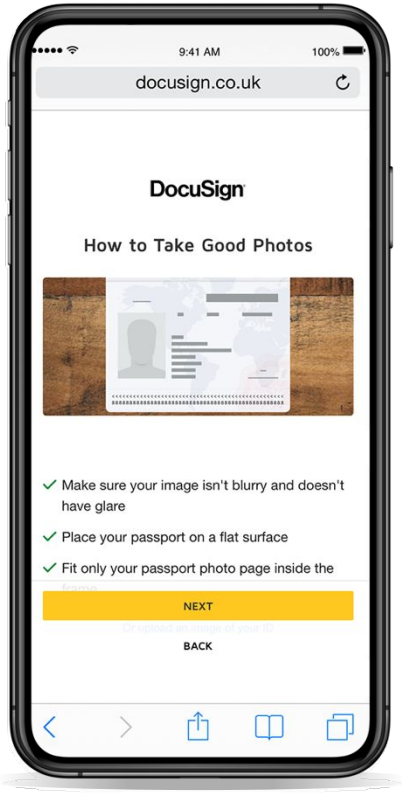
Transaction can be performed on any device (PC or mobile)

EU Advanced + ID Verification – DocuSign verifies identity

How DocuSign ID Verification works



We will ask a signer to verify their ID. Depending on their selected country, they may be presented with different options.



In most countries you will have the option present a driver's license or passport.

Some countries have the equivalent of your passport online such as an eID scheme or a smart card ID.

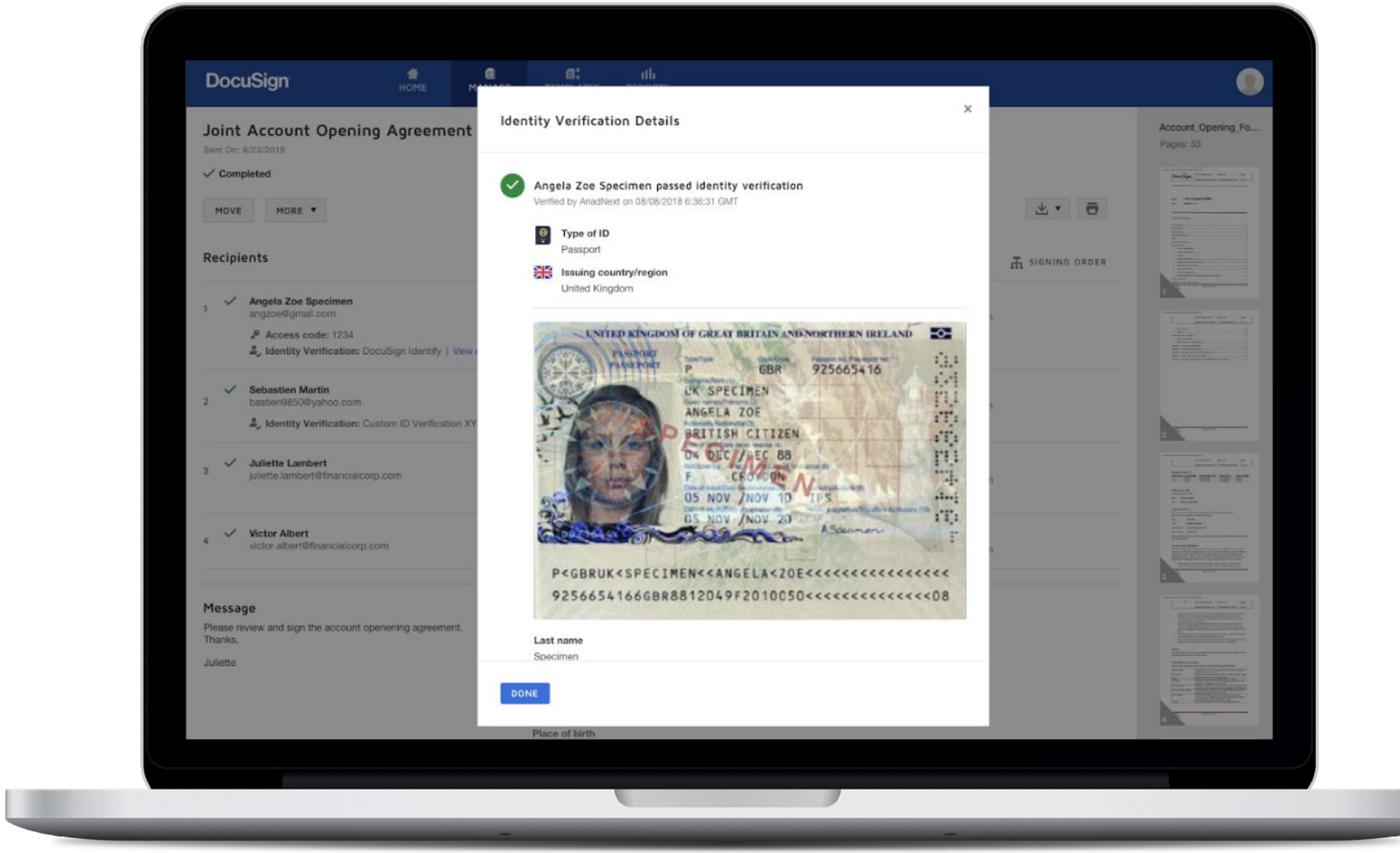
ID Evidence

Supporting compliance requirements

Digitally capture and store ID information when required

Support compliance needs such as Know your Customer and Anti-Money Laundering

Export ID information to business systems using ID Evidence APIs

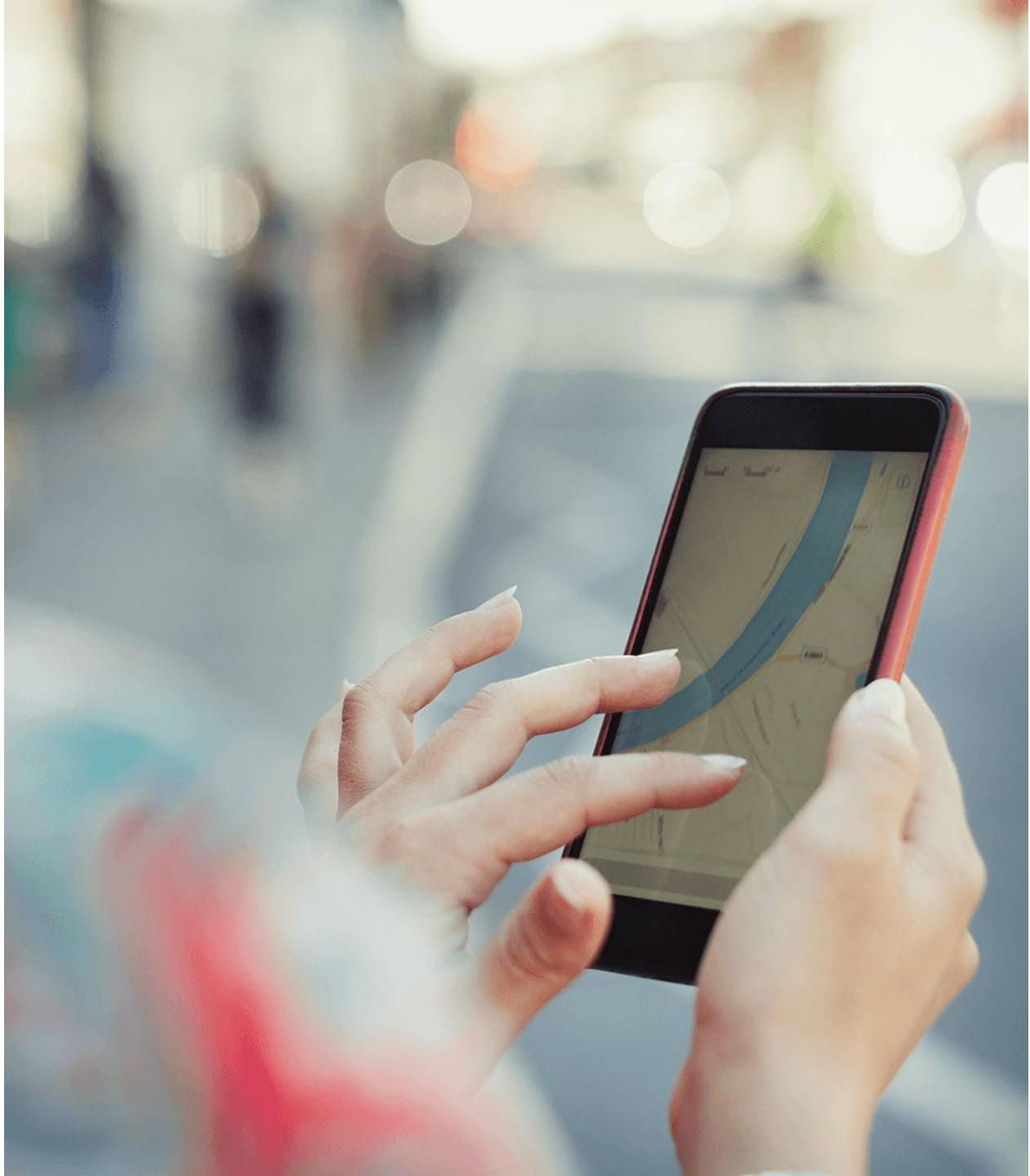


GDPR and ID Evidence

ID Evidence is an extension of ID Verification. As a consequence, the permission granted to ID Verification also applies to ID Evidence for capturing the data that the customer configured at their account level.

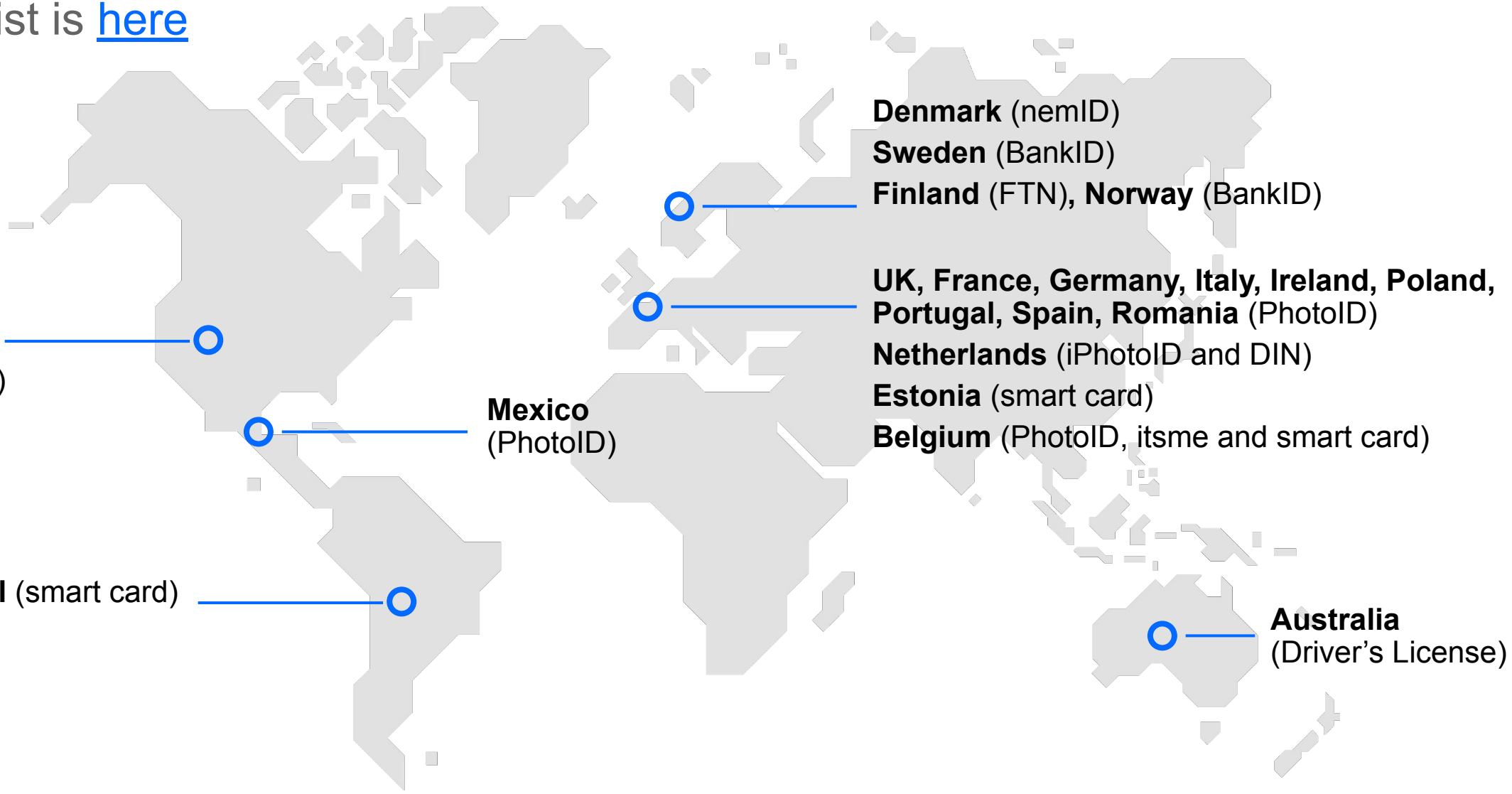
If the signer refuses to proceed with ID verification, then no verification occurs and no specific PII is stored.

You can also request to redact ID verification data when purging an envelope.



Expanding Country Coverage

Latest list is here



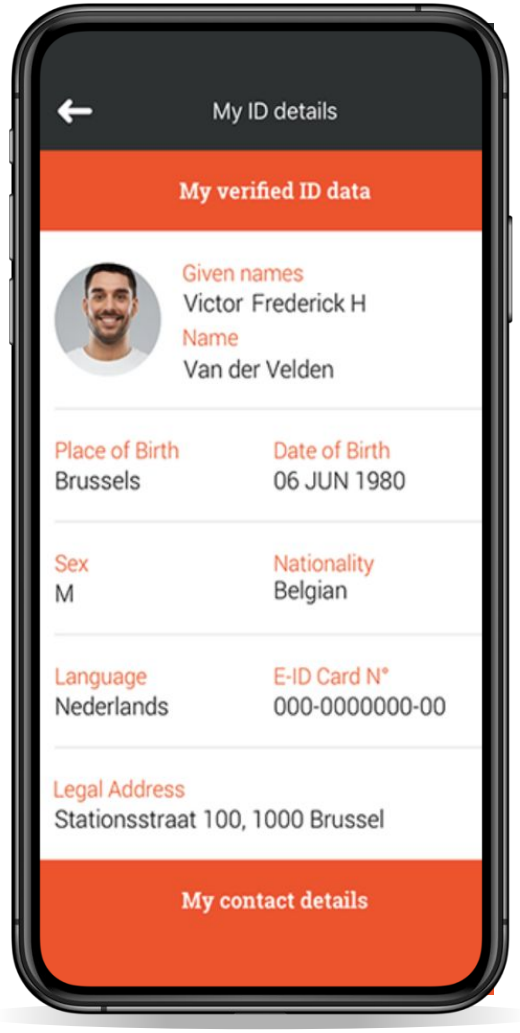
***PhotoID:** all Gov issued IDs such as Passport, Driver Licenses, National ID

ID Verification - new itsme support for Belgium

Enable identity verification with itsme mobile ID scheme for millions of Belgian users

Minimise risk for agreements

Use with **EU Advanced offering** to meet eIDAS compliance at the advanced level



EU Advanced + ID Verification use case

Customer sends an envelope to unknown signer (email, embedded signing)

Signer is requested to identify prior accessing the content of the envelope

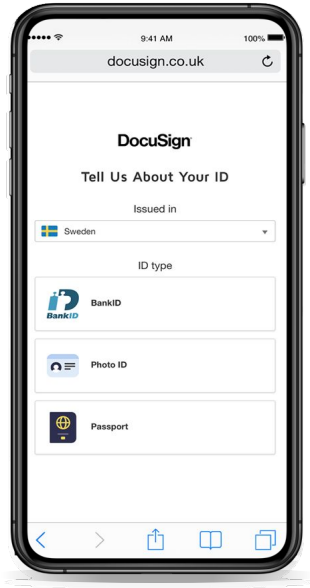
Signer enters signing interface and reviews document to be signed

Signer is prompted to accept the EU Advanced Terms of Use.

AES is applied on the contract and result is available in customer's account

DocuSign stores the evidence of ID Verification

DocuSign verifies that the ID document is genuine and matches the name on the agreement

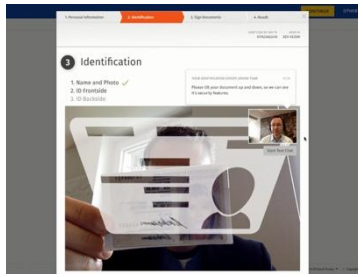


Transaction can be performed on any device (PC or mobile)

Options for Qualified eSignature (QES)

Options for QES

Rely on DocuSign to do both the ID Verification and qualified certificate



Remote QES

In Person QES

Use existing qualified certificates that DocuSign accepts

Remote QES

Partner with a local trust service provider

bdr BUNDESDRUCKEREI

swisscom

itAgile

firmaprofesional

intesa

Remote or in person QES issued by a local provider

QES with Remote video face to face ID verification

ID Check Remote for QES (powered by IDnow)

Ideal for fully remote scenarios

Supports the eIDAS requirements for a Qualified Signature

Use Cases - B2C mostly

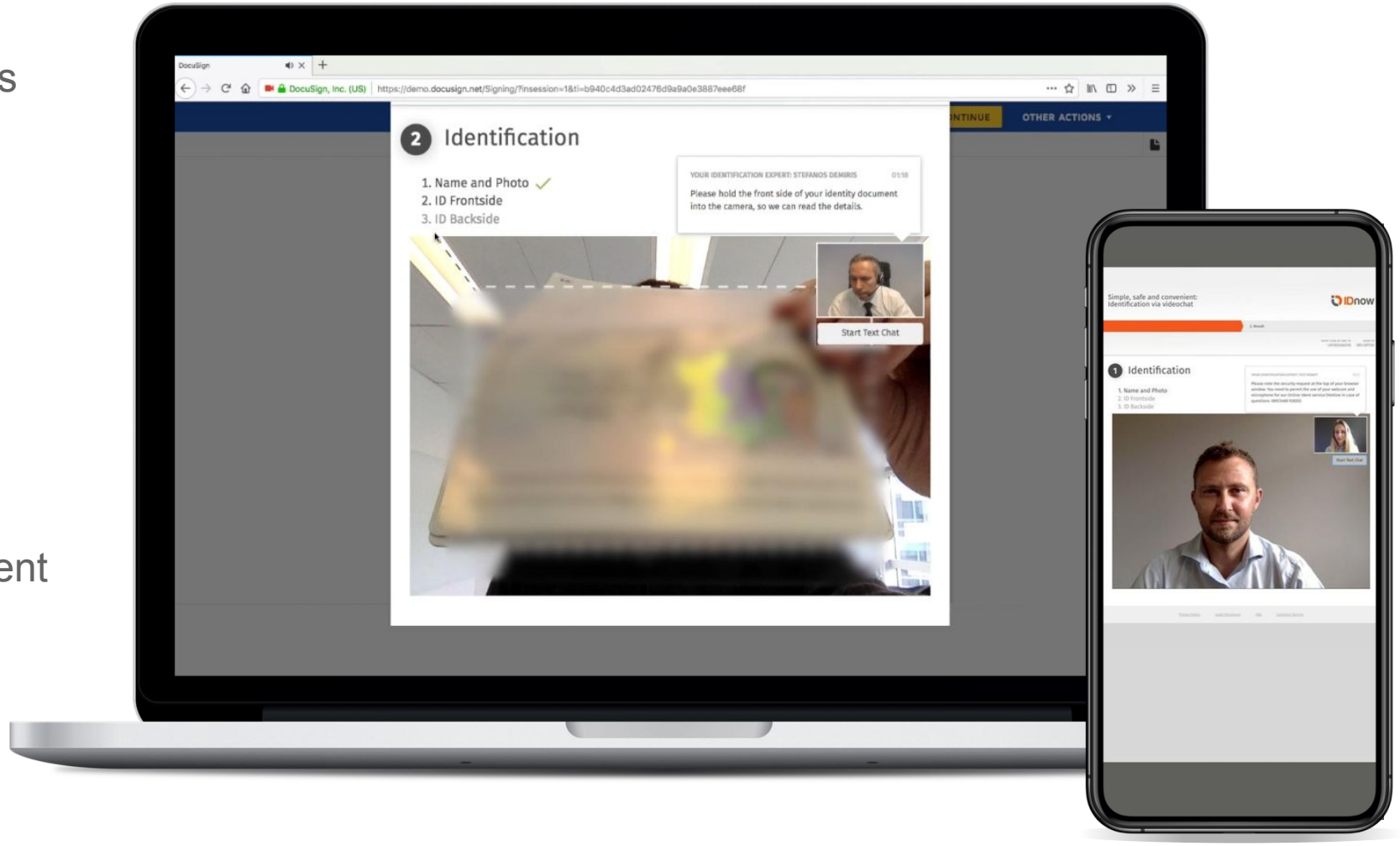
Sign a consumer loan online

Open a bank account online

Sign remotely Temporary worker contracts

Sign remotely Fix term employment contracts

Sign remotely Real Estate contracts (rents, acquisition, reservation, mortgage)



Remote F2F use case - First time user

IDnow

Customer sends an envelope

Signer enters signing interface and reviews document to be signed

As a first time user, signer is identified in a video-chat opening within DocuSign signing interface

Consent on contract is confirmed by OTP sent by SMS on signer's mobile

QES is applied on the contract and result is available in customer's account

Transaction can be performed on any device (PC or mobile)

QES: Remote F2F use case - Repeat signers

Customer sends an envelope

Signer enters signing interface and reviews document to be signed

As a registered user, signer is identified by his IDnow account credential within DocuSign signing interface

Consent on contract is confirmed by OTP sent by SMS on signer's mobile

QES is applied on the contract and result is available in customer's account

Transaction can be on any device (PC or mobile)

QES with in person face to face ID verification

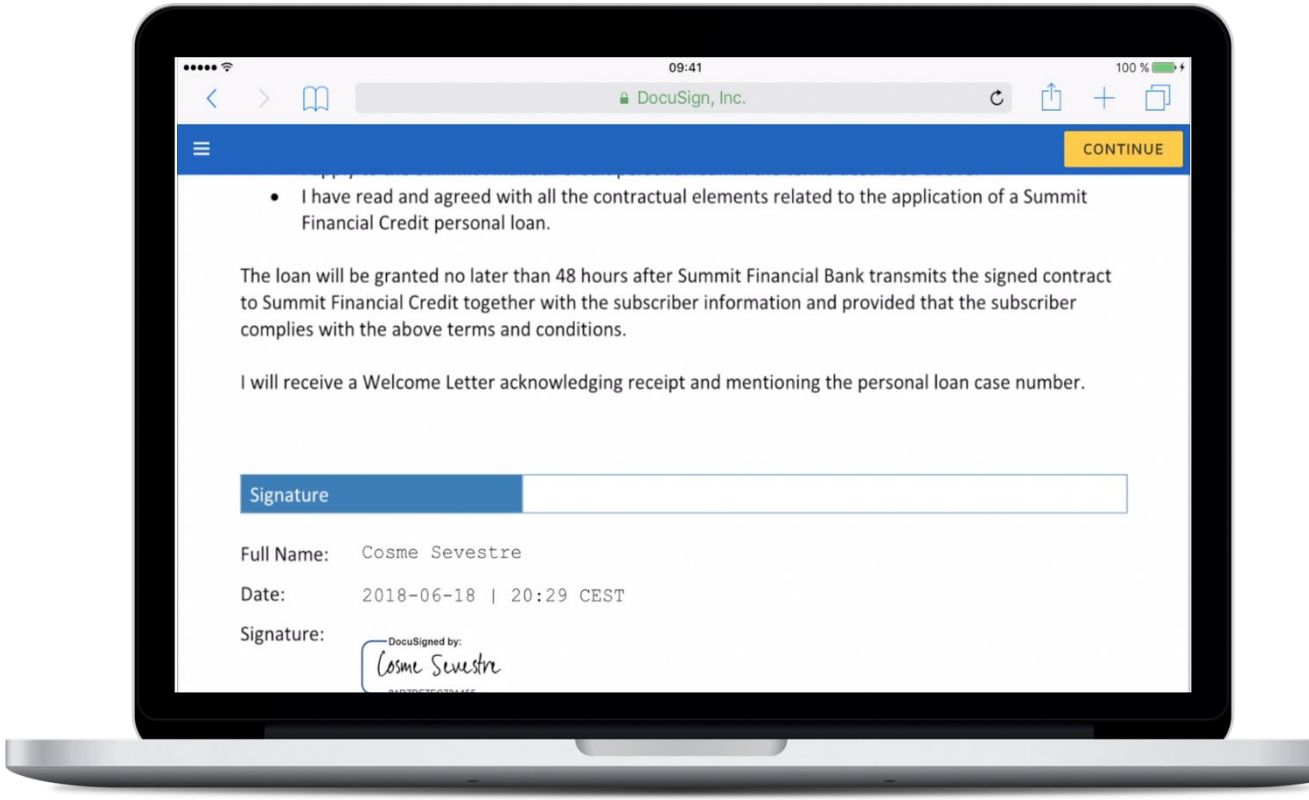
ID Check In Person for QES (powered by AriadNext)

Ideal where an in person face to face meeting is required

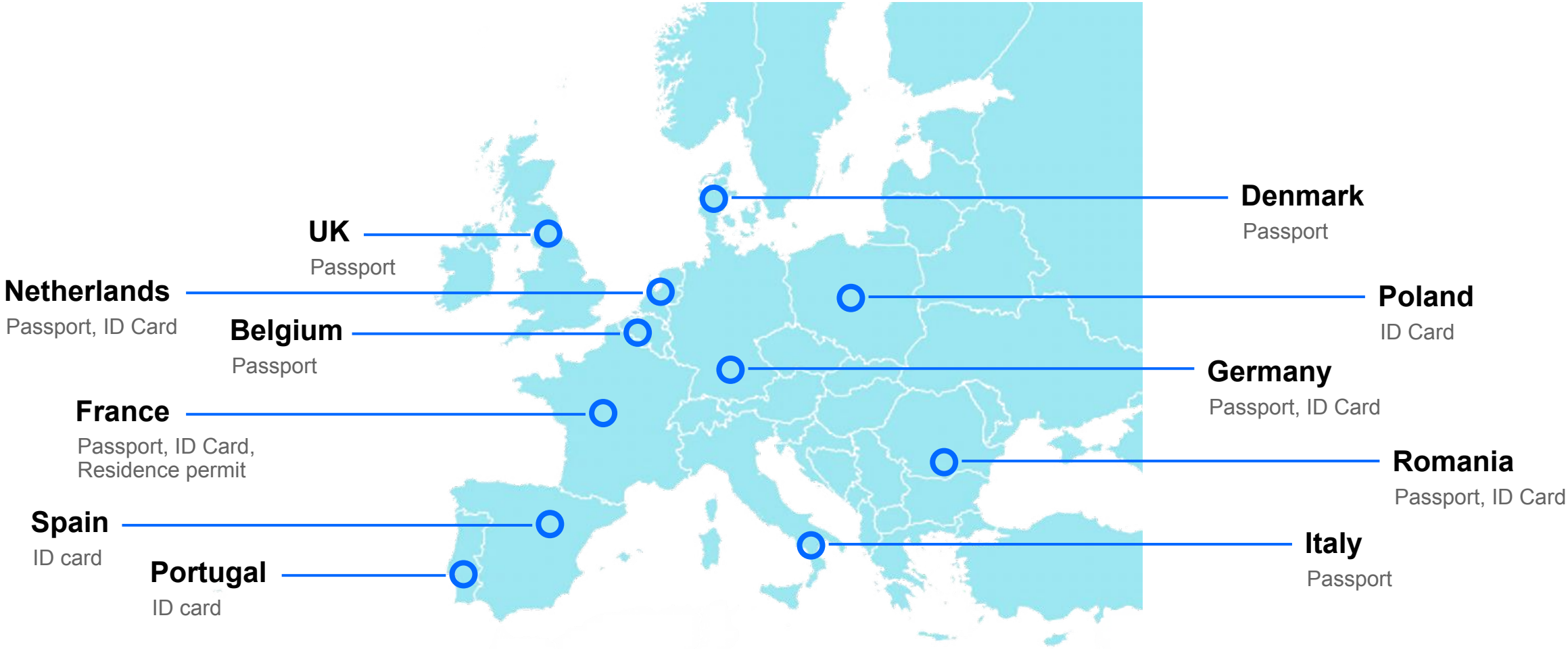
Supports the eIDAS requirements for a Qualified Signature

Use Cases - B2C mostly

- Sign a consumer loan in PoS
- Sign Temporary worker contracts (F2F InPerson)
- Sign Fix term employment contracts (F2F InPerson)
- Sign Real Estate contracts (rents, acquisition, reservation, mortgage) (F2F InPerson)



ID Check In Person for QES – Country Coverage



In Person QES signing use case

Point of Sale or HR Interview

ARIADNEXT

Customer creates template in DocuSign

Agent logs in his sender account on DocuSign and fills in the contract with signer

Signer's ID is captured on a mobile device, checked by the agent and stored

Consent on contract is confirmed by OTP sent by SMS on signer's mobile

QES is applied on the contract and result is available in customer's account

Transaction can be performed on any PoS device (PC or mobile)

In-Person QES with Prior In Person Face To Face verification

Plus remote signing

ARIADNEXT

Agent performs F2F out of band and register name, email and mobile phone of (future) signer

Agent sends the contract with to signer. Signer receives by email at home

Signer's ID is captured on signer's device. Extracted name is compared with signer's name

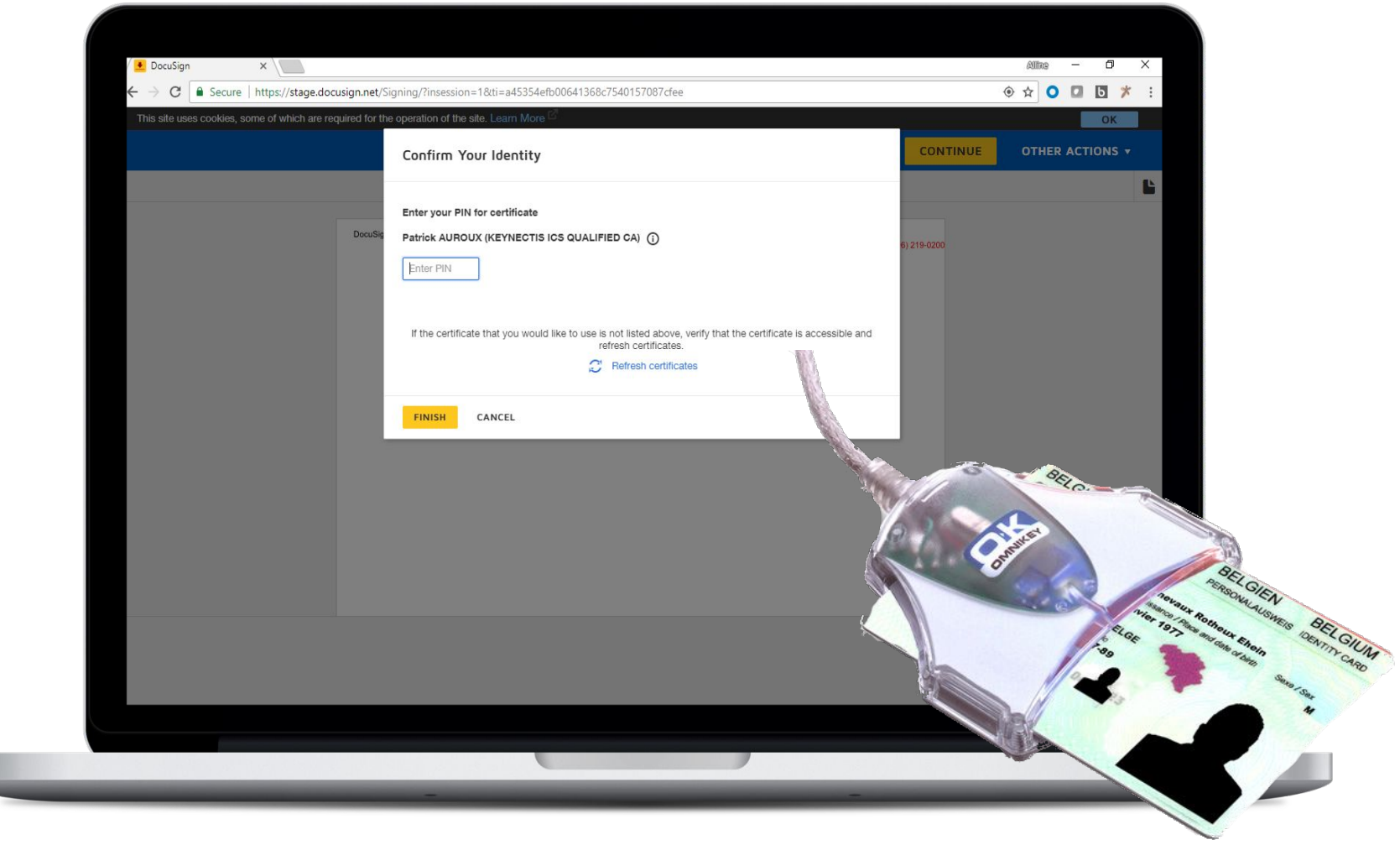
Consent on contract is confirmed by OTP sent by SMS on signer's mobile

QES is applied on the contract and result is available in customer's account

Signer receives contract at home

QES with an existing qualified certificate held by the signer

Remote QES with Qualified Certificates on the EU Trust List



Support for EU Qualified Signer Held Certificates such as the Belgium ID

Accept all qualified certificates on EU Trust List that are issued by a qualified trust service provider

Thank You