eSignature

Starter Kit – Advantages and Overview

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What if...

you could save time and money during your transactions and even shorten the time-to-business?
Although specific numbers vary, digitalizing your signature processes could...

...save up to **1.5 hours** per Transaction. *Adobe*

...save up to **30 min** per Transaction. *SAP*

...save up to **5.40 €** per transaction. *Adobe*

...save up to **30.00 €** per transaction. *SAP*
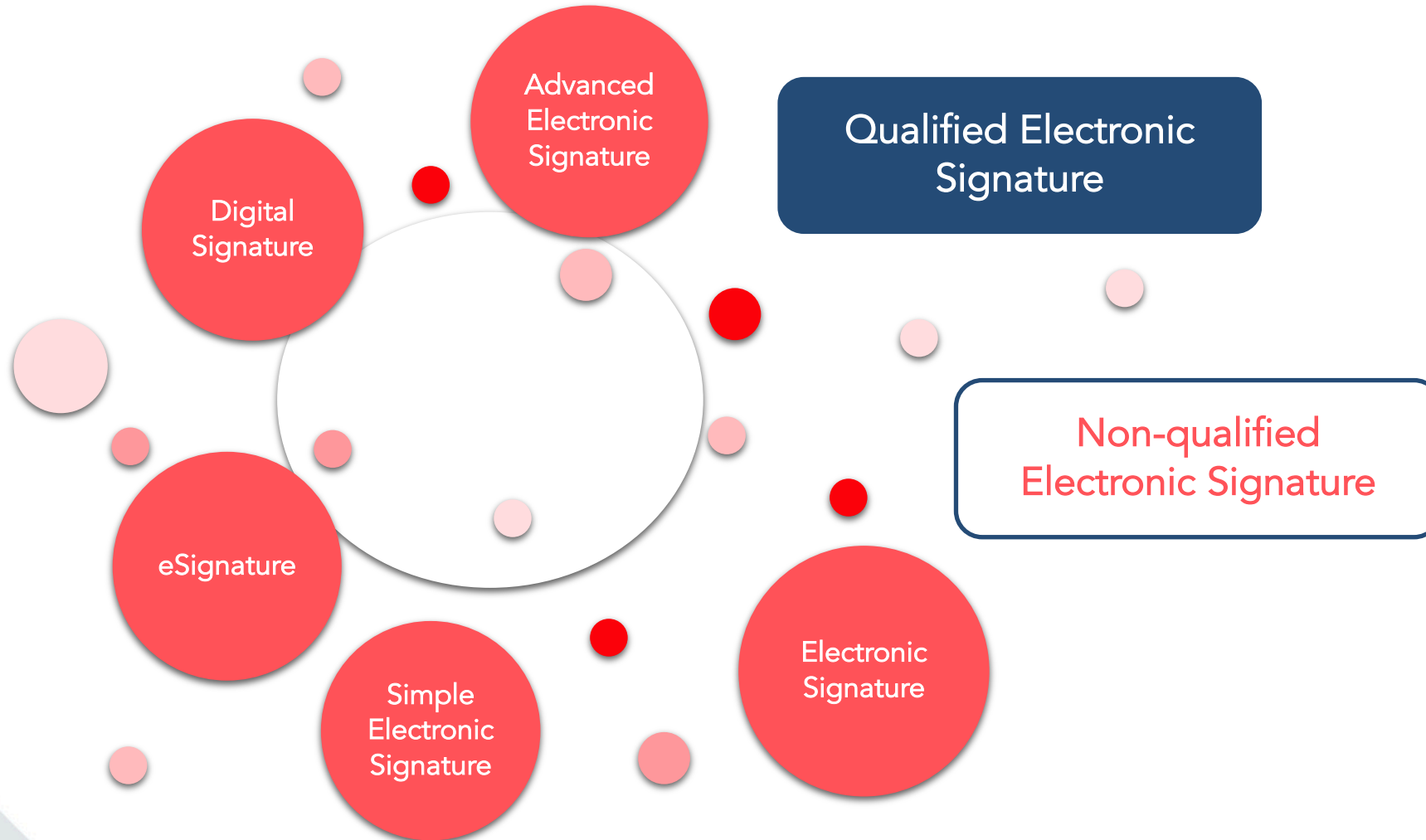
...**28 x faster** time-to-business. *Adobe*

...**10 x faster** time-to-business. *SAP*

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Wordings & Definition

Wordings you might have seen are mostly no official definitions. We focus on two wordings:

Advanced Electronic Signature

Digital Signature

Qualified Electronic Signature

eSignature

Non-qualified Electronic Signature

Simple Electronic Signature

Electronic Signature

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Wordings & Definition

The two types of eSignature – definitions & power of evidence

Qualified Electronic Signature

A signature created by a qualified electronic signature creation device and based on a qualified certificate for electronic signatures ("QES"). To sign with a QES, you need a valid identification of the user and a unique key.
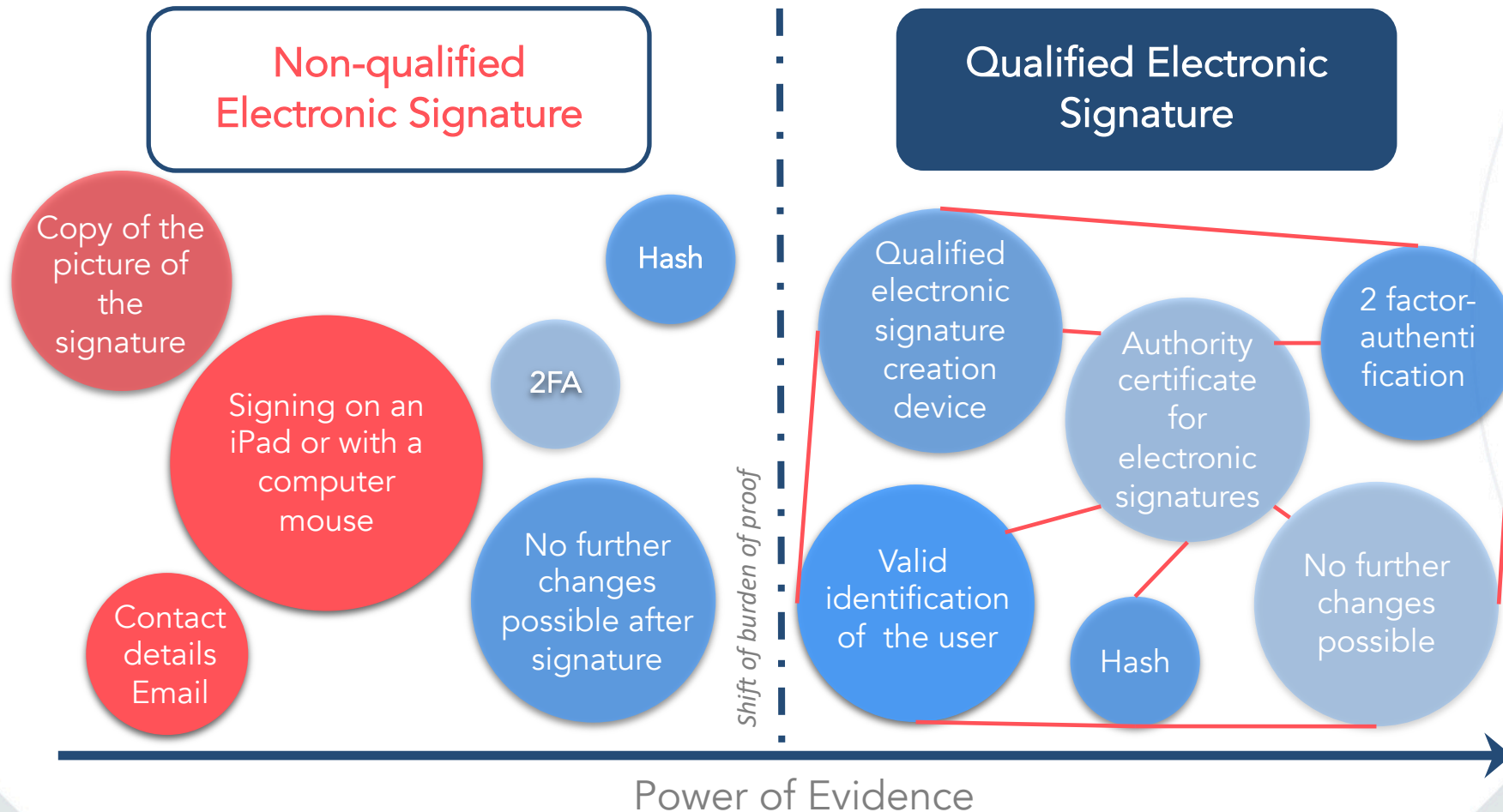
Shift of burden of proof

Non-qualified Electronic Signature

Everything which is somehow digitally signed

Power of Evidence

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Wordings & Definition

The characteristics of the simple and the qualified signature

Non-qualified Electronic Signature

- Copy of the picture of the signature
- Signing on an iPad or with a computer mouse
- Contact details Email
- Hash
- 2FA
- No further changes possible after signature

Qualified Electronic Signature

- Qualified electronic signature creation device
- Authority certificate for electronic signatures
- 2 factor-authentification
- Valid identification of the user
- Hash
- No further changes possible

Shift of burden of proof

Power of Evidence

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Where to use which eSignature?

Abstract description and examples

Non-qualified Electronic Signature

Qualified Electronic Signature

Documents without written form

Traceable archiving

Internal approval processes

Processes for Simple personal

Documents that need written form

Processes with a necessary personal identification

Special security requirements

Sensitive content

Shift of burden of proof

Examples:
- Non-disclosure agreements
- The majority of invoices
- Loan agreements with business owners

Examples:
- Notarized documents
- Temporary employment contracts

Power of Evidence

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Which tool should I use?

As always: it depends on your use case... Our recommendation: ask the right questions!

Which signature types should the tool cover?
Do I actually need the qualified eSignature?

Which level of security should the tool deliver?
Thoughts about 2FA, hashes, change trackings?

Where is my data managed, stored or archived?
Are there compliance requirements in my company?

Which country do I want to sign in?
Does the tool allow for valid signatures e.g. in Brazil?

Does the tool offer APIs for the integration into my contract lifecycle management platform?
Is a stand-alone software for eSignature the best / most suitable approach?

Does my specific industry have special requirements?
Special contracts for special industries may require written form.

How much risk do I want to take?
How high is the risk of being sued because of a non-qualified signature?
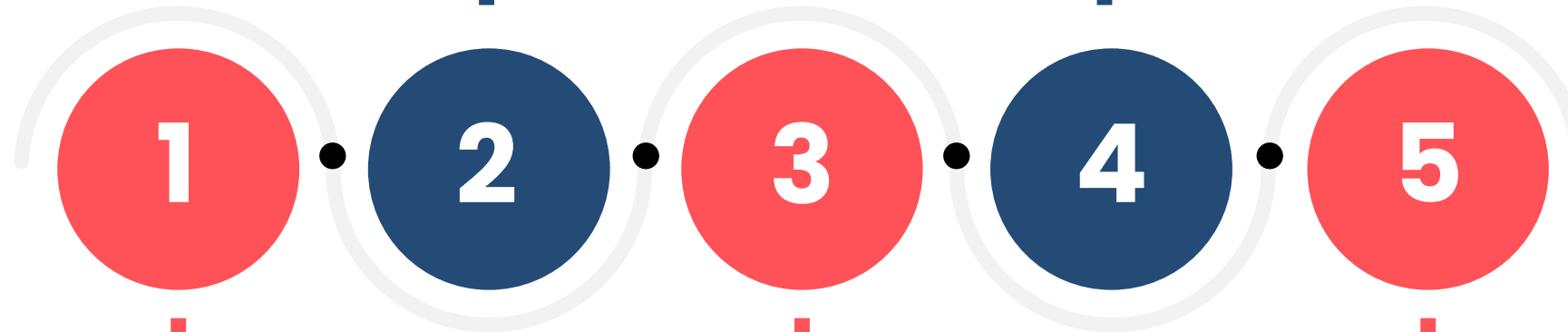
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How to start using an eSignature tool?

Start easy: simple processes, high value, low costs with the simple electronic signature for an internal approval process.

Non-qualified
Electronic Signature

Choose a tool for the simple electronic
signature with 2FA, Hash or change tracking
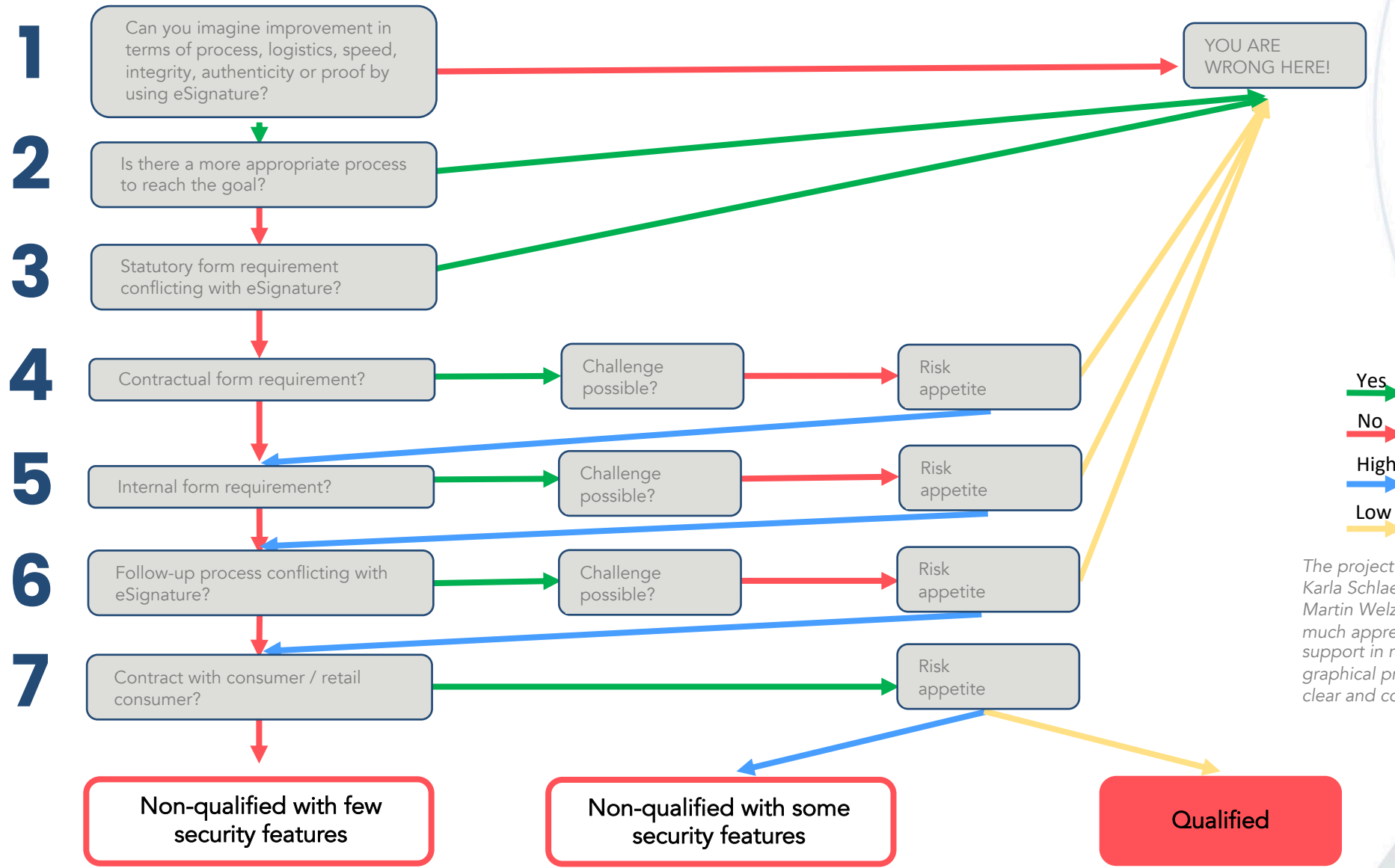
Onboarding of the users

1 **2** **3** **4** **5**

Define an internal
approval process using
business process
modeling

Register your users

Sign

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How to start with an eSignature tool?

1 Can you imagine improvement in terms of process, logistics, speed, integrity, authenticity or proof by using eSignature?

2 Is there a more appropriate process to reach the goal?

3 Statutory form requirement conflicting with eSignature?

4 Contractual form requirement? → Challenge possible? → Risk appetite

5 Internal form requirement? → Challenge possible? → Risk appetite

6 Follow-up process conflicting with eSignature? → Challenge possible? → Risk appetite

7 Contract with consumer / retail consumer? → Risk appetite

YOU ARE WRONG HERE!

Non-qualified with few security features

Non-qualified with some security features

Qualified

Legend:
- Yes (green)
- No (red)
- High (blue)
- Low (yellow)

The project team thanks Karla Schlaepfer and Martin Welz for their much appreciated support in making this graphical presentation clear and concise.

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Further Information

To learn more about different topics concerning eSignature, take a look at the documents you will find on our project site:

eSignature at liquid-legal-institute.com

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Thank you and enjoy eSigning!

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