

Cloud Computing Considerations for Multinationals Joan Antokol - Partner, Park Legal LLC

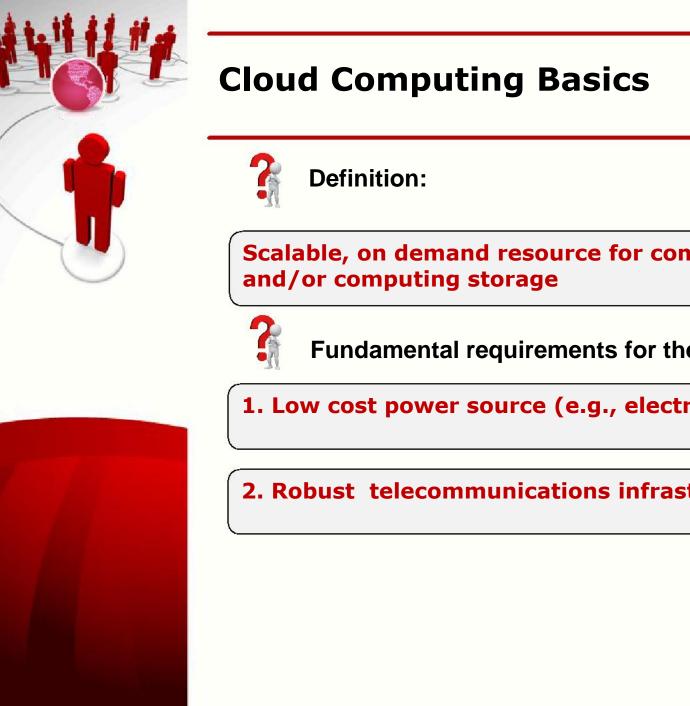
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Scalable, on demand resource for computing power

Fundamental requirements for the provider:

1. Low cost power source (e.g., electricity)

2. Robust telecommunications infrastructure

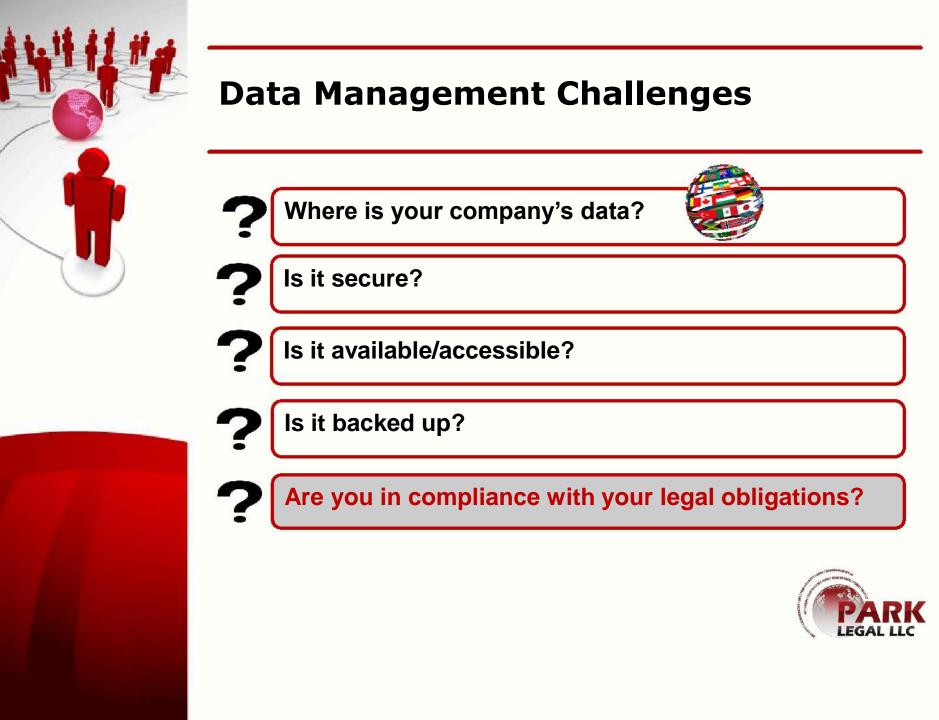


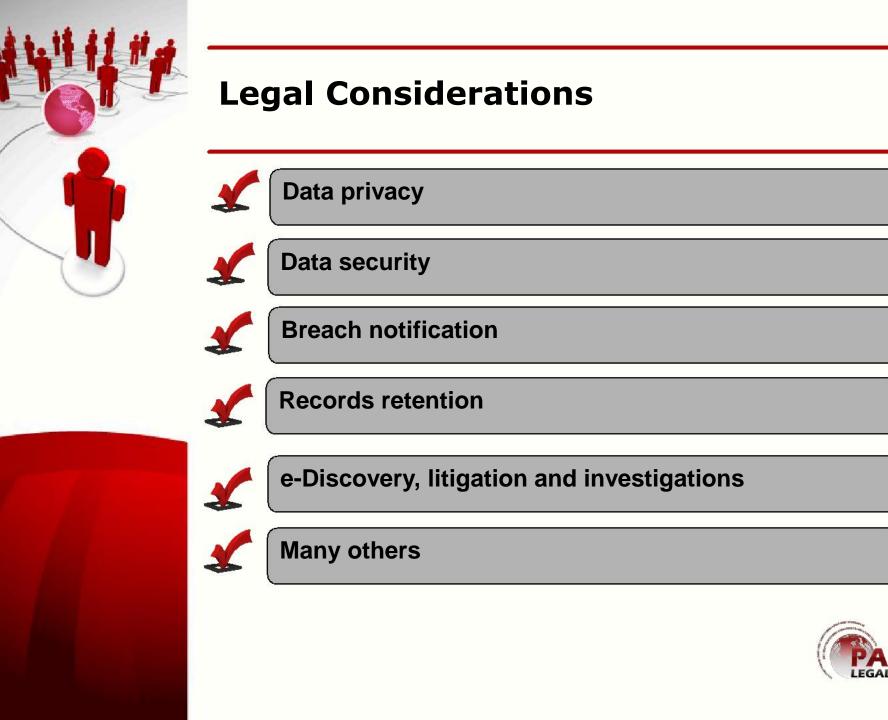


Competitive Advantage Drivers











Legal Considerations - Examples



Clinical Research Requirements



Patient Data Requirements



Human Resource Data



Cardholder/Customer Data



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Business Data





Recommendations



- Know the geographical location of the data storage, and ensure that the provider will not store/move data to another country without written permission in advance.
- Understand how the cloud provider secures the data and how the provider detects and reports a compromise.
- Know the situations in which a third party or a government can seize the data from the provider. The provider should provide advanced notification of such event.
- Ensure that the cloud provider appropriately protects the data as specified by your agreement, and in accordance with applicable laws such as HIPPA-HITECH, PCI, etc.
- Address access by the provider and the provider's business partners. What types of intrusion detection are in place?
- Be sure that the data is encrypted in transit (and, to the extent warranted, at rest).
- Understand how the provider manages encryption for multiple consumers. Instead of a single encryption key for all consumers, the provider should use (at least) one key per client.
- Be sure that the provider logically isolates the data of your organization in such a way so as to prevent any unauthorized access, loss, misuse, modification, or deletion of the data.
- Verify that the provider destroys deleted data in such a way that it cannot be later recreated.
- □ Clearly address breach notification requirements and responsibilities in your agreement.





Conclusion

Remember that your organization is generally held responsible for the misdeeds of your employees... AND your vendors.







Thank You!

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