

Electronic Signature Security and Compliance in America

Certinal platform legality in America



WHAT USA COMPLIANCE DEMANDS

Intent to sign:

Signatories their intention to enter into such agreement and sign the agreement electronically.

Consent to do business electronically:

The contracting parties must clearly consent to conduct their transaction electronically. The Agreement between the Parties can include such consents in form of a standard or customized clause to capture the same.

Opt-out clause:

The contracting parties must have an option to determine whether or not they are willing to sign the agreement electronically. If they choose not to, they must be provided with an option to opt out. If the Party opts out, an alternative to manually sign the agreement with instructions to assist them shall be provided.

Signed Copies and Associated records:

The Parties to the Agreement shall be provided with the fully executed copies of the Agreement post-execution.

Record Retention:

The electronic document containing electronic signature must be stored and be an accurate reproduction, as a reference for anyone entitled to keep a record of such electronic document.



WHAT CERTINAL IS COMPLIANT WITH

Electronic Signatures in Global & National Commerce Act (ESIGN)

Enacted in 2000, legislated at a federal level that esignatures have the same legal status as handwritten signatures throughout the United States. reference for anyone entitled to keep a record of such electronic document.

Uniform Electronic Transactions Act (UETA)

In 1999, UETA provided a legal framework for the use of electronic signatures in each state. Applies to 48 US states.

Where are signatures accepted?

- ❖ Commercial agreements
- ❖ Purchase orders
- ❖ Non-Disclosure Agreements (NDAs)
- ❖ Invoices
- ❖ Service terms
- ❖ Purchase orders



Where legal signatures aren't accepted

- ❖ Cancellation of health insurance or life insurance
- ❖ Termination of health insurance or life insurance
- ❖ Termination of utility services
- ❖ Court orders
- ❖ Court pleadings
- ❖ Court notices



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