



Cloud Computing and Data Use Regulatory Considerations

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Agenda

- Introduction
- Business context for data in the cloud
- Organizational context for data in the cloud
- What exactly is “data in the cloud”
- Global regulatory considerations
- Case Study

Business context for data in the cloud

- What business problems are you trying to solve with cloud computing?
- What business goals do you want to achieve?
- At what level of investment?



In other words, what is the business case for cloud computing in your organization?

Organizational context for data in the cloud

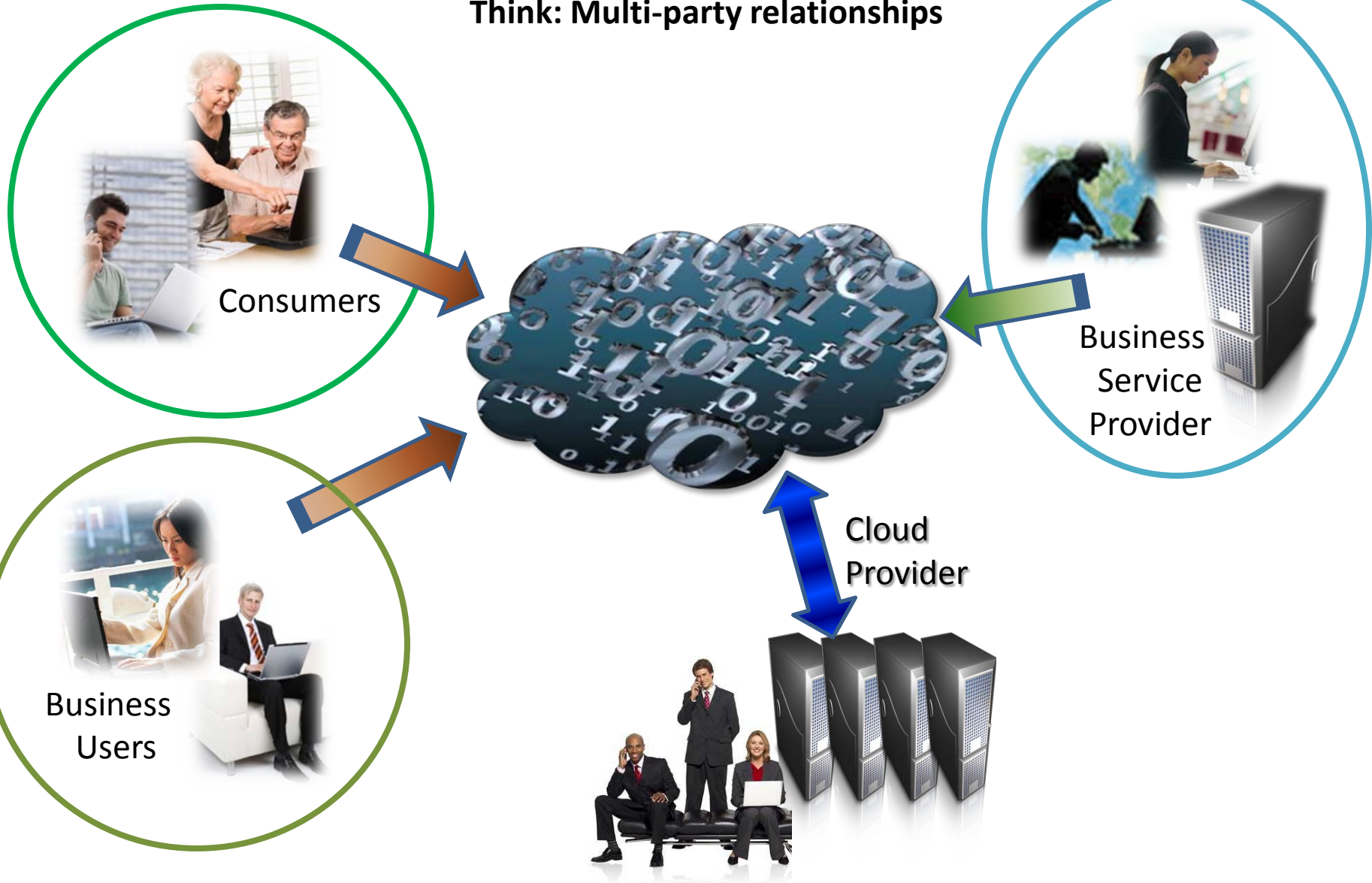
- Is your organization a user of cloud computing?
- Is your organization a provider of cloud computing?
- Both?



The data use considerations vary depending upon your organizational context

Organizational Context for the Cloud

Think: Multi-party relationships



Data in the cloud

Whose data is it?

- Your organization's?
- Your employees'?
- Your customers'?
- Their customers', their employees'?
- Your partners'?

What type of data is it?

- Identifiable? Sensitive or not?
- IP, trade secrets?
- Transactional?
- Anonymous/de-identified/aggregate

Who gets to use it? Under what circumstances?

- Rights of the individual
- Rights of the cloud computing user
- Rights of the cloud computing provider
- Third party interests?

Where is the data?

- State/country makes a difference
- Where did the data originate?
- Where is it stored, accessed?

Regulatory Context for the Cloud

Think: Multi-party relationships



Governments



Business
Service
Provider



Law
Enforcement



Cloud
Provider

Global Regulatory considerations

Think strategically and long term

- Define shared or well-understood business goals
- Understand the benefits, risks and limitations
- Alignment between CIO, CPO and CISO/CSO

Define the expected, allowed and prohibited uses of data

- Contracts and Service Level Agreements
- Security management and controls
- On-site verification/assessment
- Know where the data will be – logically and geographically

Prepare for change

- Have a plan for when the relationship changes or ends
- Have a plan for business continuity/disaster recovery
- Have a plan and process to respond to government and/or law enforcement requests



Data Use Case Study

A Santa Clara-based cloud computing provider “Cloudster” has just completed next year’s operations plan, which calls for:



- Adding capacity through a new data center in Singapore
- Increasing revenue through monetization of hosted data

What are the data use considerations for the Cloudster?

What are the data use considerations for their customers?