

## You know it's true, but can you *prove* it?

A client claims they never authorized the transaction you just executed. A contract gets signed and one or two key terms are unknowingly altered, and you don't find out until it's too late. Someone accuses you of stealing their intellectual property and pursues litigation. All of a sudden you find yourself in court or under a regulatory audit, having to prove the legitimacy of the files in question — you have to prove that your copies are the “real” ones. You know you have nothing to hide because you're honest and you hope your records are accurate, complete and prudently stored. But then your evidence is thrown out of court as “inadmissible” because you can't prove that you haven't tampered with your own files or you cannot refute claims by opposing counsel that your records are not reliable.

Think it can't happen to you? Well, that's exactly what happened to American Express in a recent federal case where they were the plaintiffs. The judge ruled that the company could not admit its own electronic records as evidence unless it could demonstrate their authenticity. Amex lost the case — and to add insult to injury, the winning defendant didn't even show up in court!

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“If it is critical to the success of your case to admit into evidence computer-stored records, it would be prudent to plan to authenticate the record by the most rigorous standard that may be applied.”

— Honorable Paul W. Grimm  
Chief United States Magistrate Judge  
US District Court, Maryland  
*Lorraine vs. Markel Insurance Company, May 4, 2007*

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Regulators know that virtually any of your electronic documents — even records within “trusted” trading & accounting systems — can be easily modified, especially by insiders with “admin” access to the applications. And even your clients understand how easy it is to forge an email or modify a timestamp. So how in the world are you supposed to be able to prove to them — or to a third party — that you haven't tampered with your own records? How do you prove to a judge or regulator that a client did, in fact, instruct you to take a specific action at a specific point in time?

### Proving document integrity: What works — and what doesn't

Traditional security controls attempt to prove by inference that a given set of electronic records are reliable. The argument goes, if the perimeter can be shown to be reasonably secure and the procedures and controls of the enterprise proper, then the electronic records of the business in question should be assumed to be reliable. However, this approach is costly, time-consuming and often doesn't work. That's because modifications to data are almost always possible no matter how strong or effective the controls may be. Insiders with unlimited access privileges are almost always present. Data often will move from strongly controlled environments to weaker ones throughout its lifecycle, creating a complex chain of custody that is difficult to follow — let alone assert effective protection at all stages. Because of these realities judges and regulators tend to distrust electronic records and with increasing frequency are not admitting them into evidence unless a foundation of authenticity is demonstrated. And that can cost you the case — and a lot of money.

What you need is a legally airtight method that thwarts fraud, provides an undeniable record of good enterprise conduct, and repudiates false claims against you or your company.

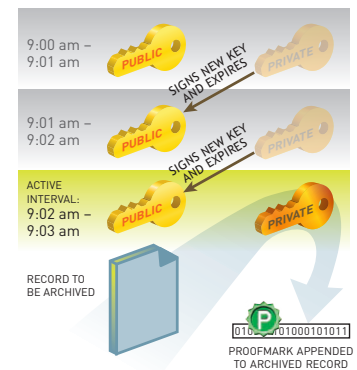
## Give your files a firm legal footing

ProofDoc™ seals your electronic files creating a legally robust system that prevents fraud, provides an undeniable record of good conduct and repudiates false legal claims against your company. Our solution helps you detect and deter malicious behavior and substantiate your firm's good conduct to regulators and courts of law. Files such as videos, photos, graphics, records, spreadsheets and any other type of documents are given a self-authenticating cryptographic seal. The seal acts as a "meddle meter" based on provable time-reference data that's impossible to manipulate even by trusted insiders. No matter where your data is stored or who has access to it, ProofDoc™ offers irrefutable evidence that the contents of your records have not changed since its seal was applied. ProofDoc™ offers confidence and peace of mind knowing your information is firmly protected.

What makes our solution so unique is that our software provides irrefutable electronic evidence of activities and not just identities, thereby eliminating the need to rely on expensive third-party certificate authorities. And it's ideally suited for small businesses that primarily use Windows applications. The solution can even help your business comply with the ANSI X9.95-2005 specification for Trusted Time Stamp Management and Security, HIPAA, and Sarbanes-Oxley.

## The ProofMark Transient Key™ Technology

- In ProofMark's Transient Key system, each time interval generates its own RSA key pair.
- As records are stored or archived, they are signed by the active time interval's RSA private key.
- When an interval is about to expire, it signs the new interval's RSA public key; the new keypair goes "on duty" and the old private key is destroyed.



### Key Features

- Provides self-validating proof of time with cryptographic tamper detection
- Cryptographically strong chain of events which is virtually impossible to alter after the fact
- No secrets to protect, since private keys are destroyed
- Needs no outside certification authority or trusted 3rd party

For a more detailed technical explanation of patented ProofMark Transient Key technology, download a free whitepaper at [www.proofspace.com](http://www.proofspace.com)

## Benefits of ProofDoc include:

- ▶ Dramatically reduce court costs during eDiscovery, by eliminating the costly manual forensic investigation and expert testimony needed for "old-style" electronic document authentication.
- ▶ Seal and timestamp any file on your PC — or any file that you can download from the Internet.
- ▶ Embed document integrity safeguards directly into your existing business processes.
- ▶ Persistent control — travels with document, irrespective of where the information is stored, distributed or under whose control it has been.
- ▶ Easily detect tampering, accidental changes and any other unauthorized modification.
- ▶ Peace of mind for you and your clients. No more worries about having to prove the authenticity of personal or business data.

## Here are just a few examples of businesses that can benefit from ProofDoc:

### Financial Advisors

- ▶ Protect your business, reputation and financial records.
- ▶ Prove to clients and regulators that you haven't tampered with records.
- ▶ Prevent future misunderstandings by sealing client instructions for safekeeping.

### Mortgage & Insurance Professionals

- ▶ Close deals faster by accelerating business processes.
- ▶ Generate an automatic audit trail to prove compliance.
- ▶ Drastically reduce faxes and courier expenses by going paperless.

### Law Firms

- ▶ ProofMark agreements as in-progress or as completed for accurate version control.
- ▶ Seal electronic evidence to guard against inadvertent changes or erasures.
- ▶ Prove to Judge and opposing counsel that documents are authentic and in the same state as when discovered.

### Life Sciences Companies

- ▶ Digitally seal and authenticate electronic lab entries.
- ▶ Prove that clinical trial results from a Principal Investigator have not been modified.
- ▶ Protect intellectual property with trusted timestamps.
- ▶ Get products to market faster by preventing costly FDA approval delays on e-submissions for new drug applications.

### Publishers

- ▶ Protect the IP of authors, playwrights and screenwriters.
- ▶ Prove precedence and "prior art" on your manuscripts and other published works.
- ▶ Avoid costly litigation by resolving disputes earlier, with iron-clad proof of your position.

### Real Estate Agents

- ▶ Secure and tamper-proof clients' bids.
- ▶ Show accurate property evaluations and tax statements for potential buyers.
- ▶ Avoid fraud by sealing all reports, surveys and electronic realty information.

For more information, call David McClellan, General Manager, Financial Services, at 312-933-8823 or email [sales@proofspace.com](mailto:sales@proofspace.com).