

## E-Discovery Compliance in an IBM Lotus Sametime Environment

### About FaceTime Enterprise Edition

FaceTime Enterprise Edition is a comprehensive solution for the security, management and compliance of real-time communications, consisting of user policy management, message hygiene, spyware prevention and targeted remediation, archiving for compliance, blocking unauthorized usage, and protecting the network against sophisticated user workarounds.

### KEY FEATURES

- Anti-tampering mechanism validates conversation integrity
- Easy identification and retrieval of specific IM conversations
- Reports on IM usage, security and compliance violations, transcript reviews
- Report generation, scheduling and delivery
- Disclaimers sent inline and audited
- Disclaimer display control at the IM network and group levels
- Files captured shown in conversation review
- Group level policy configuration enables real-time ethical boundaries
- Guaranteed message order preservation
- Selective or global retention and archival of files in database
- Enforcement and validation of audit trail
- Seamless integration with major email compliance and WORM storage systems
- 360-degree audit of all users including system administrators and content reviewers

***"Many companies aren't even aware of the new e-Discovery requirements... this could cost them billions of dollars if they don't get up to speed quickly..."***

- Debra Logan,

Vice President of Research, Gartner

### Value and Risks of Enterprise Instant Messaging

Enterprise Instant Messaging (EIM) solutions like IBM's Lotus Sametime provide a unified communication and collaboration platform that delivers key productivity benefits through expanded use of IM, peer-to-peer (P2P) file sharing, online conferencing, and voice over IP (VoIP) applications in the enterprise.

However, as hackers turn their attention from email and web channels to these more vulnerable real-time communications channels, enterprises are increasingly at risk from inadvertent disclosure of intellectual property, confidential information leaks, and copyright infringement from illegal file sharing.

In addition to the security risks, enterprises increasingly find that they must treat the storage and archival of IM and other real-time communications records in the same way as they treat email storage and archival. All such records must be logged, archived, and auditable to comply with compliance requirements. While Sametime provides for basic IM conversation capture and storage, it does not support archiving to a central messaging store, granular audit trails and tamper-proof mechanisms required for retrieval and handling under newly-expanded electronic records compliance legislation (eDiscovery).

### Meeting e-Discovery Requirements

Effective December 1, 2006, a number of revisions were made to the Federal Rules of Civil Procedure (FRCP) pertaining to electronic records, otherwise known as e-Discovery. These changes require organizations to manage their electronic data in such a way that this data can be produced in a timely and complete manner when necessary during legal discovery proceedings.

The amendments address key issues raised by electronically-stored information (ESI), which covers any and all information that can be stored electronically – including email, instant messaging threads, Skype chats and other forms of electronic communication. Preserving electronic evidence requires IT action because routine storage and archiving operations can alter and destroy such evidence.

The changes reflect the reality that discovery relating to ESI is now a routine aspect of litigation. Key FRCP amendments relating to the availability and accuracy of electronic records broaden the definition of ESI and explicitly make it discoverable.

New provisions of the FRCP require companies involved in litigation:

- To be prepared to discuss how and where they store their ESI early in the pretrial proceedings
- To preserve their ESI in a compliant manner and produce it with specified metadata intact.
- To produce their ESI quickly according to discovery timelines.

### Risks of Non-Compliance

E-Discovery rules affect every type of company in every industry, and every type of electronic communication. The consequences of non-compliance can be severe, as evidenced in a May 2006 case against Morgan Stanley in which the firm agreed to pay \$15M to settle a civil lawsuit with the SEC over failure to produce tens of thousands of electronic messages.

Without an appropriate technology solution in place, enterprises must resort to expensive, resource-intensive, manual processes, such as hiring paralegals and database administrators to reconstruct transcripts from logs and raw dumps of conversations in the event of litigation. If a retention request is received, companies may find themselves scrambling to begin a process of archiving electronic information with insufficient advance planning.

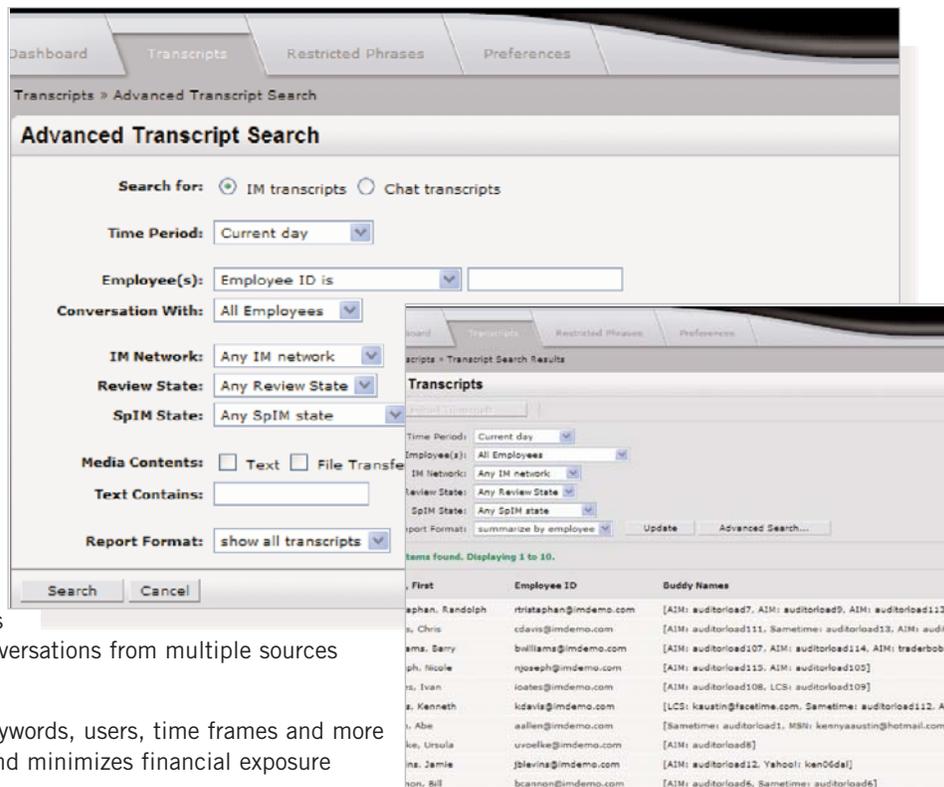
The optimal solution would be to log and archive any business communications as and when they happen, and to have the capability to retrieve those communications in a fast and efficient manner.

## HOW FACETIME CAN HELP

FaceTime Enterprise Edition for IBM Lotus Sametime is the leading solution to secure and manage real-time communications and ensure that the use of IM and other real-time communication applications complies with corporate security policies and government regulations.

In an integrated, collaborative communications environment like IBM Lotus Sametime, it's vital that storage and archiving supports the compliance requirements for all messaging types supported by Sametime - email, IM, and conferencing chat logs, P2P conversations, and more. FaceTime's real-time communications security and control solutions are designed to help companies do exactly this:

- Centralized, tamper-proof recording and archiving of all IM conversations and file transfers
  - Reduce costs from having to piece together conversations from multiple sources
  - Leverages existing storage infrastructure
- Easy retrieval of stored information based on keywords, users, time frames and more
  - Ensures ability to meet e-Discovery deadlines and minimizes financial exposure
- FaceTime's Real-Time Guardian (RTG) appliance can enforce company IM usage policies
  - Prevent the inclusion of inadvertent IM and other chat records as part of e-Discovery



## Additional FaceTime Benefits for Lotus IBM Sametime environments

### IM Hygiene

- Authentication and authorization services
  - Policies at company, group and user levels
  - Group-level ethical boundaries
  - IP-address-based access controls
  - Policies cover access controls and monitoring options
- Spam over Instant Messaging (SpIM) protection
  - Content-based black lists, white lists, and custom rules
- Malware control
  - Leverage existing anti-virus infrastructure
  - Support for Symantec, McAfee, Trend, CA, ClamAV, Kaspersky, Sophos
  - Stops bots from spreading over IM

### Control of IM services

- Apply and enforce usage policy, including non-circumvention
- Monitoring and management for more than 40 IM services and 65 P2P networks, including tunneled IM services and Skype

### Content leakage controls

- Policies at company, group, and user levels
- Ability to specify rules for file size/type
- Detect and block words, phrases, and full regular expression

### Ease of Deployment and Operations

- Flexible OS and DB platform-neutral deployment architecture in the LAN
- Co-exists with standard IT infrastructure - firewalls, load balancers, email, and proxy servers
- Load-balances among redundant/standby directory, database and corporate proxy servers
- Plug-and-play deployment at network perimeter with purpose-built hardened configuration
- Automated protocol and threat protection updates

## More organizations choose FTEE as an essential complement to Sametime because it provides:

- Standardization on Sametime by blocking unauthorized IM and P2P connections
- Enterprise-wide security, management, and control of all IM traffic
- Guaranteed day zero worm protection and SpIM (Spam over IM) blocking
- Real-time content filtering and keyword matching to prevent disclosure of proprietary information
- Compliance with corporate policy and government regulations
- Enhanced IM management functions and reporting tools beyond those provided by Sametime
- Enterprise-class performance, scalability, and flexibility

### Visit <http://www.facetime.com> for:

- E-Discovery white paper from Osterman Research
- FaceTime Enterprise Edition datasheet
- FaceTime Enterprise Edition for IBM Lotus Sametime white paper