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**REGULATION OF CLOUD COMPUTING AND EMERGING
CONTRACTUAL PRACTICES OF CLOUD SERVICE PROVIDERS**

by

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Abstract

Cloud Computing became one of the most significant technologies that is closely related to such areas as e-commerce, data protection, data turnover, Big Data and the Internet of Things. Being created in the middle of different legal spheres, Cloud Computing – mostly because of its trans-boundary nature of the technology itself – became international, not as a subject of international law, but as an internationally consumed service. The users who are not limited by the localization of the provider now can access to the cloud from everywhere, so the service consuming stepped over the national markets to the international fields. Its technological and economical benefits, that allow the consumers not to be strictly dependable on the hardware, increases the popularity of the service. But, at the same time, Cloud Computing providers and consumers face the bunch of problems, most of which arises from the point that the law of “traditional” hard technologies seems not to be a good regulation for it.

This thesis seeks to analyze the issues of Cloud Computing regulation. Starting from a brief overview of clouds as some IT phenomena, the thesis moves to the questions of uncertainty of the legal regulation, that are concerning the individual rights (such as right of privacy, data security, etc.) and the jurisprudence issues. The different approaches that addressing such issues are discussed through the prism of the most applicable legal acts (national and International).

In the next parts contractual emergency practices are discussed, and the analysis of about 30 standard-term contracts from world-wide known large cloud providers (Apple, Google, etc.) and national-orientated providers is made. The examination of the different contracts, also of the contracts clauses and legislation rules has been done, during which some important issues and challenges are raised. In the last part of the thesis, the comparative research of the Russian Federation’s cloud legislation is made, to highlight the same main points of Cloud Computing law – the legislative part and the contractual differences, that have some significant points that should be mentioned.

Table of Contents

Chapter I. Introduction	9
1.1. Background	9
1.2. Research Objectives and Research Questions.....	10
1.3. Sources of Research and Literature Review.....	12
1.4. Chapter Layout.....	14
1.5. Scope and Limitations.....	16
1.6. Methodology.....	16
Chapter II. An Overview of Cloud Computing.....	18
2.1 Concept of Cloud Computing	18
2.1.1 Definition of Cloud Computing.....	18
2.1.1.1. National Institute of Standards and Technology (NIST) Definition.....	19
2.1.1.2. Academic Cloud Computing Definitions.....	19
2.1.1.3. United Nations Commission on International Trade Law Definition.....	20
2.2 Basic Characteristics of Cloud Computing.....	21
2.3. Cloud Computing Programming Models and Components.....	22
2.3.1 Cloud Computing Service Models.....	23
2.3.2. Cloud Computing Deployment Models.....	24
2.3.3. Technological and Non-Technological Components of Clouds.....	25
2.4 Perspectives of Cloud Computing.....	27
Chapter III. Regulatory Issues of Cloud Computing.....	30
3.1. Data Protection Regulation in Cloud Computing.....	31
3.1.1. Personal Data Legal Concept in European Union.....	32
3.1.2. EU Data Protection Directive 1995.....	32
3.1.3. UK Data Protection Act 1998.....	34
3.1.4. Data Protection and Cloud Regulation in the US: General Overview.....	37
3.1.5. Health Insurance Portability and Accountability Act.....	38
3.2. Personal Data Identification Regulation.....	39
3.2.1. Anonymized or pseudonymised data.....	40
3.2.2. Encrypted data.....	41
3.2.3. Sharing and fragmented data.....	41
3.3. Cloud Computing Jurisdiction and Regulatory Issues of Law Enforcement Access.....	44
3.3.1. Apple Incident of 2016 and Incident's Legal Background.....	44
3.3.2. Convention on Cybercrime 2001 and Jurisdiction.....	46
3.3.3. US Patriot Act.....	49
3.3.4. International Safe Harbor Privacy Principles.....	53
3.3.5. National Law Approach to Cloud Computing Regulation.....	55
Chapter IV. Cloud Computing Contracts and Emerging Contractual Practices in Cloud Computing Providing.....	60
4.1 Types of Cloud Contracts.....	60
4.1.1. Standard (Standard-Term) Contracts.....	60
4.1.2. Negotiated Cloud Contracts.....	61
4.1.3. Public Sector Cloud Contracts.....	62
4.2. General Characteristics of Cloud Contracts.....	63

4.2.1. Forms of Accepting Cloud Contracts.....	64
4.2.2. Ending of Cloud Contracts.....	66
4.2.3. Applicable Law Contract Terms.....	67
4.2.4. Jurisdiction and Arbitration.....	69
4.3. <i>Protection of Information in Cloud Contracts and Data Handling Practices</i>	70
4.3.1. Data Ownership in Clouds and Related Issues.....	72
4.3.2. Data Preservation and Data Removing from Clouds.....	74
4.3.3. Disclosing Data Practices.....	76
4.4. <i>Contractual Liability and Responsibility in Clouds</i>	77
4.4.1. Direct and Indirect Liability of a Cloud Provider.....	79
4.4.2. Liability in Regard to Cloud Content – Intellectual Property Issues.....	80
4.4.3. Aereo Case and Controversy in Cloud Providers’ Liability.....	82
Chapter V. The Russian Federation Regulatory System Related to Cloud Computing and Local Emerging Challenges Arising from the Technology.....	85
5.1. <i>Overview of Cloud Technology Perspectives in the Russian Federation</i>	83
5.2. <i>Governmental Regulation of Cloud Computing</i>	87
5.2.1. Definition of Cloud Computing in Russian Law and Studies.....	88
5.2.2. Cloud Computing for Public Authorities and Its Regulation.....	89
5.3. <i>Cloud Providing for Public and Contractual Practices in the Russian Federation</i>	93
5.3.1. Civil Law and Freedom of Contracts.....	94
5.3.2. Types of Cloud Contracts in the Russian Civil Law.....	95
5.3.3. Other Challenges in the Russian Cloud Providing.....	98
Chapter VI. Conclusion.....	100
BIBLIOGRAPHY.....	105
Annex I: Cloud Contracts.....	119

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