



Backing up is the Law

Data loss is more than just a technical problem -
It is now legally mandated by all countries

Some Guidelines and Laws for Backup:

- IAS (International Accounting Standards)
- SOX (Sarbanes-Oxley Act of 2002)
- Basel I/ Basel II
- HIPPA (Health Information and Privacy Protection Act)

The Causes of Data Loss Are Many -The Risk of Data Loss is High

Contrary to popular belief natural disasters are only a minor reason for data loss. In fact, three quarters of all damage events are caused by hardware failure and maintenance errors.

Typical reasons for breakdowns are*:

- 44% Technical (under voltage, higher voltage, disc crashes, etc.)
- 32% Human error (handling errors, theft, sabotage, etc.)
- 14% Software
- 7% Viruses (Bootsector-Viruses, Trojan, polymorphe Viruses)
- 3% Natural disasters (lightning, fire, floods)

(*Source: Gartner Research)

Consequences of Data loss

There are always enough reasons to give thought to data protection and data availability. Whether you're trying to prevent loss due to carelessness or a complete server failure, designing a strategy for data backup and recovery is part of every manager's legal and fiduciary responsibility. Sensitive data loss can lead at the very least to embarrassment and damage to a firm's reputation. It can impact profitability and interfere with the day-to-day conduct of your business, but serious corporate malfeasance can lead to expensive lawsuits, fines and even jail sentences.

Facts you should know about data loss**:

- Average cost per data malfunction: 2,4 Mil.
- 28 % of data loss are caused by lost or stolen laptops
- Businesses that had data losses lost 3,24 % more clients compared to normal fluctuation

(**Source: IT-Grundschutz 2009/2)



Legal Consequences of Data Loss:

Insurance companies will not pay compensation if there is no effective backup solution in place!

„The compensation is calculated from the restore cost of the data and from the lossof profit.“

(Verdict Dec. 08 Az: VI ZR 173/07 6th Senate, Federal Court of Justice)f)

Data backup is required legally and has been a common self-evident part of IT-Compliance for a long time. If data is erased by fault the existing obligation to backup alleviates liability. Depending on the individual case, no compensation can be demanded from the person responsible for the loss if availability of the data was not guaranteed by using a qualified backup solution.

Financial Consequences of Data Loss

The renowned Ponemon Institute of Michigan reported results of a study conducted to determine the financial cost pertaining to data loss. Businesses surveyed reported that data loss expense ranged from 267.000 Euros to 6,75 Million Euros. The loss to your business may not be measurable. Loss of customer trust can be of even more devastating to a firm's reputation and its ability to survive today's complex economy and legal landscape.

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