

The Cloud Act. What you need to know!

What's the Cloud Act?

The Clarifying Lawful Overseas Use of Data Act (Cloud Act) is a United States federal law enacted in 2018 to allow the law enforcement authorities to timely access to electronic data stored or held by cloud service and communications-service providers (for instance, cloud computing providers), even if they are not stored in the United States. The data that may be accessed to as a result of the Cloud Act include personal and non-personal data (e.g. email communications and attachments).

The Cloud Act is applicable to companies that are subject to the US jurisdiction, such as, American companies and their subsidiaries over the world and also to the subsidiaries of non-American companies, located in the United States territories, which have possession, custody, or control over information regarding a customer.

“A provider of electronic communication service or remote computing service shall comply with the obligations of this chapter to preserve, backup, or disclose the contents of a wire or electronic communication and any record or other information pertaining to a customer or subscriber within such provider's possession, custody, or control, regardless of whether such communication, record, or other information is located within or outside of the United States. ”

How law enforcement authorities can request customer content?

The authorities need a search warrant or a court order from a U.S. judge, which is granted when there is a 'probable cause' that the information constitutes evidence for an ongoing investigation. This corresponds to the standard procedural safeguards applicable to criminal investigations. No any additional guarantee is required in consideration to the fact that the requested data are not located on the U.S. territory.

GDPR Vs the Cloud Act- A conflicts of laws!

Transfer of personal data in the U.S. can only be lawful if it complies with the rules laid down by the European regulation "GDPR" (e.g. purpose limitation or data minimization) and especially, the rules adopted to specifically address disclosures compelled by non-EU states pursuant to Article 48. Following the Article 48 of the GDPR, the transfers or disclosures of personal data to third countries authorities is authorized by Union law only if it's based on an international agreement ; which means that the European country where the data is stored must be informed of the data access request and it should be done within an international agreement signed between the two countries to avoid law conflicts.

Although Article 48 specifies that derogations may apply, there is no legal certainty as to the one that may ensure the lawfulness of the transfer and the absence of conflict of laws.

This situation makes it almost impossible for a cloud service or communications-service providers refusing transfer of data to U.S requesting authorities.

What does that mean for STREAMWIDE?

STREAMWIDE is a French company based in Paris with six subsidiaries including one located in the U.S. The US customers are managed locally and all the data related to them is stored in datacenters based in the U.S. However, the data related to the non-American customers are exclusively stored in our datacenters based in France which means that our customers' privacy is protected by the European regulation "GDPR". Only the European team have possession, custody, and control over information regarding these customers.

Secure your communications and protect your data is our highest priority.

We believe that the privacy of our customers and their users is a fundamental right. That's why we provide them with a high level of security and we protect their data with advanced encryption solutions and security protocols. We believe that they should maintain total control and possession of their data stored in our datacenters.

ABOUT STREAMWIDE (Euronext Growth: ALSTW)

A major player for 20 years in the critical communications market, STREAMWIDE has successfully developed its **Team on mission** (mission critical) and **Team on the run** (business critical) software solutions for administrations and businesses. These solutions for smartphones and PCs, offered in a SaaS model or on Premise, benefit from numerous functionalities such as the multimedia group discussions, VoIP, push-to-talk (MCPTT and MCx new generation 4G / 5G LTE), geolocation, digitization and automation of business processes. These innovative solutions meet the growing needs for digital transformation and real-time coordination of interventions. They allow field teams to transform individual contributions into collective successes and to act as one in the most demanding professional environments.

STREAMWIDE is also present on the Value-Added Services software market for telecom operators (visual voice messaging, billing and charging of calls in real time, interactive voice servers, applications and announcements) with more than 130 million end users all over the world.

Based in France and present in Europe, USA, Asia and Africa, STREAMWIDE is listed on Euronext Growth (Paris) – ALSTW FR0010528059.

For more information, <http://www.streamwide.com> and visit our LinkedIn pages [@streamwide](#) and Twitter [@streamwide](#).

