Frequently Asked Questions
about e-Signing & DocuSign
for business partners

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e-signing with DocuSign

What is DocuSign?
DocuSign has now established itself as a leading e-signing platform which allows you simply, efficiently and securely to upload documents and contracts electronically and to sign them in a process provided for the purpose. For more information about DocuSign, see www.docusign.co.uk.

What are the main advantages of signing documents and contracts electronically?
Signing documents electronically offers advantages for everyone involved:

- **It saves time**: Contracts can be signed very easily and quickly and, up to a point, anywhere from any device with an Internet connection.
- **It reduces postage, printing and paper costs and is good for the environment**: Printed contracts do not have to be sent by post and scanned.
- **It provides security and makes things legally binding**: The platform meets the requirements of the eIDAS Regulation and certified standards in the USA and Europe, so that the information is protected, encrypted and secured.
- **It creates transparency**: The current status of a contract can easily be tracked by all parties involved, so that no documents get lost and no data go missing.
- **It enhances ease of use**: The web-based DocuSign user interface is very straightforward and user-friendly. Simple explanations guide the signatory through the process.
- **It increases efficiency**: Contracts can be processed electronically and stored directly without additional manual steps. This reduces administrative effort, allowing you to focus on more important tasks.

e-signatures – definition and use

What is an electronic signature?
Electronic signatures or e-signatures make it possible to legally sign digital documents and replace the handwritten signature on paper in the cases permitted by the legislator or contracting parties. Electronic signatures describe a wide category of methods that are used for the electronic signing of documents. The European eIDAS Regulation defines the electronic signature as data in electronic form which are attached to or logically connected with other electronic data and which the signatory uses to sign.

What can e-signatures be used for?
e-signatures can be used for all contracts, offers or written documents exchanged between two companies for which the applicable law is EU or US law, unless the written form is expressly required by law or e-signatures are expressly excluded by contract.

Are electronic signatures legally binding?
Electronic signatures or e-signatures with DocuSign are legally binding for almost all business transactions throughout the EU and the USA. DocuSign complies with the strict regulations of the eIDAS Regulation in the EU and the ESIGN and Uniform Electronic Transactions Act in the USA.
eIDAS, the "Regulation on Electronic Identification and Trust Services for Electronic Transactions in the Internal Market", came into force in all EU Member States on 1 July 2016. The decisive factor for legal validity is the applicable law (place of jurisdiction) for the underlying contract and not the registered office of the parties.

Are digital signatures the same as electronic signatures?
Electronic signatures or e-signatures are a wide category of methods for signing documents. A digital signature is a type of electronic signature that uses a specific technical implementation. Providers of digital signatures such as DocuSign comply with the PKI (Public Key Infrastructure) protocol.
Both signatures, digital and electronic, make it possible to sign documents and authenticate the signatory. But the purpose, technical implementation, use in certain regions and cultural and legal acceptance of signing documents digitally or electronically and authenticating the signatory vary.

What kind of electronic signature does DMK use?
The eIDAS Regulation (Regulation on Electronic Identification and Trust Services in the EU Internal Market) defines three different types of electronic signatures: simple, advanced and qualified electronic signatures. DMK uses the simple and qualified electronic signatures.

Does DocuSign provide sufficient data security?
DMK chose DocuSign because DocuSign complies with industry-leading best practices for securing data and transactions. Each electronic signature is unique, documentable, encrypted and forgery-proof. DocuSign ensures the confidentiality of all transactions and issues a certificate of completion for each completed transaction, thereby generating a comprehensive audit trail of the signature events. DocuSign has ISO 27001 certification.

What is the certificate of completion?
Sometimes, a comprehensive audit trail of the DocuSign transaction is required. The certificate of completion provides the complete audit trail for your DocuSign transaction. If a participant in the transaction doubts their is signature or there is any question about the transaction, then the audit trail can resolve such objections. This protocol is available to all participants in the transaction. The audit trail contains information such as the signatory's e-mail address, their name, the authentication method and the time-stamped IP address.

Are signed documents stored on the DocuSign platform forever?
No, DMK uses DocuSign only to execute the signing process. 90 days after the last signature completes the transaction, the documents are deleted from the DocuSign platform. Only the certificate of completion will be retained by DocuSign for another 10 years. All participants in the transaction will be informed about the deletion by e-mail.

Where does DocuSign store the data?
DocuSign has two different data rings, each with three data centres. One ring in the US and one in Europe with data centres in Germany, France and the Netherlands. The European DMK companies use the European data ring for the storage and processing of e-signatures.

Can DocuSign access the contents of the documents?
The documents are also encrypted in relation to DocuSign. Access to the contents of the documents is therefore currently excluded according to the state of the art.

Requirements for e-signatures

Does the contract between DMK and the partner have to be adapted for e-signing?
The use of e-signing with a simple electronic signature requires the partners to agree on "text form pursuant to eIDAS". If the written form has been agreed in existing contracts, e-signing can only be used after the conclusion of an amendment to the contract permitting the change of form.

Do I need to install additional software to sign with DocuSign?
No additional software installation is required to use DocuSign. You can view, check and draw documents in DocuSign with a standard Internet browser (such as Internet Explorer, Firefox, Chrome or Safari). DocuSign also offers a mobile app if required.

What are the costs for the signatory?
It is always free for the signatory to sign a document with DocuSign.

Do I need a personal DocuSign account to sign?
No, you don't have to register with DocuSign to sign documents electronically. The e-mail notification you receive from DMK via DocuSign will contain a link to the documents. You can use the link to check the documents and sign them electronically. If you want to use the DocuSign mobile app on your smartphone or tablet or to see the status of all your transactions at a glance, you can register for free with DocuSign and create a DocuSign account.

How do I authenticate myself with DocuSign?
DMK uses the simple electronic signature defined by the eIDAS Regulation. With this form, no further authentication is required. If you receive an e-mail notification from DMK via DocuSign in your e-mail inbox, no further authentication is necessary to sign.
DMK uses the qualified digital signature for certain transactions that still require the written form under German law or that DMK defines according to internal specifications.

Why doesn't DMK use the advanced signature with two-factor authentication?
An advanced electronic signature is created using electronic signature keys, which are assigned exclusively to the signatory and which they have under their sole control. These can include, for example, a PIN that is transmitted to the signatory's mobile phone once only for this one transaction. Since DMK assumes that, in the vast majority of cases, we do not or should not know the mobile phone numbers of the signatories, we do not consider this form of two-factor authentication to be practical. The industry standard is the simple electronic signature.

How will I be informed if I have to sign a document?
You will receive an e-mail notification requesting you to sign from DMK via DocuSign with a link to the document. With this link you can open the document, check it and also sign it electronically.

Why haven't I received an e-mail notification from DocuSign?
If you do not receive an e-mail notification from DocuSign, please check your spam filter. If the e-mail has been blocked, please change your settings to allow e-mails from DocuSign senders through your firewall (DocuSign EU System sender address dse@eumail.docusign.net).

Executing e-signatures

How do you sign with DocuSign?
With DocuSign, as the recipient of an e-mail notification, you click on a link using an Internet-enabled device (such as a mobile phone, tablet or computer) to open the document. Tabs and simple explanations will guide you through the signing process up to the point of confirmation of the electronic signature. Then click "Exit" to save the signed document. That's it!

Do I have to scan and upload my signature?
For electronic signatures with DocuSign, your scanned signature is <u>not</u> needed. But if you want your electronic signature to resemble a handwritten signature, you can use the DocuSign signature feature or upload a photo of your signature. But it's usually enough to use your name. You can use DocuSign to choose between different fonts to determine how your name should appear on the signature stamp.

Why is a fictitious signature placed under the document and not my scanned signature?
The signatory can choose to display their electronic signature with ready-made lettering from the DocuSign portfolio, with a touch pen on a touch screen, by using a computer mouse in their browser or by scanning their handwritten signature. The appearance of the signatory's name in the DocuSign signature stamp in the e-signature process is guided by the notion that a signature should include the written representation of the first and last name.
From a legal point of view, however, it is not the stamp with the signature under the document that is binding, but clicking on "Finish" on the platform. What is decisive is that DocuSign additionally signs the final documents and the certificate of completion with a digital certificate, thus ensuring that the documents cannot be changed during or after the signing process and that the transaction has taken place in accordance with the audit trail.

How can I integrate supplements to the signature, like pp. for instance?
Additions to the signature such as pp. are added to the name, i.e. you have to enter your name in DocuSign, for instance as "pp. John Smith" or specify it in the signature.

I received a DocuSign e-mail, but I'm not the signatory. Can I forward the signing request to the correct signatory?
Yes, it's possible to forward the request to sign to another person if you are not the signatory to the contract. When you open the document in DocuSign, you can use the "Assign another person" button to assign the request to the right person. Please do not forward the DocuSign e-mail notification, as the recipient of the e-mail will then be able to use the link to sign on your behalf with DocuSign.

How will I be informed if the contract has been signed by all signatories?
Once the contract is signed by all signatories, you will receive an e-mail notification from DocuSign informing you that the contract is ready. All signed documents and the certificate of completion will be attached to the e-mail.

How do I get the fully signed contract and the certificate of completion?
Once the contract is signed by all signatories, you will receive an e-mail notification from DocuSign informing you that the contract is ready. All signed documents and the certificate of completion will be attached to the e-mail.
You can also call up the link in the e-mail, which will allow you to download the signed documents and the certificate of completion from the platform.

Who can I contact if I have questions about the content of the document?
Please talk to your DMK contact person or the author of the document (e.g. Sales/Account Manager) directly.

Can I change the contract I'm supposed to sign?

After checking and before signing the contract in DocuSign, you have the option to add a comment if changes are necessary. You must then select the "finish later" option. Your DMK contact person or the author of the document (e.g. Sales/Account Manager) will be notified about the comment by e-mail so that the document can be changed. If you have rejected the document or one of the contracting parties has already signed it, it will no longer be possible to change the document.

Can I withdraw my signature or refusal?

No. Once you have completed and saved the process by selecting "Exit", the workflow will be documented on the DocuSign platform and it will no longer be possible to cancel or revoke it via the platform.

Qualified electronic signature

What is a qualified electronic signature (QES)?

The qualified electronic signature (Qualified eSignature, QES) is one of the three levels of electronic signatures regulated by the eIDAS Regulation. QES is the most secure level of electronic signature recognized by European legislation. Since the signatory has to provide proof of their identity in person, the QES is the only signature type in the EU that legally resembles a physical signature. Before a natural person can execute a QES on a document, the regulation requires the identity of this person to be verified in a personal conversation.

A qualified electronic signature includes a qualified digital certificate. This indicates that the identity check was carried out on site. The qualified certificates can only be issued by a Qualified Trust Service Provider (QTSP) authorised by the regulatory authorities to assess the QTSP security standards.

In which cases is the QES used?

The simple electronic signature is sufficient for most applications. However, in some cases, a QES is required for certain transactions under national law or by contractual agreement.

How is my identity verified?

The ID Check Remote for QES is a service from DocuSign that allows individuals to execute a QES on one or more electronic documents. This person (also referred to as "signatory") is identified via video chat by a subcontractor of DocuSign named Endow.

The signatory is identified by video chat when they use the service for the first time, and their identity reconfirmed every two years. This identification process takes about five minutes.

At the end of the video identification process, the signatory creates a "wallet account" by choosing a password. This password is used for each subsequent execution of a QES by the same signatory. This avoids the need to carry out the video identification again each time a QES is executed.

see also: https://www.youtube.com/watch?v=rpGpHC5ehns&t=13s

Are there any points/restrictions to be considered when identifying using IDnow?
- List of supported identity documents: https://go.idnow.de/bafin2017/documents
- Supported languages for the video identification interview: DE, FR, EN (default is based on the browser language chosen)
- Availability times for the video identification service:
  DE & EN calls: 8 a.m. to midnight CET 7 days a week
  FR calls: 8 a.m. to 9 p.m. Monday to Saturday
- A forgotten password or change of e-mail or mobile phone will require a new video identification.
- After the video identification, a second offline check is carried out: As a result, there may be a delay before the signed document is available. The signatory does not have to wait: they will be notified by e-mail as soon as the document is available.
- Some corporate networks or browsers may not support the video stream. In this case, the recommendation is to use the mobile app with a 4G connection.
- Identifications are only supported by the Chrome and Firefox browsers.

- Sending multiple files with the same names in one envelope is not supported by IDnow.
- The execution of digital signatures in a parallel sequence can lead to errors. Please make sure that you always specify the order of signing when using a QES in an envelope
- The wallet account is identified using the e-mail address. Please make sure that the signatory is set up with the correct e-mail address to enable wallet authentication in place of a new video identification

Further assistance

I have never used DocuSign. Is there a user guide?
Instructions for signatories can be found at https://dmk.de/en/footer/supplier-information.

Can I use DocuSign on my smartphone or tablet?
Yes, at any time if you can receive your e-mails on the devices and an Internet browser is installed.

Who can I contact if I have further questions?
If you have any further questions about e-signing or the process, please visit our website https://dmk.de/en/footer/supplier-information or read more information at https://www.docusign.co.uk/.