

EVENT FLASH

RenewData and Symantec Partner to Consolidate Legacy Data in Enterprise Vault as a Proactive Approach to Litigation

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IN THIS EVENT FLASH

This IDC Flash discusses the recently announced service from RenewData and Symantec.

SITUATION OVERVIEW

On July 15, RenewData and Symantec announced a bundled offering for migrating email in legacy backup media into the Symantec Enterprise Vault repository. This service-based solution is positioned to mitigate the risks and costs associated with finding and managing potentially responsive ESI from backup tapes into a centralized archive for legal discovery. This offering is intended to address the challenges corporations face when dealing with large collections of backup tapes. Prior to the 2006 changes to the Federal Rules of Civil Procedure for eDiscovery, many corporations did not make the distinction between their archiving and backup operations for business continuity; and used backup tapes to meet their operational objectives. Key details of the service announcement include:

- ☒ The Data Migration Service for Symantec Enterprise Vault is a bundled turnkey solution that converts, loads, and indexes historical data from backup tape directly into Enterprise Vault.
- ☒ Data is extracted from removable media, then email and file data are deduplicated and static operating system and application files are eliminated. The fully processed data is ingested, indexed, and stored in an Enterprise Vault archive, which is then installed on the client's Enterprise Vault system as a complete turnkey offering.
- ☒ Once migrated, customers can then apply uniform retention policies and legal holds to both legacy and live-captured data in Enterprise Vault. Electronic Discovery can also take place across all consolidated data for a more efficient and effective process.

This enhancement to RenewData's standard Data Migration service provides its customers with another option for managing their historical data. RenewData also has relationships with other content archiving vendors and recently announced an archiving service within its own datacenter to preserve and manage legacy data. (For more on this, see *RenewData Announces ActiveVault 4.0: Retention Management, Legal Hold and Early Case Assessment for Historical Data*, IDC #213144, June 2008.)

FUTURE OUTLOOK

This offering addresses a pressing need among corporations that have preservation and collection obligations involving massive volumes of backup tapes, and that are also serial litigants. Several IDC 2007 quantitative surveys point to this opportunity:

- ☒ An IDC 2007 study on corporate litigation trends spending suggests that historical data from backup tapes remains one of the top 3 targets for discovery.
- ☒ The same study also concludes that close to one-third of corporations that are in the process of deploying their litigation readiness programs are ingesting loosely managed unstructured data from tapes, network files shares, and endpoints into their content archives.
- ☒ A 2007 IDC study on active archiving indicates that 43% of organizations have plans to eliminate the use of backup tape for archiving.

The bundled RenewData-Symantec solution is positioned to address the requirements of organizations that have large volumes of potentially responsive ESI in their legacy tapes. These organizations would be looking to minimize their dormant liability by judiciously ingesting and preserving potentially responsive ESI into a legal matter content store that can be centrally managed and easily searchable; and, at the same time, demonstrate a legally defensible approach for getting rid of nonrelevant ESI.

There are several scenarios that would compel organizations to gravitate to this offering:

- ☒ This offering could be used tactically, where an organization needs to quickly restore data in its legacy tapes into a searchable format.
- ☒ The offering would also benefit organizations that want to proactively prepare for electronic discovery, as it consolidates all historical data for uniform management and access.

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- ☒ In the case of corporations that have been ordered to "retain everything indefinitely," the outside counsel could potentially utilize this offering to request the Courts to allow the corporation to start eliminating historical tape media. Under this scenario, an organization can utilize this offering in combination with RenewData's Backup Tape Liability Management Service to judiciously dispose of its thousands of legacy tape media, yet remain compliant with the Rule 37 (f) Safe Harbor requirements.
- ☒ There are also targeted opportunities among corporations that have intentions to move away from tape media and migrate into a disk-based, tiered storage infrastructure.

Companies that are considering this approach would need to clearly state that the resulting archive is a legal matter repository, and distinct from its existing operational archive. This means that archive access and security will be different. Employees will most probably not have access to their individual mail stores; and only authorized users such as legal technology operations, paralegals, compliance, and legal officers would have access. The resulting archive will most likely be a "read-only." The organization may also want to have the legal hold automation workflow, case management and review capabilities, data export and support for load files, and legal hold release workflow (including the removal of all related information from the index when the hold is released and the item is due for expiration) — functionalities currently available under the Symantec EV Discovery Accelerator agent.

RenewData and Symantec have had an ongoing partnership for the past three years. This announcement takes advantage of the RenewData technologies to extract and migrate legacy data in tape media into EV without having to do a PST-by-PST approach — thus enabling bulk ingestion. It also converts their previously opportunistic engagements into a bundled offering that takes advantage of both the process and technology lessons from prior engagements. RenewData has announced partnerships with Mimoso and AXS-One in spring 2008, so we should expect similar bundled offerings with these content archiving partners. This bundled solution also opens up opportunities for RenewData Backup Tape Liability Management Service offering.

From a go-to-market standpoint, this solution offering would appeal to the outside and in-house counsels, CIOs, and risk management officers that are most concerned about the corporation's potential liabilities from legacy data. This approach combined with RenewData's tape elimination and auditing services presents a legally defensible strategy for addressing these risks. Corporations evaluating this offering would have to weigh the costs of this solution against the costs and risks associated with its current "keep everything and only extract and restore when ordered to do so by the Courts" strategy.