

Litigation in E-Commerce: Proving a Case with Electronic Documents

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45 ATENEO L.J. 355 (2001)

SUBJECT(S): EVIDENCE, E-COMMERCE

KEYWORD(S): E-COMMERCE ACT, ADMISSIBILITY

The Lecture gives an overview of the effects to the rules on evidence of Republic Act No. 8792, entitled “An Act Providing for the Recognition and Use of Electronic Commercial and Non-Commercial Transactions and Documents, Penalties for Unlawful Use Thereof and for Other Purposes” [E-Commerce Act].

It discusses the status of electronic documents before the E-Commerce Act; the salient features of the E-Commerce Act relating to the rules on evidence; the requisites for the admissibility of electronic documents; the E-Commerce Act and the best evidence rule; the authentication of electronic documents; electronic signatures; the authenticity rule and its application on electronic documents; the E-Commerce Act and the parole evidence rule; and the evidential weight of electronic documents.

As a final remark, pieces of practical advice in presenting or impeaching computer-stored records are provided in the Lecture.