

Market Guide for E-Discovery Solutions

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E-discovery solutions serve the needs of digital discovery for investigative and legal matters. The risk of not having proper processes and technologies in place can lead to sanctions and excessive costs. This guide helps general counsel and IT leaders evaluate and select these solutions.

Key Findings

- Cloud e-discovery solutions are gaining momentum in the market with their ease of use, and more competitive and straightforward pricing structures.
- The e-discovery capabilities offered by Microsoft through its Office 365 Security & Compliance Center continue to attract interest, but these capabilities are still evolving.
- As the scope of data sources for e-discovery broadens, requirements to search and preserve data across both on-premises and cloud repositories become more onerous, which can lead to overinvestment in technology and processes.
- The e-discovery service market continues to see high merger and acquisition activities.
- The application of machine-learning technology in e-discovery has also become acceptable outside the U.S.

Recommendations

- Select e-discovery SaaS solutions strategically. Depending on the maturity of in-house e-discovery processes and teams, SaaS solutions may not be suitable for all matters.
- Engage service providers when necessary. Service providers are often best-positioned to handle "one off" high-stakes cases.
- When selecting an e-discovery vendor or solution, engage all stakeholders (at minimum IT and legal teams). If you plan to leverage Microsoft's e-discovery capabilities, you must assess and identify technology capability gaps against your process and needs.
- Leverage enterprise technologies (enterprise search and archive) and data connectors to search across all data sources. Take advantage of mobility management suite, endpoint data

management and other data connector solutions for mobile and social data preservation as well as legal hold needs.

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Strategic Planning Assumption

By 2021, cloud discovery solutions that can directly tap into Office 365 with built-in machine learning technology will be used in at least 50% of e-discovery projects, up from less than 10% today.

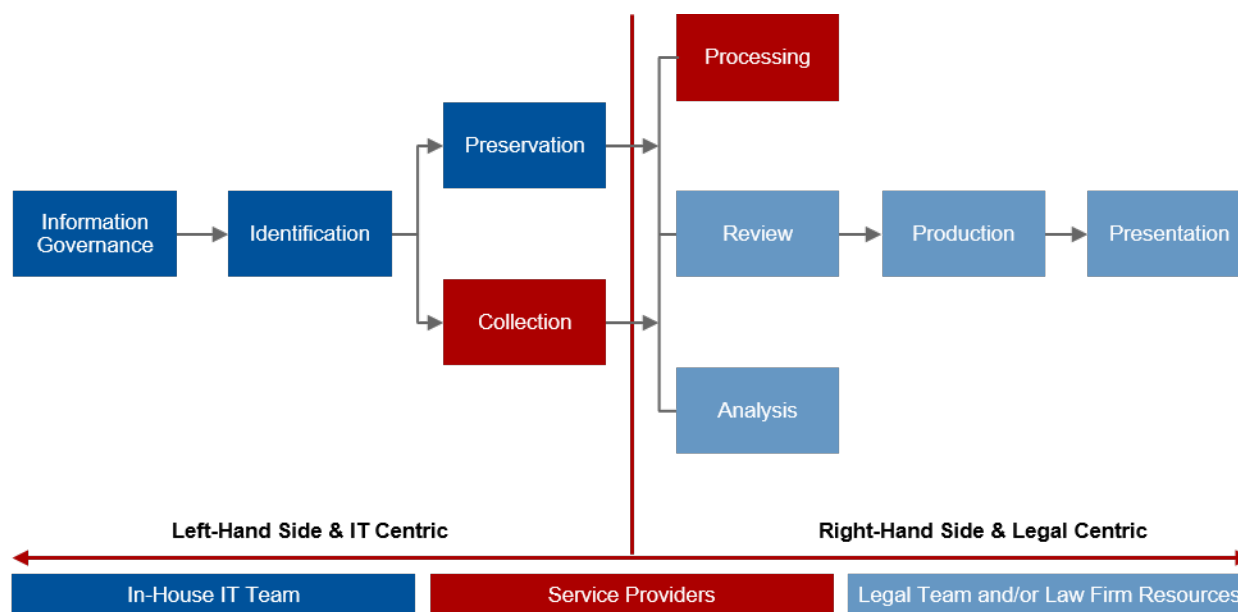
Market Definition

This document was revised on 21 July 2016. The document you are viewing is the corrected version. For more information, see the [Corrections](#) page on [gartner.com](#).

E-discovery solutions automate and facilitate the electronic discovery (e-discovery) process that includes the identification, preservation, collection, processing, review, analysis and production of digital data in support of the common law discovery process in litigation or other investigative proceedings (see Note 1).

To gain basic understanding of the typical e-discovery process, apply the Electronic Discovery Reference Model (EDRM) — an established and accepted framework by e-discovery practitioners (see Figure 1). Commonly, the "left-hand side" of EDRM is used to refer to the steps containing information governance, identification, preservation and collection, and the "right-hand side" refers to processing, review, analysis, production and presentation. This division of the two sides is primarily due to the different focuses of processes and engaged teams. IT teams usually lead tasks on the left-hand side, while legal teams (that is, litigation support, compliance, legal department, general counsel office) are responsible for the right-hand-side tasks. Accordingly, the technology solutions supporting the left-hand side are often familiar to the IT team and the legal teams are the typical consumers of the right-hand-side systems. For litigation matters, it is common to engage service providers and law firms for some of the work as well. In Figure 1, the color-coded boxes represent typical parties engaged in e-discovery matters. Successful e-discovery projects demonstrate efficiency across all teams that work in a collaborative and coordinated manner.

Figure 1. E-Discovery Steps and Parties



* Differently colored boxes only indicate the main responsible team but not in an exclusive sense.

Source: Gartner (June 2016)

E-discovery is typically project-based or ad hoc (as opposed to operationalized processes and tasks) and results from a trigger event. These trigger events include:

- Lawsuit (initiated by another party or oneself)
- Internal investigation (that is, employee filed complaint or other types of HR-related issues)
- Due-diligence process (that is, for potential merger and acquisition transactions)
- Investigations (that is, launched by regulators such as SEC, Department of Justice (DOJ), FINRA or state agencies)
- Freedom of Information Act (FOIA) requests
- Post-data-breach assessment (after a cyber event, assessing liabilities or anticipating law suits)

Depending on the nature of triggering events, not every e-discovery project needs to go through the entire EDRM process or follow the steps in the linear manner depicted in Figure 1.

Technology

Various technologies are available to automate and support e-discovery processes. Many are only targeting certain steps of the EDRM. The following five capabilities can be used to evaluate the range and strength of various e-discovery technology solutions:

- **ECA, Predictive Coding or TAR:** Early Case Assessment (ECA) is based on data analytics, often with advanced data visualization design. Predictive coding, or Technology Assisted Review (TAR), is machine-learning-based. Both are used to gain insight into data sources and facilitate culling the data being collected, preserved, processed and reviewed.
- **Forensic Data Collection:** The process of gathering electronically stored information (ESI) that could be potentially relevant to an e-discovery matter regardless of where the data resides. This capability ranges from being able to collect from various data sources (email, document, application, website content, voice, video, etc.) to various data hosts and storage media (server, hard drive, cloud, mobile device, backup tape, etc.). During the data collection process, data integrity must be protected. Collected data could be placed in a virtual repository, tagged in place (data stays in the original repository) or copied to a separate repository. This process, especially when involving device collection, can be intrusive, time consuming and costly.
- **Legal Hold Management:** A process used to preserve all forms of potentially relevant information after receiving an information record request issued by a government entity or anticipating an audit, investigation or litigation. Legal hold could be achieved in two ways: in place (content being tagged and held in its original repository) or collected (content being collected and copied/encrypted into a virtual container before loading into a processing/review system). Either way, the integrity of the held content is protected and the chain of custody is tracked through system auto-audit logs. As an adjunct to the hold process, legal hold has evolved to a complete business process that can include questionnaires, workflow and personnel tracking.
- **Processing:** Converting, reducing and ingesting data for legal review. The series of activities involved in processing include deduplication (mostly through hash values and indexing; either globally or by custodian) and rendering various data formats in load files to be viewable or required by downstream review platforms.
- **Review:** Evaluating ESI for relevance and privilege. The review technology is aimed to specifically support legal practitioners. Potentially relevant digital data is exposed through a set of workflows that enable legal professionals to tag the data for relevancy to the case in hand. The outcome is a production dataset with proper redaction for court or the original entity that requested them.

Services

E-discovery services typically include the following:

- Consulting (expertise in legal and technology capacities)
- Managed review (hosting technologies and providing legal review resources)
- Project management (litigation support and project coordination)

E-discovery projects can be costly, complex, unpredictable and unnegotiable. The number of e-discovery cases an organization has to deal with varies widely depending on its business sector and size. It is difficult for an organization to establish a repeatable process and gain efficiency if the

number of cases is small and random. Investing a complete set of in-house capabilities may not be cost-effective. Outsourcing or leveraging service providers for some of the cases can be strategic and sometimes the most viable solution.

Even for large organizations with a steady and high volume of e-discovery projects, combining in-house and service offerings can enable cost and risk control. In general, service providers are engaged to support the right-hand-side tasks (processing and review). Increasingly, large organizations take a hybrid approach. For example, having the same review technology in-house as well as retained service providers allow a case to move to the service provider without dealing with technology platform issues. The common practice has been to take care of average cases in-house and send extra volume or high-profile cases to service providers.

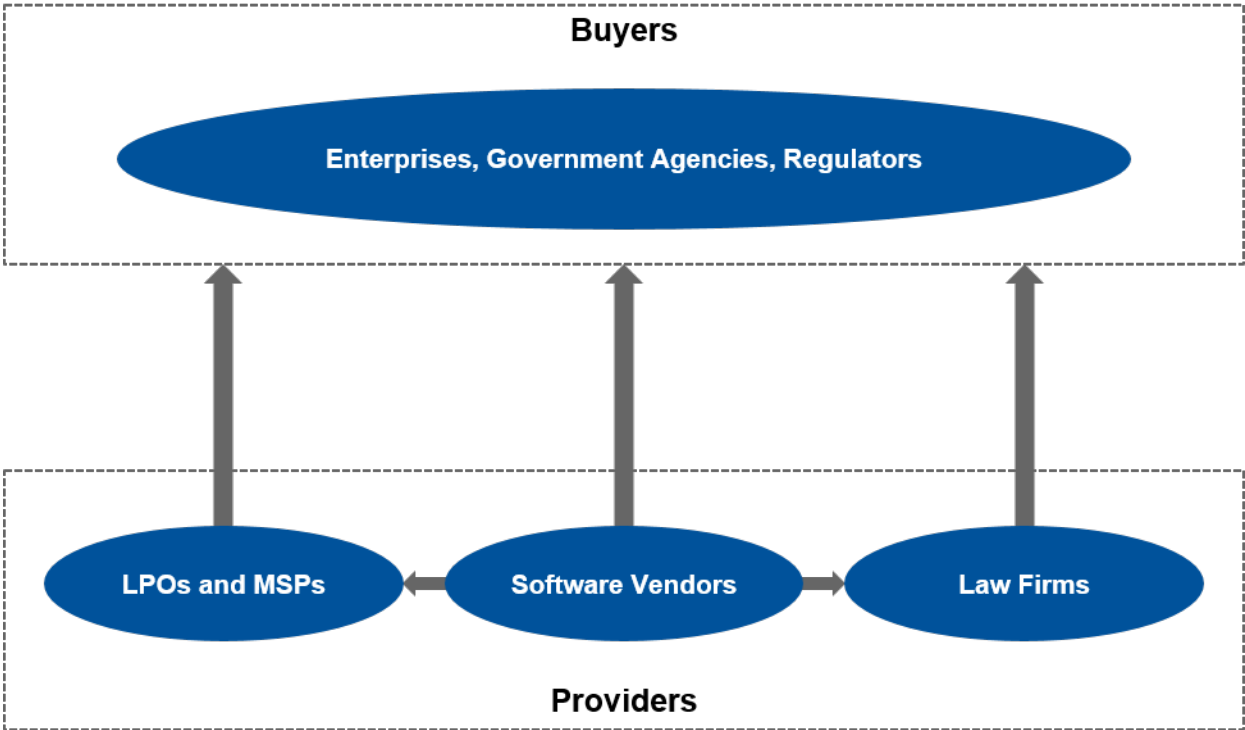
Market Direction

Three Types of Solution Providers

The multiteam, project-based, highly unpredictable and non-negotiable nature of e-discovery projects has led to a complex and fragmented market ecosystem. Solution providers tend to focus on a few areas of the EDRM or become "best in class" for certain capabilities. While it is possible to leverage a single technology platform or outsource to a single service provider, most organizations have multiple technology tools in-house plus service providers to complete the support of their e-discovery needs.

The e-discovery market is served by three clusters of providers: law firms, service providers and software vendors. The ultimate buyers of e-discovery solutions are enterprises (IT and legal teams), government agencies and regulators; while law firms and service providers (in the form of legal outsourcing providers [LOPs] or managed service providers [MSPs]) are service providers but, at the same time, are also software consumers. Software vendors serve both e-discovery solution buyers and service providers (see Figure 2).

Figure 2. E-Discovery Solution Market Actors



* LPO — legal process outsourcer; MSP — managed service provider

Source: Gartner (June 2016)

Pricing

Typically, e-discovery software can be deployed in three different models: on-premises, hosted and SaaS and the pricing structure differs accordingly (see Table 1).

Table 1. Pricing Structure

Deployment Model	Pricing Structure	Cost Unit	
On-Premises	Perpetual license and maintenance	By module*	Server, user or custodian
SaaS	Subscription	All inclusive	GB or user
Hosted by MSP	Processing Analysis (filtering, ECA) Accessing Hosting (storage)	By data volume (collected) By data volume (uploaded**) By number of users By data volume (reviewed***)	GB GB User GB
<p>* Some vendors charge for ECA and predictive coding separately, and others include them in processing and review. ** Expanded from originally collected data (i.e., zip files) *** Including coding data (i.e., review tags) and often for inactive cases</p>			

Source: Gartner (June 2016)

Pure service components are often charged based on the types (that is, consulting, review and project management) at an hourly rate. Often, service providers also offer pricing quotes in three different flavors: project-based, fixed fee or a la carte.

Market Adoption and Growth

Data growth is the primary driver for first-time buyers as well as market demand for more modern and scalable e-discovery solutions.

Organizations in highly regulated sectors (that is, banking, finance, insurance, healthcare, pharmaceutical, oil, gas and energy) in mature and litigious economies (North America and European Union) are the main e-discovery solution buyers. In recent years, the number of cross-border discovery cases continued to rise because of business digitalization and globalization. Changes in local data protection and privacy laws and rules have led to localization of e-discovery services. Many of these cross-border cases require local support (both jurisdiction-specific and language expertise). With the expanded use cases of investigative matters (that is, internal HR investigation, post-data-breach assessment, FOIA request), e-discovery solutions are increasingly adopted by organizations across all sectors and less mature economies.

Combined with rapid data growth, the e-discovery solution market continues to grow at a steady pace. Gartner estimates the e-discovery solution market (both technology and services) was about \$5 billion in 2015, with one-third of the market (or \$1.7 billion) for software and the rest (\$3.3 billion) for services.

Market Analysis

SaaS Solutions Are Gaining Momentum

The cost of e-discovery has been a primary pain point endured by organizations. Lack of ability to control and predict the cost is a common challenge.

It is important to understand the difference between hosted and SaaS delivered solutions because they represent different types of savings and advantages. Vendor marketing material may label both as cloud-based or cloud solutions. Hosted (often by MSPs) e-discovery solutions are not new. In fact, review offerings are predominantly hosted today. Hosted deployment models have enabled organizations to solve their e-discovery needs without investing in the necessary infrastructure and management. Most of the MSPs offer a pricing structure that is a combination of data volume (for processing and storage) and subscription-based fees (for review).

SaaS solutions encourage (often require) self-support by internal IT and legal teams and are more compelling in pricing than hosted solutions. SaaS solutions become even more attractive when organizations have moved their data to the cloud (that is, Office 365 and Google My Business). A majority of SaaS vendors have foregone the module-based complex pricing structure and can offer a single all-inclusive pricing.

By design, SaaS solutions can be more scalable and release new features faster. Some of the SaaS discovery vendors also have more simplified UIs and workflows. In addition to the common benefits of SaaS, e-discovery SaaS solutions usually have a much simpler and more straightforward pricing structure (all inclusive rather than module based), which is appealing for cost transparency. Many of the SaaS e-discovery vendors are new, with relatively little revenue and tend to focus only on the right-hand side. However, they have gained investors' interest and market mind share. Some examples include Brainspace, Disco, Everlaw, Logikcull and Zapproved.

Building Interest in Microsoft's E-Discovery Capabilities

Since Microsoft Exchange Server 2010, Microsoft has been offering e-discovery support through its search/in-place hold/export capabilities. Supporting first email and then SharePoint content, these capabilities have been improved over the past five years. In early 2015, Microsoft also acquired Equivio, an e-discovery software vendor focused on predictive coding and file analysis. Today, through the Security & Compliance Center in Office 365, Microsoft has native support for search, legal hold (in-place), analysis (ECA) and export. Through third-party partnership, support for non-Microsoft content and the other EDRM processes (such as forensic data collection, legal hold management, review and production) are provided. For enterprises, the availability of the native capabilities varies depending on the licensing agreement (that is, basic features from Office 365 Enterprise E3 or more advanced features from Office 365 Enterprise E5). Although Microsoft makes new features available first in Office 365, on-premises deployment of Exchange and SharePoint have similar capabilities.

Driven by migrations to Office 365, organizations are inspired by Microsoft's "in-place" capabilities (in contrast to traditional method — data being extracted and ingested into separate repositories).

Based on the number of inquiries Gartner receives, the interest in leveraging native Microsoft capabilities continues to rise, especially for Office 365 customers. However, these native capabilities continue to evolve and organizations should plan carefully.

Searching Across Multiple and Hybrid Data Repositories Becomes More Onerous and Leads to Overinvestment

Data for e-discovery usually spans live systems, archives and sometimes backup tapes. Initial data identification requires IT leadership. Repository-based search or enterprise search is often leveraged to conduct the initial data identification process. Its accuracy needs to be guaranteed, as legal requires confident assurance that all potential relevant data is within search parameters.

As organizations move data into cloud (cloud technology adoption) and toward the edge of traditional data centers (wide usage of mobile devices), the scope of the data source broadens. Established processes, methods and technologies may not be sufficient. Given that most enterprises' retention policy efforts are often unenforced or immature, there is often a glut of content to search through. Accordingly, almost every e-discovery request is different and often time-pressured, as IT typically handles e-discovery requests in ad hoc manner. In order to guarantee data identification and collection quality, IT tends to err on the side of being overly inclusive in data preservation approach. This could result in too much legal hold or preservation. For example, it is not rare for an organization to put all mailboxes on legal hold or put them on legal hold over time (due to multiple holds and never-released holds). Being put on hold not only adds to IT management overhead and prime storage cost, but also makes any archive or records management difficult. It can also lead to fragmented processes and overlapping technology capabilities.

Merger and Acquisition Is Second Nature to the E-Discovery Service Market

Frequent merger and acquisition (M&A) activities are a characteristic of the e-discovery service market. A majority of these service providers primarily host software from third parties; some have proprietary technologies of their own. In essence, they compete in the following areas:

- Process optimization and price competitiveness
- In-region expertise (that is, local jurisdiction-specific knowledge, language support) and global appearance
- Quality of services or customer care
- Technology portfolio (hosting and proprietary)

In addition, some rely on relationships with law firms or general counsel to gain work and sustain their business. It is also possible for a provider to exist on a single litigation matter (such as a class-action lawsuit that could go on for a decade). For large consulting firms, they often win businesses via global expertise and resources (locally available) as well as cross-selling via other areas of consulting engagement.

However, the unpredictability and the pressure of quickly getting resources together make the service market volatile. Providers that can't secure a steady stream of cases face challenges if e-

discovery is their only business. The high volume of M&A activities demonstrates this trend (see Note 2).

The Application of Machine-Learning Technology in E-Discovery Beyond the U.S. Market

Predictive coding or technology-assisted review (TAR) is a machine-learning-based technology and often embedded in review platforms. As mentioned earlier, Microsoft acquired one of the popular predictive coding providers, Equivio. Predictive coding has been applied in legal review for the past decade or so, but it has not gained mainstream adoption. The estimated rate of adoption among enterprises is about 10% to 15%, while the service providers may reach 50% to 60%. The potential benefits of leveraging predictive coding is well understood by all parties involved in the marketplace. However, various issues have been insurmountable for mainstream organizations to easily adopt predictive coding. Some of these reasons are being sanctioned because of missed relevant information, complexity of use (often requires experienced consultants to guide and refine workflows required), lack of incentives on reviewer's side, and perception of the complex and highly mathematical nature of the underlying engine.

However, legal precedent ruling has had a groundbreaking effect. In 2012, a U.S. magistrate judge approved predictive coding to be used in a case ([Da Silva Moore v. Publicis Groupe](#)). Early in 2016, a high-level court in England approved the use of predictive coding for the case of [Pyrrho Investments v. MWB Property](#). Both cases have set examples for the respective markets to adopt predictive coding. Improved predictive coding capabilities (that is, ease of use at no additional cost, more focus on the UI rather than the underlying engine) would also encourage adoption.

Representative Vendors

The vendors listed in this Market Guide do not imply an exhaustive list. This section is intended to provide more understanding of the market and its offerings.

Representative E-Discovery Solution Providers

The vendors listed in Table 2 deliver most of the capabilities or services described in the e-discovery definition. Some solutions focus more on the left-hand side of the process, while others on the right-hand side. These vendors often differ on technological, service, business model and go-to-market elements. As a result, client organizations are advised to ask these vendors about their technology capabilities, services focus, delivery models, industry expertise and cross-jurisdiction support.

This is not an exhaustive list of providers. Previously, Gartner's research in the e-discovery market was focused on the software technology for which Gartner published Magic Quadrant and Critical Capabilities reports. However, the research has evolved into this Market Guide for 2016 because of the fragmentation and the services component (the latter was not covered previously in Gartner's research). See Table 2 for a representative list of e-discovery technology providers and Table 3 for service providers.

Table 2. Representative Software Vendors

Company	Product/Offering	Deployment Model	Key Technology Capabilities	Notes
AccessData Group	AD eDiscovery, Summation	<ul style="list-style-type: none"> ■ Appliance ■ Hosted ■ On-Premises 	<ul style="list-style-type: none"> ■ Forensic data collection ■ Processing ■ Review 	
Brainspace	Discovery 5	<ul style="list-style-type: none"> ■ Hosted ■ On-Premises 	<ul style="list-style-type: none"> ■ ECA ■ Text analytics ■ Document classification 	
CapaxDiscovery	EAS Data Light for eDiscovery	<ul style="list-style-type: none"> ■ Hosted ■ On-Premises 	<ul style="list-style-type: none"> ■ Identification ■ Collection ■ ECA and analysis 	GPU-based hardware appliance
Catalyst	Insight, Insight Predict	<ul style="list-style-type: none"> ■ SaaS 	<ul style="list-style-type: none"> ■ ECA and analysis ■ Processing ■ TAR ■ Review 	Client data hosted in data centers using a Marklogic database.
Cicayda	reprise review, fermata legal hold	<ul style="list-style-type: none"> ■ SaaS 	<ul style="list-style-type: none"> ■ ECA and analytics ■ Review 	Amazon Web Services (AWS) Data center (US and EU)
CloudNine	CloudNine Discovery	<ul style="list-style-type: none"> ■ SaaS 	<ul style="list-style-type: none"> ■ Collection ■ Processing ■ Analytics ■ Review 	Private data center
Disco	DISCO	<ul style="list-style-type: none"> ■ SaaS 	<ul style="list-style-type: none"> ■ Processing ■ Review 	AWS data center
Everlaw	Everlaw	<ul style="list-style-type: none"> ■ SaaS 	<ul style="list-style-type: none"> ■ Processing ■ Review ■ Predictive coding 	AWS data center

Company	Product/Offering	Deployment Model	Key Technology Capabilities	Notes
Exterro	Exterro Legal Hold, Exterro Project Management, Exterro E-Discovery Data Management, Exterro Fusion Platform	<ul style="list-style-type: none"> ■ Hosted ■ On-Premises 	<ul style="list-style-type: none"> ■ Identification ■ Collection ■ Legal hold ■ Processing ■ Review 	
FTI Technology	Ringtail, Radiance	<ul style="list-style-type: none"> ■ Hosted ■ On-Premises ■ SaaS 	<ul style="list-style-type: none"> ■ Information governance ■ Processing ■ ECA and predictive coding ■ Review 	
Guidance Software	EnCase Forensic; EnCase eDiscovery; EnCase Endpoint Investigator and EnCase Endpoint Security; EnForce Risk Manager	<ul style="list-style-type: none"> ■ Hosted ■ On-Premises ■ SaaS 	<ul style="list-style-type: none"> ■ Forensic data collection ■ Legal hold ■ Processing ■ Review 	
HPE	HPE eDiscovery	<ul style="list-style-type: none"> ■ Hosted ■ SaaS 	<ul style="list-style-type: none"> ■ Information governance ■ Collection ■ ECA ■ Processing ■ Legal hold ■ Review 	
IBM	Atlas eDiscovery Cost Forecasting and Management, Atlas eDiscovery Process Management, Atlas IT eDiscovery Process Management, eDiscovery Analyzer, eDiscovery Manager, StoredIQ for Legal	<ul style="list-style-type: none"> ■ Hosted ■ On-Premises ■ SaaS 	<ul style="list-style-type: none"> ■ Information governance ■ Identification ■ Preservation ■ Collection ■ ECA ■ Processing ■ Legal hold 	IBM SoftLayer for cloud deployment

Company	Product/Offering	Deployment Model	Key Technology Capabilities	Notes
			<ul style="list-style-type: none"> Review 	
iCONNECT Development	iCONNECT-XERA, iCONNECT XERA Predictive Review, Xplorer, iCONNECT-nXT, iCONNECT-PublicAccess	<ul style="list-style-type: none"> Hosted 	<ul style="list-style-type: none"> Review/predictive coding 	
IprolPro	Automated Digital Discovery (ADD), eCapture, Allegro, Eclipse, Eclipse SE	<ul style="list-style-type: none"> Hosted On-Premises SaaS 	<ul style="list-style-type: none"> ECA Processing Review 	
kCura	Relativity, RelativityOne	<ul style="list-style-type: none"> Hosted On-Premises SaaS 	<ul style="list-style-type: none"> Review Collection Processing Legal hold ECA and analytics Mobile case preparation 	RelativityOne is the SaaS version.
Lexbe	Lexbe eDiscovery Platform	<ul style="list-style-type: none"> SaaS 	<ul style="list-style-type: none"> Processing Review 	AWS (data center)
LexisNexis	Lexis DiscoveryIQ, Law PreDiscovery, Early Data Analyzer, Concordance Desktop	<ul style="list-style-type: none"> Hosted On-Premises 	<ul style="list-style-type: none"> Processing ECA Review 	Partner with Brainspace for DiscoveryIQ
Logikcull	Logikcull	<ul style="list-style-type: none"> SaaS 	<ul style="list-style-type: none"> ECA and analysis Collection Processing Review 	AWS (data center)
Microsoft Office 365	Security & Compliance Center (Search, In-place Hold and Export)	<ul style="list-style-type: none"> On-Premises SaaS 	<ul style="list-style-type: none"> Data preservation Legal hold ECA and analysis 	Microsoft Azure (data center)

Company	Product/Offering	Deployment Model	Key Technology Capabilities	Notes
Mindseye	Mindseye Discovery Platform	<ul style="list-style-type: none"> ■ On-Premises ■ Hosted ■ Appliance 	<ul style="list-style-type: none"> ■ Processing ■ ECA and analysis 	
Nextpoint	Nextpoint	<ul style="list-style-type: none"> ■ SaaS 	<ul style="list-style-type: none"> ■ Collection ■ ECA ■ Review 	
Nuix	Nuix Corporate Investigation Suite, Nuix Web Review & Analytics, Nuix Collector Suite, Workbench	<ul style="list-style-type: none"> ■ On-Premises ■ Hosted 	<ul style="list-style-type: none"> ■ Collection ■ Processing ■ ECA ■ Review 	
Recommind	Axcelerate	<ul style="list-style-type: none"> ■ Hosted ■ On-Premises ■ SaaS 	<ul style="list-style-type: none"> ■ Collection ■ Processing ■ ECA ■ Predictive coding ■ Review 	
Servient	Servient Enterprise	<ul style="list-style-type: none"> ■ Hosted ■ On-Premises 	<ul style="list-style-type: none"> ■ Processing ■ ECA ■ Predictive coding ■ Review 	
Venio Systems	VenioOne	<ul style="list-style-type: none"> ■ Hosted 	<ul style="list-style-type: none"> ■ Processing ■ ECA ■ Review 	
Veritas	eDiscovery Platform powered by Clearwell	<ul style="list-style-type: none"> ■ On-Premises ■ Hosted 	<ul style="list-style-type: none"> ■ ECA ■ Processing ■ Review ■ Information Governance 	Formerly Symantec

Company	Product/Offering	Deployment Model	Key Technology Capabilities	Notes
			<ul style="list-style-type: none"> ■ Predictive Coding ■ Legal Hold ■ Collections 	
X1	X1 Search, X1 Distributed Discovery and X1 Social Discovery	<ul style="list-style-type: none"> ■ On-Premises 	<ul style="list-style-type: none"> ■ Collection ■ ECA 	
Zapproved	Legal Hold Pro, Data Collect Pro, Digital Discovery Pro	<ul style="list-style-type: none"> ■ SaaS 	<ul style="list-style-type: none"> ■ Legal hold and management ■ Collection ■ Processing ■ Review 	AWS (data center)
ZyLAB	ZyLAB eDiscovery, ZyLAB for FOIA and Public Records, ZyLAB Investigation; ZyLAB Preservation Vault, ZyLAB for Microsoft Azure, eDiscovery as a Service	<ul style="list-style-type: none"> ■ Hosted ■ On-Premises ■ SaaS 	<ul style="list-style-type: none"> ■ Information management (preservation, legal hold) ■ Collection ■ Processing ■ ECA ■ Review 	Microsoft Azure
<p>¹ OpenText has announced that it signed definitive agreement to acquire Recommind.</p>				

Source: Gartner (June 2016)

Table 3. Representative Service Vendors

Company	Proprietary Software	Hosting/Third Party	Services	Notes
Advanced Discovery		<ul style="list-style-type: none"> ■ Relativity ■ Clearwell ■ LexisNexis ■ Equivio 	<ul style="list-style-type: none"> ■ Forensic collection ■ Processing ■ ECA ■ Review 	
Consilio	ICA, Global RPM, V3locity	<ul style="list-style-type: none"> ■ Relativity ■ Nuix ■ Nexidia (for audio) 	<ul style="list-style-type: none"> ■ Forensic collection ■ Processing ■ Predictive coding ■ Review 	In 2015, acquired Huron Legal e-discovery services
Deloitte	D3 Platform	<ul style="list-style-type: none"> ■ Brainspace ■ Ecapture ■ Relativity ■ Reccomind 	<ul style="list-style-type: none"> ■ Collection ■ ECA ■ Processing ■ Review 	
Driven	ONE eDiscovery Platform	<ul style="list-style-type: none"> ■ Relativity 	<ul style="list-style-type: none"> ■ Forensics ■ Processing ■ Review ■ E-discovery consulting 	
DTI		<ul style="list-style-type: none"> ■ Equivio ■ Relativity ■ Nuix ■ Ipro 	<ul style="list-style-type: none"> ■ Forensic collection ■ Processing ■ ECA ■ Legal hold ■ Review ■ Information governance Consulting 	Microsoft Office 365 e-discovery and information governance consulting
Epiq Systems	DMX (DocuMatrix)	<ul style="list-style-type: none"> ■ Brainspace ■ Arq ■ Relativity 	<ul style="list-style-type: none"> ■ Forensic collection ■ Processing/ECA ■ Review/predictive coding 	

Company	Proprietary Software	Hosting/Third Party	Services	Notes
			<ul style="list-style-type: none"> ■ E-discovery consulting 	
EY		<ul style="list-style-type: none"> ■ Equivio ■ Relativity 	<ul style="list-style-type: none"> ■ Forensic data collection ■ Processing/ECA ■ Review/predictive coding 	Forensic technology and discovery services
Integreon	eView	<ul style="list-style-type: none"> ■ Relativity ■ VenioOne 	<ul style="list-style-type: none"> ■ Forensic collection ■ Processing/ECA ■ Review 	
KPMG	Discovery Radar	<ul style="list-style-type: none"> ■ Brainspace ■ Relativity ■ Nuix ■ eDiscovery Platform powered by Clearwell 	<ul style="list-style-type: none"> ■ E-discovery consulting ■ Identification ■ Collection ■ Processing/ECA ■ Review 	
Kroll Ontrack	Ediscovery.com (Ediscovery.com collect, process, review), DataAdvisor	<ul style="list-style-type: none"> ■ Relativity ■ (legal hold, review) 	<ul style="list-style-type: none"> ■ Information governance ■ Computer forensics ■ Collection/preservation ■ Legal hold ■ Processing/ECA ■ Review 	
LDiscovery	AutoRedaction, MultiMatter Management, RCMgr, PrivLog Builder, ESI Processing Engine, RCM-Block	<ul style="list-style-type: none"> ■ Relativity 	<ul style="list-style-type: none"> ■ Collection ■ Processing ■ Review 	In 2016, acquired by Carlyle Group and Revolution Growth; In 2014 LDiscovery bought Renew Data
Lighthouse eDiscovery	Lighthouse SmartSeries Lighthouse Navigate	<ul style="list-style-type: none"> ■ Relativity ■ Nuix ■ Ecapture ■ Equivio 	<ul style="list-style-type: none"> ■ Collection ■ Processing ■ Predictive coding ■ Review 	

Company	Proprietary Software	Hosting/Third Party	Services	Notes
			<ul style="list-style-type: none"> ■ E-discovery consulting 	
Navigant		<ul style="list-style-type: none"> ■ Relativity 	<ul style="list-style-type: none"> ■ Collection ■ Processing ■ Review 	Consulting services for other legal matters, financial advisory
PwC		<ul style="list-style-type: none"> ■ Relativity ■ Brainspace 	<ul style="list-style-type: none"> ■ Collection ■ Processing ■ Review 	
Ricoh	ASCLD/LAB, Remlox, Maclox, Ricoh eDiscovery, On Demand	<ul style="list-style-type: none"> ■ Catalyst, ■ Relativity, Xera 	<ul style="list-style-type: none"> ■ Data forensics ■ Collection ■ Processing ■ Review 	
Stroz Friedberg	MSLR (Managed Services + Litigation Repository), Stroz Discovery Data Processing, Nomad, First Glance ECA, Privilege Analytics	<ul style="list-style-type: none"> ■ Relativity 	<ul style="list-style-type: none"> ■ ECA and TAR ■ Processing ■ Review ■ Forensic data collection ■ Legal hold ■ Expert testimony 	Under MSLR, customers are offered all the technology stacks and services
Thomson Reuters	eDiscovery Point		<ul style="list-style-type: none"> ■ E-discovery consulting ■ Processing ■ Review ■ Deposition and trial preparation 	
FRONTEO ¹	Lit i View E-Discovery, Lit i View Xaminer, Big Data Case Manager, Email Auditor, KIBIT	<ul style="list-style-type: none"> ■ Relativity ■ Viewpoint ■ Nuix 	<ul style="list-style-type: none"> ■ Forensic data collection ■ Processing ■ Review ■ Analysis ■ Information governance 	Specialty in CJK

Company	Proprietary Software	Hosting/Third Party	Services	Notes
UnitedLex	Questio Integrated Technology	<ul style="list-style-type: none"> ■ Relativity ■ FTK ■ EnCase ■ Law PreDiscovery 	<ul style="list-style-type: none"> ■ ECA and Analysis ■ Forensic data collection ■ Processing ■ Review ■ Legal Business Solutions (Consulting) 	Contract management, IP, cyber security
Xerox Legal Business Services	OmniX, Viewpoint	<ul style="list-style-type: none"> ■ Relativity 	<ul style="list-style-type: none"> ■ Collection ■ Processing ■ Review ■ Consulting ■ Analysis 	

¹ [Ubic announces corporate name change to FRONTEO](#)

Source: Gartner (June 2016)

Market Recommendations

General counsel, chief compliance officers, chief information officers (CIOs) and their teams should consider the following recommendations for e-discovery solutions in any investigative or legal cases they initiate or support:

- Select e-discovery SaaS solutions strategically. Depending on the maturity of in-house e-discovery processes and teams, SaaS solutions may not be suitable for all matters.
 - Small and less complex cases are a good fit for in-house teams leveraging SaaS options. Such cases can be categorized as:
 - Data volume below 50GB
 - 75% or more of data is regular business email (Exchange)
 - Low profile (that is, no tight court deadline, reasonable opposing parties, no reasons for causing mass media attention)
 - Single jurisdiction
 - When selecting the SaaS provider, it is important to understand their data center locations, among other things (see "Toolkit: Due Diligence Checklist for Outsourcing and Cloud Services (SaaS) Providers").

- Engage service providers when necessary. Service providers are often best-positioned to handle "one off" high-stakes cases.
 - Identify your e-discovery needs.
 - Number of cases per year
 - Average size of cases
 - Data sources
 - Internal resources and capabilities
 - Retain multiple service providers based on your needs.
 - Review contractual terms carefully but especially clarify cost associated with retrieving data, including coding data from service providers' repositories (this is an item that often does not get enough attention and sometimes can be costly).
 - Request updates from service providers on data encryption, protection and handling of privileged data.
- Engage all stakeholders (at minimum, IT and legal teams) in selecting a solution provider. If you plan to leverage Microsoft's e-discovery capabilities, you must assess and identify technology capability gaps against your process and needs.
 - For Office 365 customers, ensure e-discovery practice and processes are still supported by Microsoft and others if necessary.
 - For non-Office 365 customers that are interested in leveraging Microsoft native capabilities, identify what can be realistically supported by Microsoft and what cannot.
 - Plan around Microsoft's roadmap in supporting e-discovery use cases and partnerships, and fill in any gaps with third-party solutions.
- Leverage enterprise technologies (enterprise search and archive), as well as data connectors, in order to pull all data sources together. Take advantage of mobility management suites, endpoint data management and other data connector solutions for mobile and social data preservation needs.
 - Include mobile data in the data preservation scope even if a majority of your cases do not require you to do so.
 - Participate in organizations' user training and policies (such as BYOD policy, social media use guidelines).
 - Keep knowledge up-to-date in terms of e-discovery support capabilities from other adjacent technologies (that is, archive).

Gartner Recommended Reading

Some documents may not be available as part of your current Gartner subscription.

"Magic Quadrant for E-Discovery Software"

"Critical Capabilities for E-Discovery Software"

"Implementing Office 365: Gartner Survey Results and Analysis, 2016"

Evidence

The analysis and advice provided in this research is built from constant scanning of the market, as well as from the aggregation of analysts' experience and ongoing interactions with end users and technology providers. Gartner used a range of sources to feed the perspective on the topics discussed in this research, such as:

- Gartner customer inquiry and conversations
- Previous Gartner analysis of the e-discovery and related technologies

Gartner analysts also leverage secondary sources of information, including surveys, financial earnings and media reports.

Note 1 Definitions

The e-discovery solutions covered by this Market Guide focus on solutions provided by software vendors and MSPs, not law firms. However, law firms serve their clients similar to the MSPs, and there are many law firms, especially ones with large litigation practices, that provide e-discovery services to their clients.

Note 2 Mergers and Acquisitions

In the following list, the vendor named before the dash acquired the vendor or vendors named after the dash:

- Xact Data Discovery — F1 Discovery (April 2016), Orange Legal Technologies (January 2016)
- Stroz Friedberg — Gotham Digital Science (April 2016), Elysium Digital (August 2015), Lightbox Technologies (2015)
- kCura — Content Analyst (March 2016)
- D4 — Landmark Legal Solutions (March 2016)
- Advanced Discovery — Millnet (January 2016), Legal Placements (January 2016), Ditto (eDiscovery Division)
- Carlyle Group, Revolution — LDiscovery (January 2016)
- Consilio — Huron Legal, Proven Legal Technologies (December 2015)

- OpenText — Daegis (November 2015), IGC (January 2015)
- LDiscovery — Elite Document Solutions (May 2016), CopySecure, Credence (August 2015), Turnstone Solutions (December 2014)
- Carlyle Group — Veritas (from Symantec)
- Ubic — Evolve Discovery (August 2015), TechLaw Solutions (August 2014)
- VeDiscovery — Franklin Data (July 2015)
- Huron Consulting Group — Rittman Mead India (July 2015)
- Inventus — Kooby (June 2015), Unified OS (May 2015)
- HayStackID — FLEX Discovery (June 2015)
- DTI — Merrill (Legal Solutions Group) (June 2015)
- Fidelis — Resolution1 (AccessData Group) (May 2015)
- Epiq Systems — Iris Data Services (May 2015)
- Lexmark — Kofax (March 2015)
- PwC Canada — Platinum Legal Group (March 2015)
- Clearview Capital — Xact Data Discovery (January 2015)
- Microsoft — Equivio (January 2015)
- NetDocuments — Decisiv Email (from Recommind) (January 2015)

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