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A binding agreement can be entered into without formal requirements. An agreement need not be in paper form or be signed to be binding. A binding agreement can be entered into by giving a party access to the contract terms on a web page and accepting them by clicking on "I accept the terms" or similar.

However, it is important to ensure evidence that a contract has been entered into and that the other party has accepted certain contract terms (see below).

According to general civil law principles, the burden of proof lies with the party claiming that an agreement has been entered into. In the event of a dispute, the parties may therefore need to prove that the other party is bound by certain conditions. Therefore, there is a need for clear technical and administrative procedures for the conclusion of the agreement and for the storage of agreements, so that they can be presented to a court of law.