Tintri

MSPWorld
POWERED BY MSPAlliance®

The Best Defense is a Good Offense: How the Certification Revisions will Help Reduce Licensing Liability for MSPs

Agenda

- Certification Control
- Auditor Questions
- Common Provider Mistakes
- Mitigating Common Risks
  - Know License Rules for Hosting Providers
  - Properly Evaluate Hardware
  - Establish License Review Process
  - Customer-Supplied Licenses or BYOL

Certification Control

- If these types of services are offered:
  - Infrastructure as a Service
  - Platform as a Service
  - Software as a Service
- Does the MSP have a Process for:
  - Determining legal and financial risks for software audits and third-party intellectual property

Auditor Questions

- Does the MSP offer IaaS, PaaS, or SaaS?
- If yes, who owns the hardware and software
- If MSP owns the hardware, who manages the software licenses
- How often are licensing agreements and licensing position being reviewed

Common Provider Mistakes

- No understanding of license rules for hosting providers

- Changing infrastructure from physical to virtual without reviewing license impact of the change

- Lack of formalized process for regularly reviewing license position

- Reliance on reseller for license advice

- Belief that customers can supply licenses

Mitigating Risks: Know License Rules for Hosting Providers

- Vary by software publisher
- Can require monthly reporting/payment of license fees
- Allow publishers to audit use of the programs
- Sometimes include rights for publisher to audit end-users
- Are not always properly included when pricing the services

Mitigating Risks: Properly Evaluate Hardware

- Restriction to Particular Hardware

- Clustering

- High Availability Enabled

- Dedicated Environment

Mitigating Risks: Establish License Review Process

- External usage reviewed no less than twice a year, monthly if using SPLA

- Include review of license terms that may have changed since last review

- Compare license reports to use, **AS THE PUBLISHER DEFINES IT**

- Engage knowledgeable resource to confirm findings

Mitigating Risks: Customer-Supplied Licenses or BYOL

- Different requirements, depending on publisher
- Generally requires dedicated physical, not virtualized environment
- No other customers can have access to any resources
- Customers often find it cost-prohibitive

Questions?

Contact Information

Julie Machal-Fulks

Partner

Scott & Scott, LLP

1256 Main Street, Suite 200

Southlake, TX 76092

(214) 999-2905

jfulks@scottandscottllp.com