

## Miller Canfield International Business Briefing: Negotiating Software License Agreements

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October 26, 2006

Miller Canfield presents "Negotiating Software License Agreements" at its upcoming International Business Briefing on Wednesday, December 6, from 7:30-9:00 a.m. at the Automation Alley International Business Center (2675 Bellingham, Troy, Mich.). Presented by Miller Canfield attorney Joseph D. Gustavus, the briefing will help IT professionals and executives responsible for selecting and purchasing company software negotiate and secure well drafted license agreements that provide their companies full legal protection while ensuring the greatest use of software.

"An insufficient software license may severely limit a company's intended use of software, despite having paid thousands, if not hundreds of thousands of dollars for a software license," said Gustavus. "A company's failure to adhere to the limits of a software license could render the software inoperable, subject a company to additional unexpected license fees, or worse--an infringement claim by the software vendor."

Software license agreements are becoming more complex and as the economy slows, competition brings negotiation. Attendees will learn the key issues in negotiating and drafting a license agreement with their software vendor. In addition to the scope and limits of a license agreement, Gustavus will discuss:

- Software performance – Have you obtained sufficient warranties and other assurances that the software licensed to your company will perform as expected? Is your company afforded an acceptance period that will enable your company to test and evaluate whether the software performs as expected and meets your company's needs? What are the ways to secure such assurances?
- Technical support and maintenance – Will your company receive sufficient technical support and maintenance from your software vendor to enable your company to use the software on an uninterrupted trouble-free basis? Is your software vendor subject to clearly defined performance criteria for technical support and maintenance? What are the pitfalls if there are no performance criteria? What are your options if your software vendor fails to live up to the performance criteria as established?

The event is co-sponsored by Miller Canfield and Automation Alley. There is no charge to attend. A continental breakfast starts at 7:30 a.m. Please make reservations to Sandy Bera at 248.267.3345 or [bera@millercanfield.com](mailto:bera@millercanfield.com).

### **About Miller Canfield**

The 350-attorney law firm of Miller, Canfield, Paddock and Stone, P.L.C. was established in Detroit in 1852 and has offices in Ann Arbor, Detroit, Grand Rapids, Howell, Kalamazoo, Lansing, Monroe, Saginaw, and Troy, Michigan. Other offices are located in New York City, Naples and Pensacola, Florida, Windsor, Ontario, and in Gdynia, Warsaw, and Wroclaw, Poland. Visit [www.millercanfield.com](http://www.millercanfield.com).

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## **About Automation Alley**

Automation Alley drives the growth and image of Southeast Michigan's technology economy through a collaborative culture that focuses on workforce and business development initiatives.

More than 600 businesses, educational institutions and government entities belong to Automation Alley, covering an eight county area and the City of Detroit. Automation Alley promotes regional prosperity through the Automation Alley International Business Center, which provides business attraction services and exporting assistance; the Automation Alley Technology Center, which brings together businesses, educators and government to help entrepreneurs accelerate technology commercialization; and the GLIMA Network, a state-wide association for individuals engaged with and involved in technology-oriented industries. Visit [www.automationalley.com](http://www.automationalley.com).