

MSPWorld

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

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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?

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