

Preventing Bad Press Associated With SIIA Software Audits

By Keli Johnson

The Software & Information Industry Association (“SIIA”) is an organization that pursues copyright infringement claims on behalf of many software publishers against companies it accuses of violating its members’ software license agreements. Although many companies have properly licensed software, many are unable to produce the receipts from software purchased years prior to the audit. In many instances, it is better for innocent companies to settle the SIIA’s claims instead of litigating them. Because a settlement may be misconstrued to reflect misconduct on the part of a company, many companies insist on a confidentiality provision to keep the existence and terms of settlement confidential. Without a confidentiality provision in the settlement agreement, the SIIA generally is free issue to a press release or publish on its web site details of the terms of settlement and name of the company.

It is beneficial to seek counsel from an attorney familiar with the SIIA process to provide proper guidance for the implications regarding a confidentiality provision.



About the author Keli Johnson:

As an associate attorney at Scott & Scott, LLP, Keli is primarily focused on software licensing and copyright infringement matters. She advises clients in a variety of industries to ensure compliance with software licenses and develop strategies for maximizing the value of software licenses.

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