

Microsoft Server Licensing Under Enrollments for Core Infrastructure

By: Andrew Martin

We have covered Microsoft enterprise licensing options in detail, but have yet to discuss the changes that Microsoft has made to the server-side of the Enterprise Agreement. The traditional Microsoft Enterprise Agreement focuses on enterprise-wide desktop deployments and does not address server platform licenses as comprehensively. To account for this, Microsoft introduced the Enrollment for Core Infrastructure (ECI) addition to the standard EA that provides customers with the flexibility available under the EA to deploy core server platform software across their organizations.

Under the ECI, customers choose one of three different Core Infrastructure Server (CIS) suites (Standard, Enterprise, and Datacenter). Each CIS suite includes the server operating system, management tools and server-protection software. Also included in the CIS suites are server-management rights for each instance, so no separate management license is required. Each CIS suite is licensed on a per-processor level. Therefore, each server running a CIS Suite must be licensed for every physical processor on the server, and the organization must have an initial order of 50 licenses. Unlike the Qualified Desktop or User category in an EA, the customer can mix CIS Suite products under the ECI, so long as they satisfy the initial 50-license threshold.

The license rights for each CIS suite are set out in the Microsoft's Product Use Rights (PUR) document. In it, customers will find, among other things, that virtualization rights are available for each ECI product. Without getting into specifics, a basic outline for these rights is: (1) Datacenter CIS provides unlimited virtualization rights; (2) Enterprise CIS gives two-for-one virtualization-to-physical rights; and, (3) Standard allow for one virtual instance for every physical one.

The true-up process for ECI is similar to the EA true up, in that annual true ups are required. Like the EA, if the customer installs a product not previously ordered under the ECI, the customer must place an order for that product during the month in which it is first run. This is something that is important to note. As an example, if an ECI customer wants to step-up to the Datacenter product from Enterprise, and it has not previously ordered a step-up license, it must place that step-up license order in the month the step-up occurs—even if it has already purchased the Datacenter CIS. Because the customer already has the Enterprise CIS, it is easy to see how it might assume it can move from one version to the other and wait for the yearly true-up to account for this upgrade.



About the author Andrew Martin:

As an associate attorney with extensive prior experience advising information technology start-ups, Andrew's practice focuses on finding solutions for his clients' intellectual property issues. Due to his extensive experience in the software and technology industries, Andrew understands both the practical and legal issues involved in IP licensing agreements and disputes. In addition to licensing, Andrew helps his clients find new ways to use existing technologies to assist his clients in areas such as data privacy compliance. Andrew uses his diverse background which includes founding a record label and working for a world-wide concert promoter when counseling the firm's entertainment clients.

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