

SOFTWARE ESCROW BRIEFING DOCUMENT

# What Is Software Escrow?



## Why Would I Need To Protect My Business Critical Applications?

Every business relies on at least one critical application, whether its financial software, your CRM system, stock control or logistics. But what would the impact be if you were no longer able to access these critical applications?

You could invest in new applications, but procuring suitable replacements is a time consuming and costly process, especially if your former applications were highly customised or bespoke. It's also important to consider the impact to your business in the meantime with no access to your critical applications.

Software Escrow provides a way of ensuring access to your critical applications until a suitable replacement can be found and implemented.

## What Is Software Escrow?

Software Escrow protects your investments in third party developed applications and ensures the continuity of your business. A Software Escrow agreement authorises an independent Software Escrow agent to hold and validate a copy of your applications' source code, including all relevant applications on behalf of the software user ('Licensee').

In the event your supplier is unable to maintain its service, the source code and supporting documentation can be released back to the Licensee, so that they or an alternative third party can continue to maintain the application.

## When Would You Need Software Escrow?

There are many standard trigger events where a business may need Software Escrow. Standard release events include:

- The software developer ceasing to trade.
- The software developer entering into insolvency proceedings.
- A breach of the maintenance agreement between the software developer and end user.
- The software developer merging with, or being acquired by, another organisation and the intellectual property rights (IPR) being transferred.

## About SES

SES is a UK based, privately owned company that has demonstrated consistent and profitable year on year growth since its founding in 2003. The company is entirely self-funded and has no debt.

Although operating predominantly in the UK, SES has customers in 45 countries with over 2,500 developers and end users that include many SME businesses, Government, NHS and Global Corporates.

We are proud to be one of the few Escrow agents to hold the highest regarded certifications in the industry, including Information Security Management ISO 27001, which we achieved and have maintained since 2010.

Our mission is to be the most innovative, flexible and cost effective supplier in our industry, and trusted advisor to all our customers. Our Policy is to work to our customers requirements and challenge our competitors by offering greater choice, flexible solutions and competitive prices.

## A Trusted & Reliable Partner

Whether you are new to the Software Escrow concept, or looking for a simple transition from an existing supplier to a more flexible, cost effective and improved service provider, SES can fulfil all requirements to suit your business and contractual needs.

### Software Escrow

Software Escrow Agreements permit an independent specialist to hold and test a copy of your applications source code to make sure it is accurate, complete and can be compiled independently in the event of vendor failure.

### Cyber Security

SES has a dedicated team of cyber security consultants to deliver a full suite of solutions designed to enhance your organisation's security.

### Data Profiling

Our Data Profiling solution enables you to streamline your storage footprint, significantly reduce your backup and restore times, simplifying your disaster recovery process and enhances your data compliance for GDPR.



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