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A contract is an ask game, and if it asks for an hour, and I submit to an hour, then it's an hour. When I look at a contract, I look at the obligation - where, when, how long, the compensation. If I agree to it, that's the way it is. I have an obligation. They have an obligation.

Chuck Berry



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### Software = Intellectual Property (IP)

- ☐ Usually comes from creativity
- ☐ Not tangible
- ☐ Has value
- ☐ Has protections
  - ◆ Copyrights
  - ◆ Trademarks
  - ◆ Patents
  - ◆ Trade secrets



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Diagram illustrating various contract terms and areas of concern, including:

- Data Retrieval
- Subcontractors
- Hidden Fees
- Post-Termination Assistance
- Service Description
- Termination
- Key URL Terms Set Out as Exhibits
- SLAs
- Price Uplift Cap
- Insurance
- Data and Security
- Demand-Driven Flexibility

### Top Contract Areas of Concern



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- ITAM
  - Legal
  - Procurement
  - Risk
  - ServiceDesk
  - Financial Management
  - Supplier Management

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## MODEL SCENARIOS

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- Contract duration
- Usage flexibility: especially down flexibility
- Price lock or increase cap
- Implementation services
- Payment frequency
- Bundling functionality or not

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