

David Levitt Discusses Response Strategies for Businesses Accused of Using Unauthorized Software

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[David Levitt](#), a Chicago-based partner at Hinshaw & Culbertson LLP, published a feature article in The Illinois Association of Defense Trial Counsel's *IDC Quarterly* titled "Unauthorized Software? What To Do When the BSA Calls." In the article, Levitt discusses scenarios in which businesses find themselves being accused of having used unauthorized software, ways to prevent it and how to proceed if accusations occur.

Levitt begins by explaining the legal process of acquiring and utilizing software, noting that the right to use software is granted via license agreement and governed by the terms of a contract. He goes on to describe the two primary claimants involved when it comes to using unauthorized software, the Business Software Alliance (BSA) and the Software & Information Industry Association (SIIA) and the process that each follows once made aware of the issue. Target companies should realize these entities frequently overreach in their demands and that strategies exist to respond to that overreaching.

According to Levitt, the best alternative for software users is to avoid this situation altogether. "Companies ought to establish policies that allow using only authorized software and educate their employees about it to prevent unknowing or uncaring actions," Levitt said. But, he advises, companies have solid grounds for pushing back and mitigating their losses even where unauthorized software is found.

Read the full article "[Unauthorized Software? What To Do When the BSA Calls](#)"

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