

7 Essential Things an IT Manager Should Remember

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1. Software is protected by copyright Act and some of the copyrights are entitled to multiple copyright protection. Copyright is making money internationally and it is difficult to establish ownership without evidence and witnesses. So make sure that no one uses your copyright-protected works. Keep evidence of legitimate purchase of software which includes licence or invoice.

2. You can license that right to get more business and money while putting more limited terms and conditions. Think about the kind of licensing best suited to your business. While your company is assigning software program; you can become an owner of the software which allows you to sell licence to use it.

3. While drafting employment contract insert conditions like confidentiality agreement and make clear IPR developed by the staff during their employment belongs to the employer. Set out the rights clearly in contractor, non- employee or consultancy agreement to protect your business interest.

4. Make clear to employees that downloading and seeing pornography is not allowed. Beware of vicarious liability. Make sure that no employee makes defamatory statements against anybody. Defamation will tarnish image and result in loss of money by way of damages. Monitoring emails and calls is important to prevent abuse of system while being mindful of employee privacy.

5. Read, understand and negotiate before entering into a contract by writing, email, fax or orally. Have a binding agreement between you and customer for protecting your business interest. Develop a good project management process. Negotiate intensively and identify potential threat areas in drafting contract. Have expert assistance throughout the contract process.

6. Copyright infringement may lead to legal processes like search order, injunction and criminal prosecution. Have data protection polices to prevent unwanted litigation. Choice of law/jurisdiction is very difficult to establish in a dispute if there is ambiguity in the contract. Consult the legal department before taking any decision to save your money and time.

7. Develop basic knowledge of legal and regulatory systems of other countries. Delay in taking action may lead to loss of your right. Avoid unwanted litigation; it is time consuming and expensive. Try mediation or other alternative remedies which are cost effective.

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