

How to significantly save on software costs

Hello, we would like to buy a newer version of our current software for our employees for a reasonable price, can you help us?

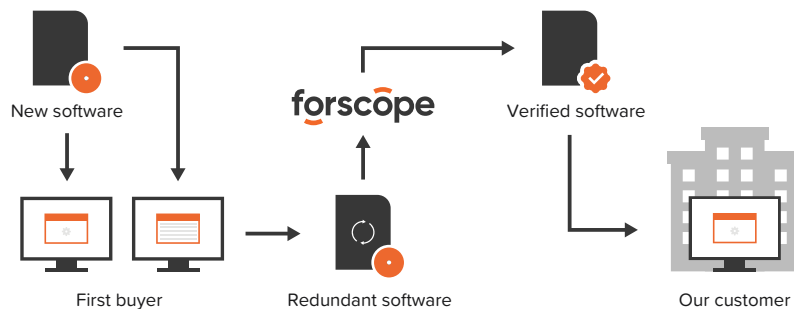
Potential software buyer
Company / organization



Forscope representative
Software broker

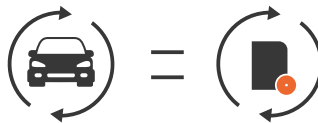
Sure! Do you know you can save up to 70% on costs if you buy secondary software for your company?

I didn't know about this option, but it sounds great! **What does "secondary software" mean exactly, though?** I've never heard of it.



Secondary software is **any software that was previously owned by someone** and who then decided to sell it further.

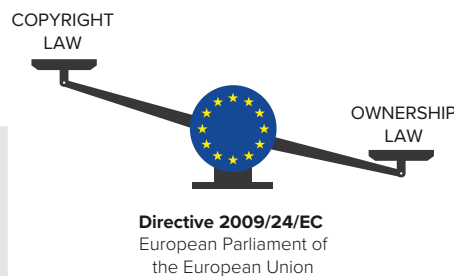
Wait, so it is possible to sell software you don't want anymore?



Well, of course! It is very similar to when you buy a car, for example. Once you don't need it, you can sell it and someone else can buy it again – usually at a significantly reduced price.

That sounds quite logical, but **what about the legal side?**

The situation regarding the legal background of secondary software has been developing gradually over a long time, actually. It eventually resulted in a very clear decision by the **Court of Justice of the European Union (CJEU)** in 2012 which **confirmed it is legal to sell previously owned software**.



- 2005**
Judgement in Case C-41/04
Levob Verzekeringen BV, OV Bank NV v Staatssecretaris van Financiën
- 2009**
Directive 2009/24/EC of the European Parliament and of the Council
- 2012**
Judgement in Case C-128/11
Court of Justice of the European Union

Ok, but **what about the software manufacturers?** Don't they prevent the transfer of software ownership in their licensing terms?

As the **law is above any licensing terms**, they can't, even if they wanted to. But keep in mind that **the transfer of ownership still has to meet clearly set conditions**.

Conditions for the transfer of software ownership

- Perpetual products, no subscriptions
- Fully paid for
- Not in use by the previous owner
- Only within EU and EEA

And **what will happen in case of an audit?** Would secondary software pass it?



Yes, but under one important condition – you need to have all necessary documentation for the secondary software products that you've purchased. Our company provides complete ownership documentation as well as audit assistance if needed, so there's nothing to worry about.