

Software Anti-Piracy and Litigation

Software Anti-Piracy

The digital revolution has created an environment where software piracy is widespread and the consequences are significant. When software is pirated or used illegally, companies face damage to their reputation and their bottom line. This unlicensed use of software results in millions of dollars of lost revenue each year, weakening economies and stifling innovation.

The dramatic increase in piracy rates is a growing global trend and a challenge confronting businesses. Sullivan offers a full suite of software anti-piracy services, including dissecting infringement data, identifying infringement activity and working with your inside sales team to pursue infringers, all in an effort to convert unlicensed users into paying customers who abide by the terms of your software license agreement.

As the illegal software landscape becomes more sophisticated, businesses need a robust strategy to detect, verify and enforce intellectual property rights in software. Sullivan has a successful track record of proactively combating illegal software use and we will work tirelessly to help you reclaim unpaid software license revenue. With deep bench strength in technology and copyright law, we provide a

thorough analysis of infringements and helps companies implement effective enforcement strategies, which will sometimes include raids and litigation.

Our knowledge of what makes software pirates and infringers tick helps us track and zero in on pirates and unlicensed users. No matter whether the pirates are first-time violators or infringers at existing customer accounts, we will work with you to recover your lost revenue.

Software Litigation

Sullivan has a premier software and information technology litigation practice that includes pursuing claims in court against software pirates and unlicensed users. Our attorneys have successfully resolved countless software and information technology disputes and, if needed, we have significant experience litigating software, information technology and consulting-related cases.

Our substantial knowledge in the industry gives us a jump start in working with fact and expert witnesses and breaking down complex and dense subject matter so that it is easily understandable to a judge, jury, or arbitrator. We draw on our experience and trial skills to find the pressure points to push to bring cases to a successful resolution.

Key Contact



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“ [Kim] keeps abreast of evolving laws in her clients’ industries, ensuring that she delivers commercial insights carefully tailored to their needs. ”

WTR 1000 2025 Editorial Comments



Accolades & Honors

Recognized as **Global Leader** by *World Trademark Review (WTR) 2024 Global Leader* JUNE 2024

Recipient of **Gold Band Ranking** in prosecution and strategy in Massachusetts by *World Trademark Review 1000: The World’s Leading Trademark Professionals (WTR 1000)* JANUARY 2025

Ranked for **Trademark Law** by *Best Lawyers in America®* 2024 Edition AUGUST 2023

Representative Client Work: Software Anti-Piracy & Litigation

- Disputes arising out of software audits
- Disputes arising out of existing licensees using pirated/unlicensed software (employee or contractor use)
- Disputes arising out of unlicensed number of users/seats
- Disputes arising out of implementation of "off-the-shelf" ERP software
- Disputes arising out of implementation of custom-developed software
- Disputes relating to cloud computing and Software as a Service (SaaS)
- Complex cases pertaining to performance under IT outsourcing agreements and SLAs
- Disputes relating to termination of outsourcing and consulting agreements
- Actions between IT contractors and subcontractors
- High-stakes raiding and misappropriation of trade secrets cases
- Executive employment and compensation disputes arising in an IT context

Information Technology Litigation Representations Include:

- Recovered multi-million dollar settlement for Hexagon against an international aircraft manufacture based on a breach of a regional software license agreement
- Closed hundreds of actions and recovered lost revenue against unlicensed software users
- Successful defense of a custom software developer of a telecommunications system against \$100+ million in claims arising out of alleged systems failures
- Obtained a trial verdict in Federal Court (SDNY) in a software selection and implementation dispute
- Obtained favorable settlement for government defense contractor in failed software implementation dispute
- Obtained favorable resolution in IT and outsourcing dispute relating to one of the largest hospitals in the United States
- Collected multi-million dollar payment for an IT consultant despite allegations of a failed software implementation
- Obtained payments in excess of \$50 million in connection with complex outsourcing disputes
- Achieved substantial settlement in a dispute relating to the adequacy of an SAP Blueprint
- Representation of a global client in termination for cause of an outsourcing agreement against a top business process outsourcing firm, resulting in multi-million dollar savings for our client
- Representation of a technology company to protect it against raiding of key cloud computing/hosting talent
- Won numerous defense verdicts and appeals in executive employment discrimination, performance and incentive compensation disputes in the information technology industry
- Obtained injunctive relief to protect IT trade secrets and custom development information and processes
- Represented an IT consultant against claims that subcontractors were de facto employees
- Successfully defended syndicated loan software developer against claims of misappropriation of trade secrets and copyright infringement
- Achieved favorable outcome prosecuting misappropriation of trade secrets claim against manufacturer of integrated circuits
- Obtained dismissal, with prejudice, of Sherman Act s. 1 claim on behalf of parent of internet security software manufacturer
- Represented purchaser of web-based tracking system of tractor trailer advertising when system failed to function as promised