

Software License Compliance

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A. SUMMARY

To provide a policy governing the use of licensed computer software by United Technologies Corporation employees and its contracted personnel.

B. APPLICABILITY

This policy applies to the Corporation and its subsidiaries, divisions and other business entities it controls worldwide.

C. POLICY

1. Copyright Background

UTC and its business units license the use of computer software from a variety of outside sources. As a licensee, UTC does not own the copyright to the licensed software or its related documentation (hereinafter collectively "software"), but is granted the right to possess and use the software in the manner prescribed by the terms of the license contract and the provisions of the copyright laws. This policy requires UTC employees and contractors to comply with all such requirements as are imposed by contract and by law on software installed on United's computing resources.

A fundamental requirement is the prohibition against making unauthorized copies. Except as provided under the copyright laws or under the software license agreement, we have no right to make copies of the software without express authorization from the copyright owner(s).

2. Employee/Contractor Responsibilities

Employees and contractors are not permitted to install copies of any software (including personal software, evaluation or other types of temporary copies of software, or software not acquired from or approved by UTC IT) onto Company computers unless reported to the business unit Information Systems (IS) department and, when appropriate, department manager approval is obtained.

D. OBJECTIVE

Licensed software use will be managed to accomplish the following objectives:

- Provide all employees and contractors with licensed copies of software to perform their jobs.
- Comply with all applicable copyright and export control laws.
- Procure and install software and record software licenses in accordance with procedures and controls established by the business unit IS Department.
- Use, install and copy only in accordance with the provisions of the software license agreement(s).

E. PROCEDURES

The process to accomplish these objectives is described below:

1. **Employee awareness.** New employees and contractors will be provided with information on software license compliance.
2. **Code of Ethics.** Pursuant to the obligations set forth in the UTC *Code of Ethics*, employees and contractors are reminded that they each have a responsibility to bring any violations or suspected violations of this policy to the attention of their supervision, their business or legal department, or their Ombudsman.
3. **Procurement of software.** All UTC software should be purchased through the business unit's Information Systems Department or Purchasing Department who will be responsible for maintaining the purchasing records and the license agreements for the acquired software in a license repository. In those cases where it is appropriate for a functional department to procure software directly from a supplier, license agreement(s) and proof of purchase information must be included in the license repository.
4. **Installation of software.** Installation of all software on UTC business unit equipment will be coordinated between the Information Systems and functional departments and will be in accordance with the provisions of the software license agreement(s).
5. **Software backups.** Software deemed critical by the business unit will be backed up or copied and maintained in a secure manner. All backup copies will be made in accordance with the provisions of the software license or contractual agreement(s).
6. **Public Domain / Shareware / Freeware.** Public domain software is software in which the copyright owner has relinquished all rights and is generally available without charge. Shareware software is copyrighted software that is often distributed through bulletin boards and online systems and may include a fee. Freeware software is copyrighted software that is offered to users free of charge, but with restrictions or limitations on use.

Public Domain, Shareware, and Freeware software is typically made available for certain limited uses which may or may not be appropriate for UTC purposes. Employees and contractors should be aware that many sites, apparently offering public domain, shareware, or freeware software, may in fact deliver unauthorized copies of commercial software.

It is the policy of UTC to acquire and use public domain, shareware and freeware software only through procedures established by the business unit's Information Systems Department.

7. **Penalty.** According to the U.S. Copyright law, unauthorized reproduction of software is a federal offense punishable by fines and imprisonment.

Any UTC employee or contractor who knowingly makes, acquires, uses, or distributes unauthorized copies of computer software or who places unauthorized software on company premises or equipment shall be subject to disciplinary action which could include termination of employment or contract.

8. **Periodic audits.** The business unit will conduct audits not less frequently than annually to ensure compliance with all software licenses.

F. **REFERENCES**

UTC Code of Ethics.