

Rules for the use and management of software and software licences

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**Karolinska
Institutet**



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Summary

Describes the rules and responsibilities of end-users, licence coordinators, heads of department/AC/research leaders, etc. when handling software licences and any penalties that arise if these rules are not complied with. The documents also include information about managing software and software licences from acquisition, installation, to uninstallation.

Definitions

Affiliated to KI

Relates to persons who are not employed by KI, but who carry out an assignment on behalf of KI who do not receive remuneration in the form of salary directly from KI. A person *Affiliated to KI* may be, for example, a consultant, scholarship holder, doctor or postdoc.

Employees: Employee (full or part-time) refers to persons who receive a salary from KI and are registered in KI's personnel system Primula.

LOU = Lagen om offentlig upphandling (The Public Procurement Act)

LoU (2007:1091) is a law in Sweden that regulates purchases made by authorities, such as KI, financed from public funds. The law which is based on EU directive (2004/18/EC) regulates in detail how authorities may act when purchasing and procuring software licences, for example.

Software

Refers to executable programs/applications for computers and similar hardware.

Software license

Refers to permissions from the manufacturer/supplier to use their software in accordance with applicable agreements and terms and conditions.

Copyright

Software refers to an intellectual property right protected by copyright by the Copyright Act (Law 1960:729). Copyright rules provide copyright holders with the exclusive right to decide how to use the software. Legislation or practice may also grant damages to the copyright holder and a prohibition on other people from using the software. This is usually stipulated in the terms of use and in the licence agreement as well as in the agreements entered into.

Additional documents/guidelines

[Overall division of roles and responsibilities for joint licensing coordination](#)

Includes, among other things, a general division of roles and responsibilities of the functions and roles that manage software and software licenses in any way within KI.

[Provisions and instructions for affiliation](#)

These provisions apply to persons who are not employed by Karolinska Institutet (KI), but who participate in activities at KI within the framework of their employment by another employer. The provisions also apply to persons who receive scholarships as a postdoctoral researcher or who have other primary livelihoods.

Software catalogue

Contains the software offered centrally by KI. To this there is also a link to information about prices.

Conditions for the use of centrally communicated licences and requirements and qualification criteria for the purchase and central management of software

Describes the conditions that apply to users who use the IT department's centrally procured software as well as the requirements and qualification criteria that apply so that the IT Office shall purchase and manage the procured software centrally.

Guidelines on intangible assets and corporate alliances, 4.5 Third party IP* rights

Riktlinjer om immateriella tillgångar och näringslivssamverkan

3 (7)

uppfyllas. Patientdata kan i vissa fall ägas av Stockholms läns landsting (SLL) och i dessa fall gäller regelverket för landstinget.

4.5 Tredje parts IP rättigheter

Anställda vid KI ska respektera tredje parts IP-rättigheter, dvs. inte göra intrång i annans IP rättigheter.

**IP = Intellectual Property*

Procurement rules for Karolinska Institutet

LOU applies to all procurement at Karolinska Institutet (KI), regardless of whether it is financed from government funding or external funds. The law also applies to procurement in KI's companies and foundations.

Use of software and software licenses

At KI there are different user groups. These can be divided into two main categories: *Employee* and *Affiliated to KI*. Below is a description of some user groups and the rules and responsibilities that are incumbent on these groups. See overview, annex 2.

The central licences are leased to institutions and departments according to the terms and conditions set out in the software catalogue available on the employee portal: *Conditions for the use of centrally procured licences and the requirements and qualification criteria for the purchase and central management of software*

Employees (also applies to those affiliated to KI)

It is the responsibility of each individual user to comply with copyright provisions, the specific terms of the copyright holders, the terms and conditions found on KI's employee portal and KI's internal regulations in their own use of KI's software and software licenses.

In each subject area there are often a number of non-commercial programs that are used, but which are outside KI's software offering. The installation of such software is carried out in consultation with the local licence coordinator. Software offered free of charge to private individuals often entails a licence cost for companies/authorities and, as a general rule, shall not be installed on KI's computers. It is important to ensure what the licence terms say about the individual software. For more information about free software, see the Software Catalogue found on the employee portal. Software licences purchased for private use may not be installed on KI's computers. If there are any doubts regarding the above, they shall be discussed in consultation with the local licensing coordinator.

Employees may only use KI's software and software licences on a private computer if the following conditions are met:

1. The agreement (terms of use) allows this
2. The employee has agreed to these terms
3. The software can be installed/activated by the user
4. The user agrees to the fact that KI does not support software activated and used on a private computer.

Persons affiliated to KI may not use KI software licenses in contexts other than for work on behalf of KI.

KI software may not be used in commercial contexts. This means that they are used for profit or in research projects financed by for-profit activities and where the results of the research project are not public.

Software and licence codes shall be handled in such a way as to prevent improper use.

Doctoral students

Doctoral students, who are both employed and a student at KI have the opportunity to use student software during their studies, but these may not be used in work-related contexts.

Student software may only be installed on the doctoral student's privately owned computer and not on computers owned by KI.

In addition, see above for rules for the use of software for employees and those affiliated to KI.

Penalties

Copyright infringement

Software is an intellectual property right defined as "literary work" and is therefore covered by copyright. Anyone who uses a protected work without permission, such as the use of software without a licence or a use beyond what is stated in the terms of use, is guilty of copyright infringement, which may lead to civil or criminal proceedings.

Penalties may be linked to damages and forfeiture of any software licence. An employee's breach of the rules may become a case for the Personnel Liability Board and can in very serious instances also constitute grounds for dismissal.

Management of software and software licenses

Procurement

When procuring software, the existing terms and conditions of existing suppliers must first be checked. See also information that can be found in the Software Catalogue on the staff portal. If you have any questions about acquisition, the central licensing function may be consulted. See also *Requirements and qualification criteria for purchasing and central management of program software/cloud service*.

The possibility of using existing software/systems/tools should always be considered before anything new is purchased.

- Single software purchases, titles that are not included in the Software Catalogue, shall be handled by the local licence coordinator on the department. If software is needed in addition to what is available in the Software Catalogue, purchase shall be made via a contracted licence partner in the first instance. The software licences purchased locally by a department are owned by KI and not by the individual department.
- Since KI is a government authority, all software purchases must take place in accordance with the Public Procurement Act (LoU).
- For other needs and purchases, possible coordination shall be investigated via the Licence function on the IT Office in accordance with the *requirements and qualification criteria for purchasing and central management of software/cloud service and GDPR*.

Installation

At KI, software installations shall only be carried out by persons authorised to do so. For computers in Coordinated IT, central IT mainly distributes the installation to Software Center or Self Service for users to install. For computers outside of Coordinated IT, local licence coordinators shall perform the installation. If the user does the installation himself, the local licence coordinator should be notified and approve the installation.

Computers purchased for a project financed via, for example, research grants are considered as KI property as research grants are public funds. This also applies to the software and software licences purchased and installed on these computers.

Software installations may not be performed without a valid licence for each installation. Software purchased and owned by third parties (private or non-KI organisation) may under no circumstances be installed on KI-owned equipment. In case of uncertainty, contact the Licence function at the IT Office.

Applies to departments within Coordinated IT: verifications (proof of licens / invoice) that licenses have been purchased by the department should be sent to the Licensing Function at the IT Office by submitting a Helpdesk ticket at *selfservice.ki.se*.

Uninstallation/removal

Employees (also applies to those affiliated to KI)

Upon termination of employment/assignment at KI, all software provided by KI must be uninstalled from the employee/affiliate's computer (also applies if the computer changes users or is to be disposed of). This applies to both computers owned by KI and computers owned by the employee, where software for home-use has been installed.

Ambiguities/support

Employees (also applies to those affiliated to KI)

When ambiguities and/or suspected irregularities have arisen regarding the handling of software and licences and support, the following services/functions shall be consulted in the mentioned order: staff portal, local licence coordinator, Head Of Department/AC, Helpdesk, Licence function at the IT Office.

Contact with Helpdesk and the Licence function at the IT Office shall primarily take place via <https://selfservice.ki.se/en-us> - by creating a new helpdesk ticket.