



Anheuser-Busch hit with US\$600m claim by SAP

US-based Anheuser-Busch InBev has [acknowledged](#) in its recent SEC filings that it entered into arbitration, February 21, with SAP America Inc. According to AB, the claim asserts multiple breaches of a 30 September 2010 Software License Agreement based on allegations that AB employees used SAP systems and data—directly and indirectly—without appropriate licenses, and that the company underpaid fees due under the SLA.

The statement of claim lodged against AB seeks both reformation of the SLA in certain respects and also damages *'potentially in excess of USD 600 million'*.

AB says it will defend the *'asserted claims vigorously'*.

Robin Fry from software licensing specialists, [Cerno](#), commented that the claim almost certainly results from SAP's practice of requiring license fees for any indirect access to its systems for example from sales representatives and suppliers.

'It's unlikely we'll know the details since arbitration – unlike a case in open court – is confidential. The immediate question is how there can be such a gulf between how a well-advised and supported licensee like AB-Inbev interprets its licensing position and how SAP interprets the same contract wording.. But the far bigger problem is one for SAP: why should any business ever choose SAP when there's the jeopardy of devastating financial claims for often inadvertent under-licensing.'

See also:

[Computer Weekly](#)

[PC World](#)

[CIO](#)

Robin Fry, [Cerno Professional Services](#)