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# What IT Leaders Need to Know About Third-Party Oracle and SAP Support

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## Introduction

It's 2019. As an IT leader, you have a full plate, so prioritization is more crucial than ever before. According to a recent Gartner CIO survey, top business priorities include digitalization, growth, and security. You must drive business-enabled technology and customer engagement while re-tooling your IT team to meet the demands of tomorrow. To meet these new challenges, you likely need to rebalance your technology budget, spending less on legacy systems, infrastructure, and operations, and more on business intelligence, cybersecurity, and cloud services.

To drive this rebalance, savvy IT leaders are replacing software support provided by Oracle or SAP with third-party support. The substantial cost savings allows them to invest elsewhere, to accelerate digitalization, and execute growth-focused initiatives. The improved quality of service that third-party support provides, including security and vulnerability protection, can keep your enterprise applications running at peak performance.

As an added benefit, you take control of your IT road map back from Oracle and SAP, precluding you from forced upgrades and premature cloud migrations. The third-party support provider takes over key aspects of Oracle and SAP support. Your IT team can focus on the highest business priorities and organizational strategies.

This guide is designed to help IT leaders understand and build the internal case for third-party support, while efficiently driving the due diligence and decision-making processes. Third-party support is not for every organization, but every organization should investigate it. In your role, we believe you can benefit from the tips provided herein.

### This paper will answer:

- 1 The third-party support market and overview the support model
- 2 How you can determine if third-party support is right for your organization
- 3 How you can learn more about the third-party market and make deeper vendor/model comparisons
- 4 The internal stakeholders you need to assemble and how you can drive pre-sale alignment
- 5 How you can counter the likely internal IT staff concerns
- 6 Your existing software license, support agreement, and support cancellation rights
- 7 How you can counter the inevitable roadblocks that will come from Oracle and SAP
- 8 How third-party support enables and accelerates your organization's cloud migration
- 9 How you can smoothly transition to third-party support

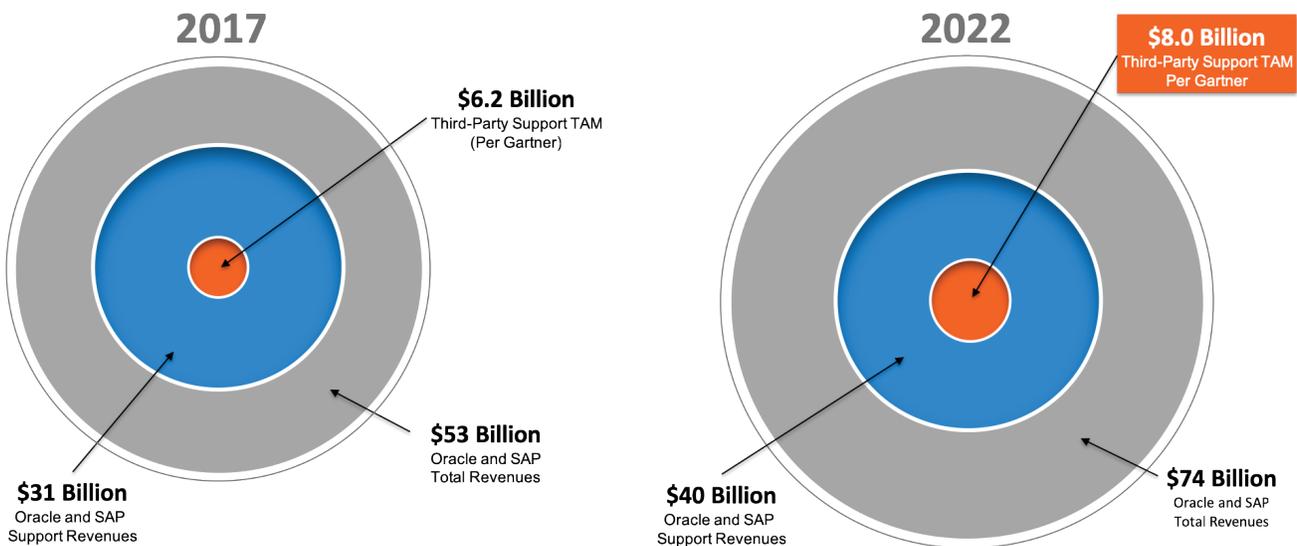
# Section 1: Understanding the Third-Party Support Market and Model

## The Market

Third-party software support has existed for more than fifteen years. While it began with specific Oracle applications (JD Edwards, Peoplesoft, and Siebel), third-party support is now available for virtually any Oracle or SAP on-premise enterprise or infrastructure product set – including the newest release versions.

Gartner estimates that the third-party Oracle and SAP market could reach \$8 billion by the end of 2022 – a 26% annual growth rate (see graphic below). The market has gained recent momentum from the push to the cloud. Many of the supported applications, particularly the systems of record, won't be replaced in mass by cloud offerings for 5-10 years. In the meantime, many organizations are switching to, or seriously investigating, third-party support as a means to restore high-quality service for their existing and stable on-premise applications at a surprisingly affordable price point.

Third-party support has expanded into over 100 countries on six continents. Organizations from all industries and from medium size to Fortune 500 have already made the switch.



Data compiled from Gartner Market Statistics and Gartner Analyst Estimates

## The Model

Oracle and SAP aspire to become dominant players in the cloud. They seek customers for life, preferably ones who purchase the latest software and accompanying support offerings. Over the decades, they have built massive customer bases, organically and through acquisition, that use their on-premise products and require maintenance. This on-premise application support drives massive revenues and profit margins, fueling investments in cloud solutions but, ironically, not in on-premise applications. Oracle and SAP then use this lever to move customers to the cloud through a perpetual upgrade and migration cycle.

Alongside this push to the cloud, Oracle and SAP have modified the structure of their support models. Whereas customers once paid maintenance fees to get more personalized support, in-version product enhancements, and the right to new upgrades, they now pay fees for self-support tools, fewer to no enhancements, and the right to repurchase cloud-based replacement solutions. They have become de-personalized support, but many customers remain on board, paying more each contract and viewing downgraded support through a lens of “business as usual.”

## The Paradigm Shift of Third-Party Support

These are the conditions that have given rise to proven replacement alternatives like third-party support. If you’re new to the concept, understanding the differences between the vendor-provided support model and the third-party support model can be challenging. To those who are only accustomed to the software vendor approach, encompassing the new model requires a change in perspective – a paradigm shift in your expectations of what proper support is and can be.

To start, the business objectives of third-party support providers are different from those of Oracle or SAP. Customer service, not software development, is job one. Third-party providers like Spinnaker Support are intensely focused on the quality and value of customer service. Profits are promptly reinvested to improve service quality and breadth for the software you currently own, not the cloud software you may eventually own.

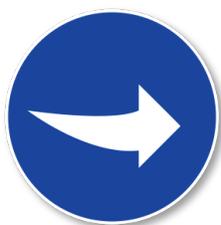
The table below compares the fundamentals of the de-personalized software publisher model and the customer-focused third-party model.

	ORACLE & SAP SUPPORT	THIRD-PARTY SUPPORT
Service Model	Self-service-oriented, emphasis on research	Concierge, dedicated support
My Oracle Support / SAP Service Marketplace	Full access	Not required
Primary Support Contact	Varies	Assigned senior engineer and team
Support Expertise	Varies	16-years average experience
Response Time	SLA dictates	Average 8-minute response time
Ability to Escalate	Not monitored, request made reactively by customer	All issues closely monitored, done proactively without requests
Custom Code Support	Not covered	Included, as is anything that touches the Oracle product
Interoperability Support	Limited, depends on release version	Included
Rights to Upgrades	Included	Access to an archive of all upgrade rights, made prior to switchover from Oracle
Tax & Regulatory Compliance	Included, one-size-fits-all	Tailored specific to each customer’s needs
Security & Vulnerability	Patches only	Full-stack intrusion detection, virtual patching, and compensating controls
Term of Support	No new fixes or interoperability support after end of standard support	Lifetime support - for as long as you need your current version
Lifetime Full / Comprehensive Support	Available, but very little offered	Standard
Advisory Services	Via Advanced Customer Services, at an additional premium, fee	Included
Partner & User Community	Access to many online communities and partner network	Access to many online communities and partner network

## Section 2: Determining if Your Organization is a Good Candidate for Third-Party Support

IT leaders can use some standard rules of thumb to determine the fit of third-party support for their organizations. If you operate as a pure SAP or Oracle shop, always staying current with the latest software vendor versions and intending to ride these same vendors to the cloud, then third-party support is likely not a good fit. Personalized service and fast cost savings alone may not provide adequate incentive to merit a switch.

Organizations that typically move to third-party support do so to address one or more of three primary circumstances:



**MIGRATION**



**FINANCIAL RELIEF**



**SUSTAIN & TRANSFORM**

- 1 Migration:** They are migrating from one on-premise environment, i.e., JD Edwards, to another on-premise environment, e.g., SAP OR are migrating from an on-premise environment to the cloud, e.g., Siebel CRM to Salesforce. The third-party support vendor maintains the existing environment until the migration is complete. The customer gets excellent support and saves at least 50% on maintenance fees that can be redirected to fund the migration or another business initiative.
- 2 Financial Relief:** They need either short-term cost relief or are in a longer-term state of financial hardship. Third-party support is a smart, safe way to achieve immediate cost savings and positively impact the balance sheet. Interestingly, companies that are newly-funded by private equity firms are often mandated to reduce costs fast, thus have become prime candidates for third-party support.
- 3 Innovation:** Today's fastest growing driver of third-party support is the desire to innovate, often spearheaded by a journey to the cloud. Organizations are adopting third-party support to go in "sustain" mode for their on-premise applications. The money saved and additional time earned enable smarter and faster innovation. These organizations are perfectly content with their functional and stable on-premise applications and choose a third-party to maintain software performance, security, and interoperability while they divert the dramatic savings towards hybrid cloud solutions.

If your organization falls within one or more of these categories, you should seriously investigate a switch to third-party support.

## Section 3: Educating Yourself and Your Internal Team

As popular as third-party support has become, there is a learning curve required to understand the nuances between enterprise software vendor-provided support and the third-party alternative. One must make a shift in thinking to clearly grasp the key differences. For some, especially those adverse to change, it can be an intimidating decision-making process. After all, who could provide better support for the software than the vendor who created it? The short answer is that a couple of companies already do.

Luckily, there is an abundance of content and resources available, along with the confirmations of thousands of organizations that have already switched. We recommend that you peruse the websites of the third-party support leaders to gain a further appreciation for the market. Additionally, Gartner, and Forrester cover the space. Turn to them for guidance on the market, pros and cons, and key decision-making criteria.

### Third-Party Support Means Immediate Cost Reductions

Most essential to you, the IT leader, is to understand the cost model of third-party support. It brings immediate “hard” savings of about 60% compared to software vendor-provided maintenance fees. You could realize additional soft costs by avoiding unnecessary version upgrades or deducting the cost of your internal staff that provides self-support and customization support. Additional pricing factors can include concessions for multi-year support agreements, discounts for licenses you’re not using, or bundling of managed services and consulting with your maintenance agreement.

To run a simple cost savings calculation, try the online calculator on the Spinnaker Support website: <https://spinnakersupport.com/spinnaker-support-savings-calculator/>

### Spinnaker Support Savings Calculator

<p><b>Company Name *</b></p> <input style="width: 90%; background-color: white; color: black; border: 1px solid white;" type="text" value="Company Name"/>	<p><b>Annual Maintenance Spend *</b></p> <input style="width: 90%; background-color: white; color: black; border: 1px solid white;" type="text" value="Annual Maintenance Spend"/>
<p><b>Product(s) We Run *</b></p> <input style="width: 90%; background-color: white; color: black; border: 1px solid white;" type="text" value="Product(s) We Run*"/>	<p><b>Shelfware as % of Total Licenses *</b></p> <input style="width: 90%; background-color: white; color: black; border: 1px solid white;" type="text" value="0%"/>
<p><b>Currency Denomination *</b></p> <input style="width: 90%; background-color: white; color: black; border: 1px solid white;" type="text" value="\$ U.S Dollars"/>	<p><b>Anticipated Term of Commitment *</b></p> <input style="width: 90%; background-color: white; color: black; border: 1px solid white;" type="text" value="1 year"/>
<input style="background-color: #e67e22; color: white; border: none; padding: 10px 20px; font-weight: bold; cursor: pointer;" type="button" value="CALCULATE MY SAVINGS"/>	
<p><small>*Required field</small></p>	

## Four Helpful Points to Educate Your Internal Team

- 1 The Oracle and SAP approach to software support is outdated and has not changed in more than 30 years.** You pay 20+% of license fees for annual maintenance. You get software patch fixes and enhancements, security patches, tax and regulatory updates, a knowledge portal, and the right to retain reasonable service if you choose to stay current on new release versions. Should you not stay current, your level of support diminishes while maintenance fees increase. Key service features and access to experts can be stripped away as a negative incentive to keep you on the upgrade path.
- 2 Although the model has remained constant, the depth of Oracle and SAP support has changed, and not for the better.** Where fast access to seasoned engineers was once the rule, you now have a knowledge portal with content designed to help you diagnose and resolve issues by yourself. Where you could once expect on-premise upgrades, your software has been placed in “end-of-life” mode. Any enhancement to this software will rarely if ever, pass the “meets your business ROI test.” This model serves Oracle and SAP far better than their customers and is principally designed to push you to follow their cloud roadmap, even if it’s not your best option.
- 3 Oracle and SAP make between 75% and 92% margins on their support revenues, enabled by the cheaper, low-touch self-service portal concept.** The enterprise software vendors are converting these astronomical profit margins into research, development, and acquisition of future cloud offerings that your organization may never adopt given superior, highly competitive, cloud-native offerings that compete in their markets. Many organizations have already determined that a best-of-breed, hybrid cloud approach is better than the software vendor lock-in cloud approach.
- 4 Third-party support is eye-opening for what good support really looks like.** Looking back, adopters have confessed that they had settled for status quo for too long: an expensive, decades-old service model that increasingly failed to meet their needs. Once they switched, it was apparent that the game has changed. One third-party Oracle support customer stated it best: “I didn’t realize that I had been trapped in 2.5-out-of-10 level service until I saw 9.0-out-of-10 level service.”

## The Leading Third-Party Support Vendors

Gartner analysts that closely follow the third-party Oracle and SAP support market will tell you that third-party support is a breath of fresh air for customers. They will suggest that you talk to both leading vendors, because both will provide excellent support, save you money, and offer a means to help you take back control of your IT roadmap.

Due diligence of the top vendors is critical to finding the company that will best partner with your IT team. We encourage you to engage both providers and do your best to filter out the sales and marketing noise. Take the time to use Gartner, current third-party support customers, and even the engineers that deliver support to relate their needs and experiences.

As you compare, look at products supported, geographic reach, standard support features, incremental services offered, processes and certifications, leadership, risk profile, etc. Read some of the case studies to see what benefits customers are receiving. For two companies with so much in common, there are still important differences to understand in how they price, operate, and support their customers.

## Section 4: Pulling Together the Right Internal Stakeholders

Support for business-critical enterprise software is a necessity, and the decision to switch to a new support vendor requires a team effort. As the IT leader, you want to engage cross-department stakeholders throughout the due diligence and decision-making processes. Here are the top departments you must engage:

### IT Staff

Your IT team members are most directly impacted and must be engaged early in the due-diligence process. They have a vested interest in the Oracle or SAP enterprise applications that help manage financials, payroll, global tax and regulatory compliance, manufacturing operations, and supply chain. Many organizations deploy Oracle and SAP software for business intelligence and customer relationship management. On the infrastructure side, Oracle and SAP databases and middleware products are prolific and essential tools. IT is chartered to ensure these software applications perform well, are always up and running, remain secure and interoperable, and are adapted as business requirements change.

IT professionals view third-party support differently, depending on their role. IT leaders, like you, are more apt to take a business-case approach and embrace the idea of a third-party support model. The concept of improved service for less than half the cost is always an intriguing proposition – especially since Oracle and SAP are investing less and less to enhance on-premise software. You want to squeeze out as much value as possible from established investments, and third-party support maintains the existing systems indefinitely or until a suitable replacement offering (typically cloud) is made available and funded.

You are also concerned with keeping your staff relevant, able to embrace future conditions. Today's IT staff resources deployed to take care of on-premise systems are often not ready to take care of tomorrow's IT landscapes. Third-party support experts, each with 15-30 years of deep enterprise software experience, can handle virtually any current on-premise support requirement, allowing you to re-tool your team for tomorrow's cloud environment.

Be aware that front-line IT staffers often view third-party support through a personal lens and may have job-related reservations. They have been on the front lines, arm in arm with SAP and Oracle engineers, and have an emotional connection with them. Plus, as access to those engineers has diminished, your team has likely been forced to fend for themselves using SAP Service Marketplace or the My Oracle Support portal to resolve issues, network, and train.

Your IT team might see third-party support as a threat to their job security and may want the chance to ask tough technical questions to ensure third-parties can handle the heat. You should ensure they get their chance to question the third-party engineers to become more comfortable with their capabilities. By off-loading the day-to-day demands of legacy on-premise support, the IT team can be trained and re-deployed to focus on newer, more relevant technology initiatives that help the company innovate and grow.

Be prepared for the challenges. Convince your team that third-party support can be good for the business and can also create exciting career opportunities for them.



## Procurement

Procurement, sourcing, and vendor management professionals are chartered to identify solution providers that help their organizations innovate, scale, and transform. They are challenged to improve the customer experience and to facilitate the transition to evolving technologies, with an eye on optimizing cost and improving speed to adoption. These resources can help you streamline the due diligence process by eliminating third-party vendors that are not a fit for your architecture and roadmap. Ask them to pull together RFP responses and to schedule necessary meetings between the vendors and your organization's internal stakeholders.

## Finance

The Office of Finance is interested in any business decision that optimizes investments and reduces cost. CFOs like sure bets. Third-party support has been proven in over 3,000 enterprises. It brings dramatic, immediate savings that can help improve the bottom line (if your organization is in financial adversity) or can be redirected (if your organization is funding innovation and cloud migration). You might want to enlist your CFO to help push third-party support through the decision-making process.

## Security

Ongoing security and vulnerability protection are paramount, and so it is essential to pull those chartered to maintain application and technology stack security into the third-party support conversation. Oracle, and to a lesser extent SAP, make security a big issue (more on this in a later section). Third-party support vendors have developed equal or better solutions, and your security personnel may want to vet the offerings.

## Legal

IT leaders are often concerned with weighing new vendor risk. Somewhere during the decision-making process, you need to broker a conversation between your legal staff and the legal resources of the third-party support vendor. Key to a final decision is a thorough assessment of operational, financial, and legal risks.

Both Oracle and SAP have made public statements that verify the legality of third-party support that is delivered the right way by respecting the intellectual property rights of others. The most significant difference between the two leading third-party Oracle and SAP providers is risk profile. Make sure that your legal advisors are brought in at the right time and made aware of past and current legal issues and associated risks.

## Section 5: Questions Raised by Your IT Staff

As mentioned in the previous section, you can expect questions – and even pushback – from IT team members. Here's a list of the most frequently asked questions. You or your team can set up a call with Spinnaker Support for clear responses to any of these questions.

### Support Processes

- 1 How can you guarantee a 15-minute response from a senior engineer?
- 2 Can you handle our large volume of tickets?
- 3 How can a third-party support vendor effectively maintain software if they can't access the code?

## Customizations & Updates

- 1 How is it possible for a third-party vendor to diagnose and support customized code?
- 2 Will the customizations you add now make it harder for us to upgrade or migrate later?
- 3 How can we operate if we lose upgrade rights and enhancements?
- 4 How can we remain secure without the software providers' security patches?

## Knowledgebase & Security

- 1 How can we function without the software provider portals and community?
- 2 How does a third-party support provider stay current with Oracle and SAP advancements?
- 3 How deep is a third-party support provider's knowledge of fringe/less utilized products?
- 4 Do you certify our applications for interoperability with new technology stack components?

## Software Vendor Relationship

- 1 How does switching to third-party support impact our relationship with Oracle and SAP?
- 2 Will the software providers audit us more frequently if we switch to third-party support?
- 3 Isn't it just a matter of time that all third-party support vendors get sued by Oracle and/or SAP?

## Pricing

- 1 Isn't third-party support just a cheap, low cost alternative?
- 2 How can you remain profitable by charging us such low prices?

# Section 6: Understanding Your Software License, Support Agreement, and Support Cancellation Rights

To suggest that Oracle and SAP licensing and support policies and practices are needlessly complex is an understatement. Their principal objective is to lock customers in and make it difficult to cut ties. At all times, it is necessary to understand Oracle and SAP software license and software support agreements.

Your organization has usage rights that cover you should you cancel software vendor support.

This section covers the fundamental legal conditions and licensing policies every organization must understand when preparing to transition to a third-party support provider.

## License Rights

Review your master software license agreements and understand key terms. For example:

- A **'license set'** refers to all products related to each other via code base, such as Oracle Enterprise Edition, extra-cost options such as partitioning and management packs.
- **'Matching service levels'** refer to Oracle's policy that prohibits canceling support of a subset of products from within a license set. Together, these two policies dictate Oracle's all-or-nothing approach to software support. SAP incorporates its own terms to accomplish the same basis outcomes.
- **'Common license sets'** are sets of licenses for which there is a common foundation of code if you own different versions under separate agreements. SAP and Oracle will argue that the same support terms bind these. However, as long as each one is on a separate ordering document that references unique terms, each is governed differently. Thus, you are allowed to transition pieces of your application footprint in the timing sequence dictated by the maintenance end date.
- **'Common support level'** means that products on an individual ordering document are to be maintained at the same service level, i.e., Platinum, Enterprise, Standard, etc.

Make sure to confirm that license use allows the licensee (you) and authorized representatives to use and modify the code and create inventories of owned licenses currently in and not in use.

## Support Agreement Rights

Review your SAP or Oracle support services agreement(s) and note which "licensed products" are governed by a specific contract. Confirm rights explicitly related to the use of software publisher tools (i.e., SAP's Solution Manager) that are granted per the terms of the support agreement rather than under a perpetual use license agreement.

## Support Cancellation Rights

Confirm the terms and conditions related to the cancellation of your existing support contract(s), which vary by the software provider. These include the contract expiration date, cancellation notice period (often 90 days), where and who cancellation is submitted, and the cancellation delivery format, i.e., email, written letter, or other.

It's no secret that Oracle and SAP earn substantial revenue on software license updates and product support. Expensive, inflexible support renewals and complicated contracts garner the loudest complaints about Oracle. Knowing and exercising your rights will help you counter Oracle and SAP sales tactics and enable a smooth transition to third-party support.



## Section 7: Countering the Roadblocks from Oracle and SAP

To retain support revenues, Oracle and SAP have been known to create roadblocks to canceling support agreements. In this section, we will identify some of these barriers and provide tips to help you navigate around them.

### Roadblock 1: Sales Tactics Designed to Drive Customers to Cloud



Rightfully so, Oracle and SAP are very protective of their massive customer bases. Current customers contribute over \$30 billion every year in support fees, earning the software providers more than \$25 billion in gross profit margin. Both companies are reinvesting a significant portion of their profits into research, acquisitions, development, and launch of new technologies and cloud offerings designed to replace the existing on-premise systems that are generating the profit in the first place.

These vendors do not hide the fact that they are betting heavily on their next generation cloud offerings. In various ways, they are incentivizing existing customers to migrate sooner rather than later, even though some industry experts feel these solutions are not yet mature or are inferior to best-of-breed offerings. Your IT leadership is best suited to determine readiness, fit, and roadmap strategy.

Attractive discounts and flexible payment options for cloud licenses are favored tactics for pushing unwanted upgrades and migration, regardless of whether or not they lead to unforeseen costs or risks. Software vendors will generally not provide a discount for unused on-premise licenses (shelfware), but in some cases, they will allow a trade-in of shelfware for cloud futures. Such a trade is often not prudent for the customer because they can retain the shelfware (a valuable commodity) instead of trading it in for cloud futures they may or may not use.

If you continue to resist these overtures, the software vendors may reduce your support fees, and you should press them for a deeper discount, citing your knowledge of the cost benefits of third-party support. Note that, in addition to the 60+% cost reduction offered by a third-party support provider, certain third-party vendors will give pricing concessions for shelfware, allowing you to align support fees with licenses in use.

### Roadblock 2: The Threat of an Audit

When sales and discounting tactics and incentives don't work, Oracle and SAP may try another tactic: the dreaded audit review. Audits happen. Oracle and SAP customers can expect to be audited every 3-5 years, so it's best to always be prepared to defend.



Several trigger events can push you to the head of the line:

- Your company has just gone through a merger or has failed to renew a Universal Licensing Agreement (ULA).
- You have not purchased new licenses in several years.
- You are not moving to Oracle or SAP cloud fast enough.
- You have sent a letter of intent to cancel vendor-provided software support.

According to Gartner research, of the 15 or so audit triggers, canceling support is ranked 9th. It is imperative to review your existing license contracts (original, renewed, and amended) to understand specific terms and clauses. Watch for language and embedded links that make it easier to fall out of compliance. Should you receive an audit, consider contacting a third-party support vendor for licensing options and advice.



### Roadblock 3: Claims of Inadequate Security and Vulnerability Protection

Customers perceive security as one of the top barriers to moving away from Oracle or SAP support. Oracle and SAP would like their customers to believe that they are the only vendor that can keep your enterprise software secure, and their advertising misrepresents third-party support as an inferior security solution. In fact, they may be covering up their own security protection inadequacies.

According to Oracle's published security policy, they monitor for common vulnerabilities and exposures, fix by creating cumulative patches delivered quarterly or one-off fixes for critically deemed updates, and prioritize based on a scoring system related to their ability to address. These security protection measures are entirely reactive, contain no customer-specific security intelligence, block threats only with no proactive threat management solution, and provide a one-to-many solution that lacks transparency.

Make sure you arrange a meeting between your IT and security professionals and the third-party support security experts. The best third-party providers offer a proactive, full technology stack solution that integrates accessible security experts, proven processes, modern detection tools, and continuous monitoring practices. It's a superior approach to software vendor patches, and the third-party support vendor should be able to clearly explain its processes and how they are certified under global standards.

Depending on the size of your company, plus the internal capabilities of your security team, you may already have security covered. If you don't, then carefully evaluate the offerings, ask for references, and decide for yourself.

### Roadblock 4: Challenging the Legality of Third-Party Support

It's no secret that Oracle is deep in litigation with Rimini Street, a leading third-party support provider. In 2010, Oracle filed a lawsuit against Rimini Street, alleging software copyright violations. The case went to trial in 2015, culminating into a jury verdict in Oracle's favor for Rimini Street's 93 counts of copyright infringement, as well as violation of state computer fraud statutes. Including assessed legal and other expenses, Oracle was awarded about \$124 million plus a permanent injunction that restricted Rimini Street from continuing to engage in the infringing activities. In 2017, an appellate court reversed the computer fraud verdict and a portion of the legal expenses. Currently, aspects of the case related to the permanent injunction are still under appeal.

In 2014, Rimini Street filed a lawsuit against Oracle, requesting a declaration that its current support model does not infringe on Oracle's copyrights. Oracle countersued, alleging that Rimini Street is still violating copyrights. Following a lengthy and complex discovery process, a trial is not expected before 2020.

A review of the litigation documents suggests that Oracle's aggressive pursuit of Rimini Street is reflective of years of perceived intentional abuse and misuse of Oracle copyrights. To put things in perspective, third-party support is completely legal when delivered the right way. A recent research paper published by Gartner affirms that there is no legal reason why a third-party cannot provide vendor replacement support for Oracle



customers. Executives from both Oracle and SAP have publicly acknowledged that third-party support is legally viable, as long as the intellectual property rights of the software publisher are respected and observed.

Spinnaker Support understands precisely what practices and processes have been deemed unlawful and has always taken great precaution to deliver support the right way – to nearly 1000 clients since 2018. We have proven that third-party support is a safe, proven alternative to Oracle- and SAP-branded support.

## Roadblock 5: Severing Oracle or SAP Support Permanently Damages Your Relationship with the Software Vendor



Finally, Oracle and SAP customers should understand that a move away from their support does not damage or end the overarching relationship with the software vendor. The vendor, of course, will not be happy with your migration away from their support. They will alert you of temporary or permanent blocked access to self-support portals and upgrade rights for on-premise products (which, as noted earlier, are slowing or no longer scheduled).

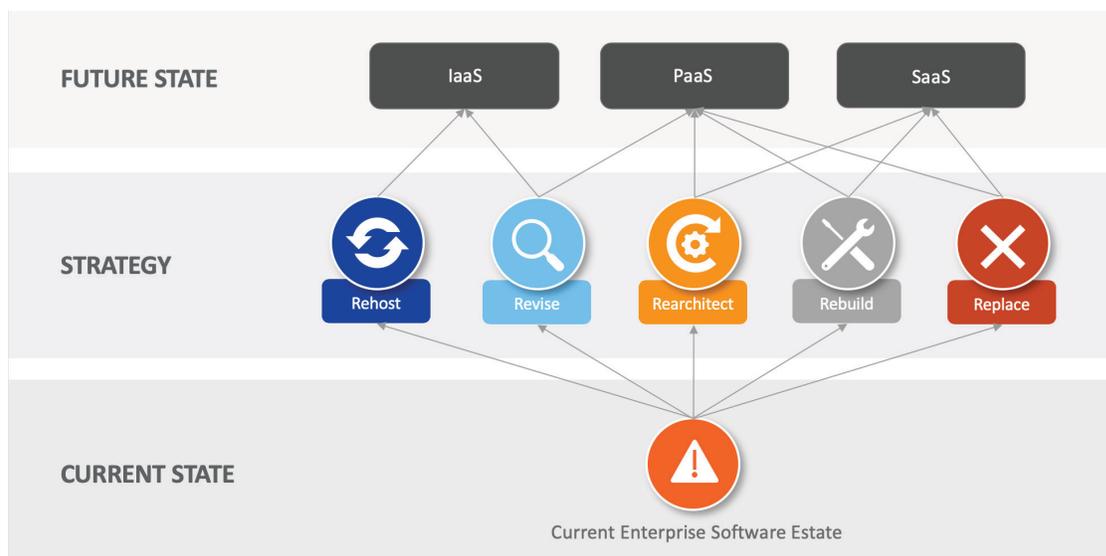
But Oracle and SAP customers should not be worried about a loss of the specific information, patches, and upgrades to which they are entitled – depending on their unique licensing agreement with the software vendor. A third-party support provider can ensure that all published patches and updates available up to the date of cancellation are downloaded and archived on the customer's servers for future use. Although fewer customers than you might expect ever access the archived information, they appreciate having a safety net should they choose to use it.

What Oracle and SAP will not say is that many customers who successfully switched to third-party support eventually return to vendor support, most often due to changing business circumstances. The average period an Oracle or SAP customer stays with a third-party support vendor exceeds four years. The software vendors will always welcome you back should you want to upgrade or migrate – with no back penalties. Returning to Oracle or SAP support will also provide you ample leverage for price negotiations, as you are usually treated as a new customer.

## Section 8: How Third-Party Support Enables and Accelerates the Right Cloud Migration Paths

The journey to cloud is confusing, costly, personal, and complicated, and the fastest growing driver of third-party support adoption is the desire to move on-premise software to the cloud. Many organizations have cloud goals but aren't yet ready to pull the trigger, so they switch to third-party support to maintain robust and reliable systems while they navigate the complexities and develop the strategies that best fit their cloud roadmap. There's no reason to rush to the cloud or to succumb to the aggressive tactics of Oracle and SAP, whose business plans revolve around pushing their customers to cloud and locking them into long-term engagements.

Per Gartner, there are five distinct strategies that enterprises are deploying to migrate their on-premise applications and infrastructures to cloud: rehosting, revising, rearchitecting, rebuilding, and replacing. As each enterprise has its own unique IT landscape, with a variety of different software product lines, there is no one-size-fits-all cloud migration strategy. The best approach usually involves the execution of more than one of the five deployment strategies.



Third-party Oracle and SAP support providers are helping customers migrate to the cloud in these ways:

1. **Delivering savings on annual support fees for stable on-premise applications that can be reallocated to fund cloud migration.** A growing number of third-party support customers are still firming their cloud strategies. Their on-premise applications are functioning well with years of value ahead. Third-parties will take care of these applications until a customer decides to migrate.
2. **Affording time to investigate and identify the optimal cloud migration strategy.** This means time to build funds and time to wait for cloud solutions to properly mature. More time can counter pressure applied by Oracle and SAP to lock in their customers, because there's no reason to get hooked into an inferior cloud strategy.
3. **Providing the right staff and skills at the right time to support your present and future IT initiatives.** Third-parties provide the deep software skills required to support today's application environment while customers re-tool their internal teams to ready for tomorrow's digital/cloud environment.
4. **Offering adaptability on terms that matter to your organization's bottom line.** As customers move from on-premise to cloud, a third-party support vendor offers flexible commercial terms that align services and fees with ever-changing IT infrastructure conditions.

There's no reason to rush to the cloud if you're not ready. Third-party support provides its customers with the latitude they need to fund, staff, and time their move to the cloud.

## Section 9: Smoothly Transitioning to Third-Party Support

As a procurement or sourcing professional, part of your mission is to identify and vet new vendors quickly and accurately. It is a straightforward process to switch from software vendor support to third-party support. Here are four tips that can help ease your process:

1. **Work with the IT department to gather specifics of your software application landscape:** product lines that are in scope, language requirements, countries requiring tax and regulatory updates, used versus unused licenses, etc. Collecting these will help streamline the pricing and onboarding processes.
2. **Gather a two- to three-year history of tickets issued to Oracle or SAP** (types, priority level, etc.) This history impacts pricing, as well as resourcing.
3. **Review your license, support, and cancellation agreements.** Know your rights. Know end-of-maintenance dates. Cancel precisely as contractually required by the software vendors.
4. **Build in enough time to archive the information you are legally allowed to download and store.** You will want to allow 4-12 weeks, depending on your application landscape, before switchover date.



## Conclusion

In this guide, we have provided you with recommendations and information you can use to build an accurate business case for switching from Oracle or SAP-provided software support to third-party support. We advise you to continue to educate yourself, anticipate the inevitable barriers from the software publisher, and successfully address and mitigate the concerns of your IT staff.

Five Key Takeaways from this Guide:

1. **Third-party support is a proven and popular alternative for organizations looking to reduce spending and retain a high-quality of support.** Gartner estimates that the third-party Oracle and SAP market could reach \$8 billion by the end of 2022. Third-party support has expanded into over 100 countries on six continents. Organizations from all industries and from medium size to Fortune 500 have already made the switch.
2. **Not all enterprises are right for third-party support.** Ideal candidates are those who are migrating from one on-premise environment to another or are migrating from an on-premise environment to the cloud, are experiencing financial hardship or need to dramatically reduce their spend on software support, and/or want to direct savings to enable smarter and faster innovation.

3. **Educating yourself and your internal team is paramount to success.** There is a learning curve required to understand the nuances between enterprise software vendor-provided support and the third-party alternative. Question whether the software vendor roadmap truly aligns with the best business interests of your enterprise.
4. **You must make sure to include stakeholders outside of your IT department.** The decision to switch to a new support vendor requires a team effort. As the IT leader, you want to engage cross-department stakeholders throughout the due diligence and decision-making processes. This includes Procurement, Finance, Security, and Legal.
5. **Be sure to understand your rights and how to counter the barriers erected by software publishers.** Oracle and SAP licensing and support policies and practices are needlessly complex, and the two companies will throw confusing claims, threats of audits, or tough sales tactics to dissuade you from switching to third-party support. Work with your legal and IT teams to understand all the facets of your licensing and rights before you embark on a conversation with them.

Hopefully, this guide has offered usable insights into the third-party support market to help you more quickly determine whether it is right for your organization. Remember that moving away from Oracle or SAP maintenance to save money and receive dedicated support does not end your vendor relationship. In fact, it may even improve your position by putting the software vendor on notice that they need to work harder to improve the value of their services and retain your long-term business.

Should you need more detail, feel free to contact us at [www.spinnakersupport.com/contact-us/](http://www.spinnakersupport.com/contact-us/)

## ABOUT US

Spinnaker Support is the leading global provider of third-party support and managed services for Oracle and SAP enterprise software products. Spinnaker Support clients gain more comprehensive and responsive service, save an average of 62% on their support fees, and can remain on their current software release indefinitely. They trust Spinnaker Support to keep their enterprise applications running at peak performance and to help them navigate from on-premise to hybrid to cloud.

Spinnaker Support operates from ten regional operational centers located in Denver, Dubai, London, Mumbai, Paris, Sao Paulo, Singapore, Seoul, Tel Aviv, and Tokyo. Our award-winning blend of services span SAP, BusinessObjects, Oracle E-Business Suite, JD Edwards, Siebel, Oracle Database, Oracle Technology and Middleware products, Hyperion, Agile PLM, ATG/Endeca, and more.

