

Re: Legality of software "handmedowns"

Source:

<http://www.tech-archive.net/Archive/WinXP/microsoft.public.windowsxp.general/2004-07/28619.html>

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Date: 07/28/04

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Greetings --

"Dave" <dave@yahoo.com> wrote in message
news:8MFNc.22590\$Wv4.2211@okepread03...

> *I have a few questions about passing old Microsoft software –
operating*

> *systems, mostly – to friends/family:*

>

> *1) My roommate will soon have her own computer. Can I legally
install my*

> *Windows XP disc on her machine as well as mine? Is it a "one copy
per*

> *household" policy, or does she have to shell out a ridiculous \$200
too?*

>

Just as it says, right on the box, you'll need to purchase a
separate WinXP license for each computer on which you install it.

As it has **always** been with **all** Microsoft operating systems,
it's necessary (to be in compliance with both the EULA and U.S.
copyright law <http://www4.law.cornell.edu/uscode/17/117.html>), if not
technically) to purchase one WinXP license for each computer on which
it is installed. (Consult an attorney versed in copyright law to
determine final applicability in your locale.) The only way in which
WinXP licensing differs from that of earlier versions of Windows is
that Microsoft has finally added a copy protection and anti-theft
mechanism, Product Activation, to prevent (or at least make more
difficult) multiple installations using a single license.

You can buy additional licenses, assuming you have a retail
license. Naturally, Microsoft cannot sell additional OEM licenses. Be
aware, however, that you'll probably pay more this way than you would
if you were to buy a second copy of WinXP from a discount retailer;
Microsoft will only offer you a 15% discount off their MSRP.

Additional Licenses for Windows XP Home Edition

<http://www.microsoft.com/windowsxp/home/howtobuy/addlic.asp>

Additional Licenses for Windows XP Professional

<http://www.microsoft.com/windowsxp/pro/howtobuy/addlic.asp>

But there's nothing requiring your roommate to have the same OS on her computer as you have on yours, so it becomes entirely a matter of choice. If she doesn't want to "shell out a ridiculous \$200," she doesn't have to. She's free to use whatever other OS she wants, or can afford. Linux, for example, is free.

- > 2) *I'm thinking of buying Office 2003, and passing 2000 off to a friend.*
- > *When I am no longer using a Microsoft software product, and I wish to hand*
- > *it off to someone else, what must I/he/she do to "keep the product in legal*
- > *use?*
- >

Assuming the Office 2K license is a retail license, simply be sure to include the installation CD, Product Key, Certificate of Authenticity, and all other documentation in the "hand-off." Of course, if the Office 2K license is an OEM license, you'll also have to include to computer with which it was originally purchased. An OEM license, once installed, is not legally transferable to another computer under any circumstances. The only legitimate way to transfer the ownership of an OEM license is to transfer ownership of the entire PC on which it is installed.

Bruce Chambers

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Help us help you:

<http://dts-l.org/goodpost.htm>

<http://www.catb.org/~esr/faqs/smart-questions.html>

You can have peace. Or you can have freedom. Don't ever count on having both at once. - RAH