

Re: How should I buy XP Pro?

Source:

<http://www.tech-archive.net/Archive/WinXP/microsoft.public.windowsxp.newusers/2007-01/msg00271.html>

- *From:* "Shenan Stanley" <newshelper@xxxxxxxxx>
 - *Date:* Fri, 12 Jan 2007 12:52:38 -0600
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Shenan Stanley wrote:

If they did not provide you with the media to reinstall and the license code – you don't own it anyway.

unclepeteDEL wrote:

I've read disclaimers about how people buy rights to use software, not the software itself. But are you saying that in the thousands of laptops sold without media, the operating system (or the right to use it) is owned by the manufacturer and not the laptop owner?

Is license code the same as the COA?

The Certificate of Authenticity does prove you have a legitimate right to Windows XP – but without the matching CD/restoration method (which – if the COA is a sticker on the system itself – it is an OEM version – which means the original manufacturer who installed said OS on the system took over responsibility for providing the end-user with a method to restore the system to the state they put it in when they installed the OS – they *agreed* to this by utilizing the OEM license) all the COA's in the world are worthless.

<http://www.microsoft.com/resources/howtotell/en/coa.msp>

SOMETIMES you can get lucky and if you have a COA sticker with a product code stuck on your system – you may be able to find a friend with a Generic OEM version of Windows XP Pro/Home – whatever is installed (key words there.. Generic and OEM) and utilize that CD to reinstall the system – at least the operating system – from it. Why is *generic* so important? Some copies of the OS have been modified (OEMs can do this in accordance with their agreement they chose to sell under) so that their copy of the installation media will only work (without great effort/knowledge) on their particular line of computer systems.

Essentially, the way it works is a product key – in OEM cases this is

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usually printed on the COA sticker – is tied not to a specific CD, but a specific TYPE of CD. The OEM product key printed on the OEM COA sticker is tied to an OEM licensed CD. If you can find and utilize (even copy and utilize) such a CD – you are within your rights to do so – no matter what happened to your original. You own an OEM license.

As for any other software – as I have seldom seen any other COAs stuck to a machine denoting you own another piece of software – usually they do you no good. And if you have it installed and functioning – that does not denote ownership. Some products do not come with anything more than the product key and CD and any receipt you got when you bought it to prove ownership. If you have any one of those things – that does not prove ownership exclusively – because any one of those things could have been gotten in other ways.

Is the license code the same as the COA – see the link I gave earlier. The general answer is no – but the license code (product key) can be printed on the COA.

As for the laptops being sold without media... Although many ARE sold without media – they are not sold NEW –from the OEM – without a way to restore said system to its shipped/delivered state. Either a partition (bad – but done) or CD/DVDs to restore with or the ability to make said CD/DVDs by the user. If the user chooses not to make said CD/DVDs – that is just like choosing not to backup their own files, lock their car door, leave their keys in the ignition of their car at all times – etc... It is not the manufacturer's responsibility to make sure the end user does what they need to to have the restoration capability – it is only the OEM's responsibility to give the user the initial ability to restore said system. If you lose your car keys after owning your car for several years – although the manufacturer/reseller might be able to assist you in getting new keys – they have no responsibility to do so. Most laptops I have seen either have restoration CD/DVDs or they have a way to make restoration CD/DVDs built into their original (new) install.

Again – this all assumes *new* – you buy it used and all those agreements go out the window. Used and if you did not get a receipt saying 'this laptop with Windows XP and a software and associated ways to reinstall said OS/software...' <-- your bad.

Shenan Stanley wrote:

If you get it used – this discussion has no point.
A person selling it *not as a business* and *used* really has no obligation to you at all (beyond what you get in writing as the buyer)

unclepeteDEL wrote:

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It was sold used by a business. In any case my need to know the best way to get XP on media (the subject of this thread) remains the same. (I have since solved that problem – I think.)

It was sold *used* by a business. Anywhere on your agreement with them/receipt does it denote them as the original equipment manufacturer or tell you they have provided a method for installing each of the applications that came with the laptop (or even the OS)? If not – then they agreed to sell you a laptop – by coincidence it had an OS and assorted software installed. Heck – it even has a COA stuck to it – but they did not sell you a CD/DVD (nor did they specify one in their receipt to you) and so – they have no responsibility to help you. This goes back to the next point – buyer beware. Just because you were told you were getting a car with a clean title – unless you checked on it yourself – you take your own chances.

Shenan Stanley wrote:

<snipped – has to do with buying used...>

– buyer beware.

unclepeteDEL wrote:

Of course. But in my opinion the massive "no media" campaign was overwhelming to a general public and criminal. But then lots of corporate operations are.

I do not agree that it was criminal. I agree it sucks.

Anyone who sold their system with a restoration partition and not the media or at least a way to make said media – sucks. I even don't like it if the media they sold or have the end-user make is not actually installation media (pure installation media) and not just some specialized installation method or image of said system when they sold it/the end-consumer made said media.

However – that is the way said business decided to be in accordance with the OEM license agreements. People can be greedy and that is pretty much what that boils down to. However – in most of those cases, if you were buying from the OEM and knew what you were doing – you could easily have requested (and found out if there was an additional cost to do so) if you could get actual installation media for the software you were getting with the purchase of the laptop. If they stuttered, paused or you didn't like the answer – since you had given no money – you could walk away. And likely – if you got the system unpacked and noticed there was no way to restore the system/make installation media — you could have returned it in those first few days and asked about it/gotten your money back. Again – 'from the original equipment manufacturer' – not used from the second hand reseller.

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Inexpensive OEM or someone's generic OEM CD you borrow and copy – and you might – with the COA and the product key printed on it – be able to reinstall the Operating System at least. Maybe. Dependent on whether or not that particular # has been flagged as pirated or even functions.

However – as for the rest of the software – with direct receipts, product keys and the installation media – you probably have no one to blame there except yourself for getting something without proof you had gotten it. :-(

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Shenan Stanley
MS-MVP

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How To Ask Questions The Smart Way
<http://www.catb.org/~esr/faqs/smart-questions.html>

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