

Re: Windows SBS 2003 from ebay?

Source:

<http://www.tech-archive.net/Archive/Windows/microsoft.public.windows.server.sbs/2005-06/msg06672.html>

- *From:* <wedor>
 - *Date:* Fri, 24 Jun 2005 09:55:49 -0500
-

It is actually totally legal to sell OEM with a mouse since MS considers it "non-peripheral hardware".

Keyboards are in the same class, anything that is a required part of running a system is considered non-peripheral, a printer does not qualify for instance but motherboards, power supplies, RAM, etc, does.

As for the other OEM issues an authorized reseller is only supposed to sell OEM software to another OEM builder not just anybody.

There is a certain amount of NFR (Not For Resale) software distributed by Microsoft for promotional, testing and demonstration purposes that cannot legally be sold, transferred or given away.

You will always find a certain number of people who will look for loop holes or just flat out dishonestly sell a product, anything to make a buck, it does not matter to them who is cheated in the process as long as they are profiting from it.

The Microsoft licensing rules are too complicated to try to explain in this venue, suffice it too say that it is like most things in life, "if it sounds too good to be true..."

"Russ Grover" <russ@xx> wrote in message news:CpBKuJeFHA.3864@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx

- > The only way I'm legal in Selling it is Installed on a system (OEM) and I provide support.
- > (I can Assist in a sale of the software alone *Retail but not sell it.)
- > The people who sell an OEM version with a mouse are in violation of Microsoft rules.
- >
- > I looked again at that EBAY thing
- > The second one is Pure Piracy, He's Selling a Version of the 90 Trial of the software.
- > (Which is Free btw) then he's selling a HACK to supposedly make everything is ok!
- > And he has the #@\$ to say it's legal.. BS
- >
- > If you notice he's even had PayPal Cancel his account because of his shady

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> activity...
> Stick with Reputable Places you will be much happier.
>
> --
> Russ Grover
> Small Business IT Support
> Portland\Beaverton OR USA
> Email: Sales at SmallBusinessITSupport.com
> Website: www.SmallBusinessITSupport.com
>
>
> "Leslie Isaacs" <leslie@xxxxxxxxxxxxxx> wrote in message
> <news:ORan1xIeFHA.4016@xxxxxxxxxxxxxxxxxxxxxxxxxxxx
>> Hello Russ
>>
>> Many thanks for your response.
>>
>> I take it from what you say that it is not legal to simply buy software
>> (say
>> from microsoft), then decide that you don't want it and so decide to sell
>> it
>> on. If this is the case, that's a good enough explanation for me! I must
>> say
>> I am surprised though: I would have thought that as long as one licence
>> is
>> only used by one person/machine, that would be OK.
>>
>> I should add that I have no intention of using illegal software – hence
>> my
>> desire to be certain what's legal and what's not.
>>
>> Thanks again.
>> Les
>>
>> --
>> Many thanks
>> PayeDoc
>> "Russ Grover" <russ@xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx> wrote in message
>> <news:u4VGv0GeFHA.3836@xxxxxxxxxxxxxxxxxxxxxxxxxxxx
>>> There are Many Steps in becoming an Authorised Seller.
>>>
>>> If you NEED TO KNOW EXACTLY Ask Microsoft..
>>> Call (800) 426–9400 (toll–free in the United States) or (877) 568–2495
>>> (toll–free in Canada).
>>>
>>> If you want to know How to validate your copy. (Make sure it's
>>> authentic.)
>>> <http://www.microsoft.com/resources/howtotell/ww/windows/default.mspx>
>>>
>>> Microsoft Authorized resellers list
>>>

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>> <http://www.microsoft.com/products/info/render.aspx?view=22&type=mdp&content=22/licensing>
>>>
>>> If you are a Reseller you have access to about the lowest price you can
>> get.
>>> I use a Reseller www.asipartner.com And Believe it or not I've got a
>> lower
>>> price from even COMPUSA.com
>>>
>>> Buying from a Reputable Dealer, not only Insures quality of the product,
>> and
>>> support.
>>> but that in Future updates you will be able to get them.
>>>
>>> Starting I think August, People with Hacked or Non Authentic versions of
>> XP
>>> will no longer be able to get updates.
>>> using <http://windowsupdate.microsoft.com>
>>>
>>> Ethics also plays a big part of this. If you have no problem stealing
>>> and
>>> selling stolen goods, then anyone can sell Microsoft software.
>>> I don't recommend it however.
>>>
>>> Every week I get a list (I'm an OEM Builder) of Companies that are being
>>> sued by Microsoft for Violation of Reseller rules.
>>> (Either they are breaking the rules like selling a Mouse with Windows
>> Server
>>> Software, or Just plan selling the same Key over and over again.)
>>>
>>> Now when they break the rules, The Lawyers Sequester all the names of
>>> the
>>> clients that they sold that software too.
>>> Remember anything Stolen get's confiscated by the Police and You loose
>>> everything....
>>> They could Knock on your door and legally grab your server out from
>>> under
>>> you...
>>> In fact they can arrest you for knowingly buying stolen goods.
>>>
>>> If it's too good to be true, it probably is.
>>> So Do you feel Lucky?
>>>
>>> Also Any Place that Requires you to DOWNLOAD the Software is NEVER
>> Legit...
>>>
>>> —
>>> Russ Grover
>>> Small Business IT Support
>>> Portland\Beaverton OR USA
>>> Email: Sales at SmallBusinessITSupport.com
>>> Website: www.SmallBusinessITSupport.com

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>>>
>>>
>>> "Jack Isaacs" <jack@xxxxxxxxxxxxxxxx> wrote in message
>>> news:%23lheWmEeFHA.2732@xxxxxxxxxxxxxxxxxxxxxxxxxxxx
>>> > Hello All
>>> >
>>> > OK folks, many thanks for your replies. You are all obviously
>> experienced
>>> > and knowledgeable on this issue, and I am not. Therefore I am prepared
>> to
>>> > accept that you are all correct in saying what you have said – which
>>> > amounts
>>> > to "it's not legal, don't touch it with a barge pole".
>>> > HOWEVER
>>> > I need to understand why. Being a bit of an obsessive/pedantic/cynical
>>> > type,
>>> > I NEED TO KNOW exactly what it is that make these 'offers' illegal. So
>> far
>>> > your rationale has been restricted to intuition and common sense ("if
>> it's
>>> > that cheap it must be illegal"), but for me that's not enough: I need
>>> > to
>>> > know what rule/term of the licence agreement/law I would be breaking
>>> > if
>> a
>>> > bought and used software from these guys. Some of you have conceded
>>> > that
>>> > some software sold on ebay is probably legal: how do I differentiate
>>> > between
>>> > the legal and the illegal?
>>> >
>>> > Let me put it another way: under what circumstances is it legal for
>>> > someone
>>> > (other than microsoft and other official suppliers) to sell this kind
>>> > of
>>> > software?
>>> >
>>> > Hope you all don't mind my asking!
>>> >
>>> > Thanks again
>>> > Les
>>> >
>>> >
>>> >
>>> > "Susan Bradley, CPA aka Ebitz – SBS Rocks [MVP]"
>>> > <sbradcpa@xxxxxxxx>
>>> > wrote in message news:%23f0E3oCeFHA.1288@xxxxxxxxxxxxxxxxxxxxxxxxxxxx
>>> >> This screams a Not for Resale version of SBS..
>>> >>
>>> >> 1. It's too cheap
>>> >> 2. No box? Excuse me the only way I have SBS without a box is

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>>> >> officially from Microsoft licensing not ebay
>>> >> 3. Flat out... it's way too cheap to be legal
>>> >>
>>> >>
>>> >>
>>> >> Leslie Isaacs wrote:
>>> >> > Hello All
>>> >> >
>>> >> > All of you are saying the same thing, so I suppose you must be
>>> >> > right,
>>> > but I
>>> >> > am very curious about why all these offers are necessarily illegal:
>> if
>>> >> > someone buys the product but does not use/activate it, surely they
>> can
>>> > sell
>>> >> > it on legally?
>>> >> >
>>> >> > When one of the sellers says:
>>> >> > "This is an auction for Microsoft Windows Small Business Server
>>> >> > 2003
>>> >> > Standard Edition, incorporating 1 Server Licence and 5 Client
>>> >> > Access
>>> >> > Licences (CALs). It is the full software (not an upgrade) and comes
>> as
>>> >> > a
>>> > set
>>> >> > of holographic Microsoft CD ROMs with Product Key Codes. It has
>>> >> > never
>>> > been
>>> >> > installed or registered/activated.
>>> >> > Please note: This product does not include a box, manual or other
>>> > printed
>>> >> > material. It is only the CD ROMs and Product Key Code. "
>>> >> >
>>> >> > ... is he lying, or what?
>>> >> >
>>> >> > Same goes for the one saying simply:
>>> >> > "Microsoft Windows Small Business Server 2003 5 Cals (license
>>> >> > pack)
>>> > New
>>> >> > and un-opened"
>>> >> >
>>> >> > Also, one seller give the following information:
>>> >> > "In Per User or Per Device mode, a separate CAL is required for
>>> >> > each
>>> > user or
>>> >> > device that accesses or uses the Microsoft Small Business Server
>>> >> > 2003
>>> >> > software on any server. You may reassign a Windows CAL from one
>> device

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>>
>
>

• ***Follow-Ups:***

- ◆ ***Re: Windows SBS 2003 from ebay?***
 ◇ *From:* Susan Bradley, CPA aka Ebitz – SBS Rocks [MVP]
- ◆ ***Re: Windows SBS 2003 from ebay?***
 ◇ *From:* Russ Grover

• ***References:***

- ◆ ***Re: Windows SBS 2003 from ebay?***
 ◇ *From:* DaveN
- ◆ ***Re: Windows SBS 2003 from ebay?***
 ◇ *From:* Leslie Isaacs
- ◆ ***Re: Windows SBS 2003 from ebay?***
 ◇ *From:* Susan Bradley, CPA aka Ebitz – SBS Rocks [MVP]
- ◆ ***Re: Windows SBS 2003 from ebay?***
 ◇ *From:* Jack Isaacs
- ◆ ***Re: Windows SBS 2003 from ebay?***
 ◇ *From:* Russ Grover
- ◆ ***Re: Windows SBS 2003 from ebay?***
 ◇ *From:* Leslie Isaacs
- ◆ ***Re: Windows SBS 2003 from ebay?***
 ◇ *From:* Russ Grover

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