

Re: Is WGA used to violate your privacy or not?

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Source:

<http://www.tech-archive.net/Archive/Windows/microsoft.public.windowsupdate/2006-03/msg00763.html>

- *From:* "Shenan Stanley" <newshelper@xxxxxxxxx>
 - *Date:* Fri, 17 Mar 2006 16:50:57 -0600
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nubian wrote:

I was reading this article, then I came to this paragraph and was shocked!

"Microsoft traced most of the pirates through its online validation program, Windows Genuine Advantage (WGA). Some of the defendants were reported to the company's antipiracy hotline."

http://www.sci-tech-today.com/news/Microsoft-Sues-eBay-Software-Pirates/story.xhtml?story_id=10000B

If WGA is touted to protect and respect the privacy of those who use Windows, how could it do this without violating privacy?!?

I checked the FAQ and privacy policy of WGA:

<http://www.microsoft.com/genuine/downloads/PrivacyInfo.aspx?displaylang=en>

<http://www.microsoft.com/genuine/downloads/FAQ.aspx?displaylang=en>

"Q: What information is collected from my computer?"

A: The genuine validation process will collect information about your system to determine if Windows is genuine. This process does not collect or send any information that can be used to identify you or contact you. The only information collected in the validation process is:

- * Windows product key
- * PC manufacturer
- * Operating System version
- * PID/SID
- * BIOS information (make, version, date)
- * BIOS MD5 Checksum
- * User locale (language setting for displaying Windows)
- * System locale (language version of the operating system)

Q: How does Microsoft use this information?

A: The information serves three purposes:

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- * It provides Web page flow, tailoring the pages you see based on your responses.
- * It conveys demographics, which help Microsoft to understand regional differences in Windows usage.
- * It confirms user input. User input is often compared against data collected from the PC in order to determine whether to grant a user's request for additional access."

And I repeat,

"This process does not collect or send any information that can be used to identify you or contact you."

Then how the heck did ""Microsoft trace most of the pirates through its online validation program, Windows Genuine Advantage (WGA).""?!?
Is it just me, or is this a gross misuse of WGA?

gw wrote:

Possible scenario:

Clueless (or not) person buys "cheap" software from ebay.
Installs software and fails validation.
Cries wolf to MS.
MS *does* keep a list of cracked keys.
MS inquires as to source of product.
I'm sure they're building up a database when the complaints come in: Key, where & when purchased, etc.
User points MS to ebay auction.
Seller has sold a known cracked or invalid key.
MS goes after seller.

There is no way the evil WGA program could track the key back to the seller, only the user. How could they tie an invalid key back to an ebay seller? I don't see any big effort to prosecute individual users, only those who distribute.

capitan wrote:

But if you read the quoted paragraph from the article, it says that only SOME were phoned in. It also says that MICROSOFT TRACED MOST through WGA.
I don't think that equates to ALL being caught through being reported over the phone. I see nubian's point.

gw wrote:

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Yes – TRACED – As in, found out where they came from. Show me where MS is prosecuting an individual user for installing a pirated copy. It's not happening. They have nothing to gain by punishing the user – they just scare off a potential customer. I imagine if they really wanted to, they could tie WGA to a download that would destroy an invalid installation.

Again, even if MS *TRACED* (using personal information) the illegal copies using WGA, how would that lead them to prosecute an ebay seller?? Wouldn't they be prosecuting the individuals who had installed the copies?

nubian wrote:

I see what you are saying, the sellers would have had to have it installed to have it "trace" back to them. I still don't trust MS as far as I can throw them!

I don't think that is what gw was saying.
Same as been said elsewhere in this thread.
Those being sued now are those that were caught SELLING the pirated copies.

A call comes into Microsoft, says the user bought this copy from eBay and now the user is getting a message they cannot install SP2 or they cannot use the WGA to validate their copy – can they report it and possibly get a free copy to replace it. (Not saying it was given or not – but I know I would call in to report it and rat out the people who screwed me AND ask for a free copy (license) in return.) So these people are PO'd – they call and report to Microsoft the eBay seller's name and when they bought it. Knowing how easy it is to sell on eBay and how much money one would be making from selling a CD they burned themselves for \$100 – this was unlikely the ONLY person to get PO'd and to find out how to call and to do so. Now you have multiple calls from likely multiple places all over about this single seller. Likely enough to investigate.

In the eBay rules of selling are listed some things deemed to be prohibited. I can see an unauthorized Windows XP license/copy fitting there..
<http://pages.ebay.com/help/sell/policies.html#prohibited>

It is easy enough to report bad listing to eBay and after many reports to eBay and Microsoft – I bet they might even work together to crack down on this – for both their benefits.

Now – after having given that scenario – I believe – again – the original article pointed to was badly written and misunderstood or just understood in the way each reader *wanted* to understand it instead of understanding it as it was actually done.

The sellers may have never installed their pirated copy other than to test

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it. They have likely ripped off enough people that they are running Windows 2003 server on their new rack mounted server systems. Every 10 sales or so is \$1000, and if you think they only scammed one person – you are really pretty naive. Their installation of the pirated copy is *not* why the lawsuit was filed. The end–users that got ripped off and reported it are not being sued (they likely found out because of WGA – and they may not have found out until SP3 was released in late 2007 otherwise – as previous to SP2, I cannot remember their being WGA for any patches – definitely not required – and SP2 and many patches after it can easily be integrated into the install, legal or not. It may have taken them months before they realized they had a bum copy.) Only those that got reported as selling the illegal copies on eBay (I would not be surprised if eBay is suing them as well as Microsoft) are named in the lawsuit in the article given in the OP.

Trusting MS has nothing to do with this in the end. Trust them or not – they are not the one who sold something to people that wasn't "real". It's no better than me selling the Brooklyn Bridge to someone. I'm selling something I do not have. I could sell you a genuine faux diamond – as long as I do not pass it off as a genuine diamond. They were passing off the genuine faux XP license and a genuine XP license. I wouldn't be surprised – if they have been identified enough – that not only is MS suing them, but so is eBay and each of those people who bought a product under false pretenses.

Now – that is not to say they didn't sell twice as many copies of non–legit copies to people who knew it and will never report it because they can take care of their copies just fine without worrying about WGA or any of that. It likely happened.

Dislike/mistrust MS and other corporations all you like – but do it for actual reasons and not those you make up based off (what seems to me anyway) a mis–interpretation of an article or implied meaning and not actual facts given in said article..

Is WGA annoying?

Yep. Can be. Even to those who have legit copies.

Has it caused any lawsuits against those *using* non–legit software (and not those who sold it)?

Not that I have seen/read/heard about.

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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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