

Press information

Munich, August 11th 2008

Microsoft intimidates customers

Identical product keys are part of Microsoft's distribution model / usedSoft's Managing Director Schneider: "Distortion of facts"

Today, Microsoft has published information that "conspicuous product keys" had been blocked. However, fact is: "In connection with Microsoft's distribution model it cannot be excluded that one but the same product key is provided to hundreds of customers at the same time – for example through major distributors. The fact that identical product keys are used by different customers at the same time does not evidence any unlawful use at all, but is only part of Microsoft's distribution model. "This statement is nothing but an immodest attempt of the software monopolist to intimidate software users by distorting facts", explains usedSoft's Managing Director Peter Schneider.

Already in June 2008, Microsoft had already blocked a few product keys as fraudsters got hold of them. Today's information released by Microsoft probably relates to such case which had happened some time ago. It could be an attempt of Microsoft to misrepresent an old case as topical case in order to link such case to the Oracle judgment of the Higher Regional Court of Munich which was rendered after such case had occurred.

In view of such background, the fact that Microsoft refers to the Oracle judgment of the Higher Regional Court of Munich which was rendered only recently, is nothing but propaganda to be easily seen through. After all, it was only recently that the Regional Court of Munich decided in a judgment which has become final and absolute, "that the sale respectively disposal of individual Microsoft software licences which had been delivered within the scope of volume licence contracts would be possible in an effective way even without Microsoft's consent." The judgment rendered by the Higher Regional Court of Munich which has not become final and absolute does only apply to Oracle software. Thus, the Regional Court of Munich emphasized in his Microsoft judgment which was passed recently that the two cases (Oracle and Microsoft software) cannot be compared with one another.

Background information: Due to the fact that identical Microsoft product keys are provided to so many companies and individuals, it occasionally happens of course that keys are misused by fraudsters. If Microsoft learns about it, all Microsoft customers who are provided with such product key get an alarm message, for example when downloading any update from the Microsoft server.

This may now happen to usedSoft customers as well, as the product key used by them and by many other Microsoft customers fell into wrong hands through other users. However, this does not mean that usedSoft customers had therefore acquired their licences in an unlawful way. Of course, they do not need to worry and can continue to use such software, if such software was bought from a reliable used software trader like usedSoft.

By the way, in the year 2006, Microsoft had tried to criminalize usedSoft as copyright pirate by submitting the same argumentation (manifold appearance of same product keys). At that time, the General Department of Public Prosecution of Munich upheld the former decision of the Department of Public Prosecution of Munich to discontinue those proceedings for proved innocence, thereby emphasizing that due to usedSoft's Merchandise Management System and the notarial certificate procedure any unlawful copying could be practically excluded.



Information about usedSoft

usedSoft was set up in 2003, and it is a leading European supplier of used software originating from all application fields. Buyers of usedSoft licences are companies as well as software dealers. Customers of usedSoft are, among others, companies such as Edeka, KarstadtQuelle, Kaufland, Neckermann, Rewe, the Law Office Holme Roberts & Owen, as well as a leading soccer club belonging to the German Soccer League and a number of different Savings Banks. German authorities are more and more using used software as well: Next to the Bavarian State Capital of Munich, the German Federal Social Court in Kassel, the Municipal Administration of Bad Salzflun and the Data Central Office of Baden-Württemberg, there were more than 100 additional local authorities benefiting from usedSoft licences. The cost-saving benefit when buying used licenses ranges between 20 and 50 percent.

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