

The Microsoft Blog

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Microsoft mulls response to Linux-based XP clone



Courtesy of MyDrivers.com

This screenshot of Ylmf OS shows how much the operating system looks like Windows XP.

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Take a look at the image above. That's Windows XP, right?

Nope, it's Ylmf OS – an Ubuntu Linux-based operating system that looks almost exactly like XP.

Talk about clever. Chinese software scammers have for years been creating and selling pirated copies of the Microsoft operating system. And recently, the Redmond-based company has been cracking down on piracy in China.

The solution? Make Windows XP out of Linux.

And Microsoft isn't sure what to do about it.

I first saw screenshots of Ylmf OS [at DownloadSquad](#) and decided to look into it further. According to the software's Web site, [via Google Translate](#), Ylmf OS was developed by Rain Forest Wind Guangdong Computer Technology Co., an Internet and software firm based in Dongguan, Guangdong Province, China.



Courtesy of Ylmf

It's based on Ubuntu 9.10 and re-skinned to look like Windows XP. The OS comes with Open Office, an open-source productivity suite that competes with Microsoft Office, and also comes with [Wine](#), which allows Windows applications to run on other operating systems.

I contacted Microsoft to see if they knew of Ylmf OS and what legal options they might have. Because Ylmf OS is based on Linux, and not a straight Windows XP hack, the applicable law here is foggy. Especially since intellectual property law enforcement in China is so

This promotional image from the Ylmf OS Web site clearly shows that the company is knocking off Windows XP. [Click to enlarge](#)

"We have not really evaluated the code here, but assuming that this is a Linux implementation we agree that the existing laws against software piracy are unlikely to apply here," a Microsoft spokesperson told me via e-mail. "So we'd have to look to the protection offered under intellectual property law generally in the relevant jurisdictions.

"But it would be difficult to talk about the legal options in a general sense as each instance is unique, depending not only on the local IP laws in play (in this case in China) but also the technical implementation itself. We'd need to drill down into the specifics to understand better what Microsoft IP rights may be at stake here."

I also contacted Rain Forest Wind Guangdong Computer Technology Co. to see if they are prepared for any legal action by Microsoft. But not surprisingly, due to the time difference and my inability to speak Chinese, I have not gotten a response.

As a Linux-based system, Ylmf OS ostensibly doesn't infringe on Microsoft's Windows source code patents. But there is one other major area of intellectual property law Microsoft might be able to enforce.

"Copyright would probably need to be the approach they'd take, for sure," said George Haley, a business professor and director of the Center for International Industry Competitiveness at the University of New Haven in Connecticut.

But it's not as simple as it sounds – and it doesn't sound simple.

Microsoft's legal success would largely depend on which Chinese province has jurisdiction, Haley said. And though Guangdong Province is one of the better provinces for intellectual property enforcement, flat-out suing the Ylmf OS developers would be all but pointless.

Software is "so damned easy to rip off that it's almost impossible to fight," said Haley, who also authored "[The Chinese Tao of Business: The Logic of Successful Business Strategy](#)."

"It's going to take a really solid case to win," he continued. "If they don't have a really solid case, if they plan on staying in China, they better not push it."



Haley

Instead, Microsoft's first move should be to try settling with Rain Forest Wind Guangdong Computer Technology Co., Haley said. That could net Microsoft some copyright royalties. Going through the Chinese courts would be nearly impossible, he said.

It's unknown whether Ylmf OS poses any major threat to Microsoft's business in China. Ylmf OS could be sold to users disguised as Windows XP, but the company's Web site is plastered with Ylmf branding. [Some screenshots](#) show subtle branding differences between Ylmf OS and XP.

Besides – what Linux-minded computer user would want something that looks like a Microsoft product? According to Google's rough translations, however, Ylmf is designed to ease a user's transition from Windows to Linux.

Regardless, Ylmf OS exists and is free to download.

"They're in a really difficult position," Haley said of Microsoft. "I'm sure they recognize it and that's why they're so noncommittal. Their best hope would be to negotiate and try to settle."



Courtesy of MyDrivers.com

A screenshot of the login screen for Windows XP – ahem, I mean Ylmf OS. [Click to enlarge](#)

Posted by [Nick Eaton](#) at December 30, 2009 1:13 p.m.

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