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Rental Rights licensing

General Information

What are Rental Rights?

Rental Rights are additive licenses that permit organizations to rent, lease, loan, or outsource PCs to third parties (regardless of whether a fee is charged for such use) with a licensed, qualifying Windows operating system and for Microsoft Office software. Examples of these organizations include Internet cafés, hotel and airport kiosks, business service centers, and office equipment leasing companies.

Are Rental Rights licenses replacements for stand-alone software licenses?

No. A Rental Rights license is an additive product license for each device being licensed. Organizations can only purchase Rental Rights licenses under a Microsoft Open License or Microsoft Select Plus Volume Licensing Agreement.

Why is Microsoft offering Rental Rights licenses?

Software licenses are priced based on how the software is used. Microsoft Volume Licensing agreements do not account for organizations that rent, lease, loan, or outsource Microsoft Product Use Rights (PUR) for direct or indirect commercial gain. Microsoft created Rental Rights in response to the increasing number of organizations that rent, lease, or outsource PCs with Microsoft software to third parties.

Does this make Microsoft licensing more complex? Would it be easier to change Microsoft Volume Licensing rights to allow organizations to rent, lease, or outsource software?

Rental Rights are only relevant to those organizations that rent, lease, or outsource PCs to third parties for direct or indirect commercial gain. Rental Rights offer the following three key benefits:

- ▶ **Easy to use:** Single transaction with no renewals, monthly payments, or reporting required.
- ▶ **Affordable:** Per-device license is valid for the term of the underlying software license or for the PC's life.
- ▶ **Genuine:** Helps protect organizations from legal action and threats to IT security and performance with Genuine Windows and Genuine Office products.

Do organizations need to purchase Rental Rights licenses if no charge exists for using the software and no formal agreement exists for using the PC?

Yes. Organizations need to purchase Rental Rights licenses any time third parties use their PCs. This includes free use and/or use that does not require a formal contract to use the PC. Examples of such use include hotel kiosks that allow hotel guests to print out airline boarding passes, free Internet terminals set up at conferences for attendees to check email, and PCs in auto service waiting rooms that allow free customer use. Note, whether or not contract terms are provided for use of the PC, third parties using Microsoft software under Rental Rights must agree to the license terms in writing or electronically. See the [Product Use Rights](#) webpage for more information.

Qualifying Products Supported

What products qualify for Rental Rights?

The following products qualify for Rental Rights:

Rental Rights for Windows	Rental Rights for Microsoft Office Standard	Rental Rights for Microsoft Office Professional Plus
▶ Windows 8.1 Pro	▶ Microsoft Office Standard 2013	▶ Microsoft Office Professional Plus 2013
▶ Windows 8 Pro	▶ Microsoft Office Standard 2010	▶ Microsoft Office Professional Plus 2010
▶ Windows 7 Professional		
▶ Windows Vista Business		

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Why are Rental Rights licenses only available for qualifying Windows and Microsoft Office products?

Windows and Microsoft Office products account for more than 90 percent of desktop PC operating systems and applications in the PC rental, lease, and outsource market. As customer requirements expand and market demand grows for additional applications, Microsoft will evaluate the need for other Rental Rights product licenses.

Why are Rental Rights only available for higher editions of Windows and Office?

Most commercial customers require full functionality of the higher editions of Microsoft software. Microsoft will continue to evaluate the need for additional Rental Rights licensing based on customer needs.

Eligibility

What Microsoft Volume Licensing program do I need to have to add on Rental Rights licenses?

You can add a Rental Rights license to any Microsoft Open License or Select Plus Agreement.

Why are these licenses not available through Microsoft Enterprise Agreement (EA), Microsoft Open Value, or Microsoft Open Value Subscription Volume Licensing programs?

Rental Rights licenses do not qualify for Microsoft Software Assurance coverage when purchased by primary customers, defined as the purchasers of the PCs that are rented, leased, or outsourced to third parties. Because the Enterprise Agreement and the Open Value Agreement include Software Assurance coverage, organizations cannot purchase Rental Rights licenses through these agreements. Software Assurance is not available to the primary customer. End-user customers can acquire Upgrade and Software Assurance (U&SA) for the Windows desktop operating system licenses and License and Software Assurance for Office Suite licenses through their own Volume Licensing agreement.

Why is the primary customer, such as an Internet café, hotel kiosk, business service center, or office equipment leasing company, who buys the Rental Rights license, not eligible for Software Assurance?

Software Assurance is not available to Rental Rights license holders because the use model does not support use under certain Software Assurance benefits, such as virtualization, remote boot, and multitenancy. Business customers can qualify their rented PCs and acquire U&SA for the Windows desktop operating system licenses and License and Software Assurance for Office Suite licenses under a separate Microsoft Volume Licensing agreement.

Are any organizations exempt from Rental Rights licensing?

Rental Rights licenses are not required for a lease that meets all of the following criteria:

The lease:

1. Is the initial leasing transaction for a PC preinstalled with the original equipment manufacturer (OEM) version of Windows Vista Business, Windows 7 Professional, Windows 8 Pro, or Windows 8.1 Pro and, if applicable, Microsoft Office 2013;
2. Is with a single lessee;
3. Does not grant any sublicensing rights; and
4. Ends the earlier of (i) transfer of ownership of the PC to the lessee, (ii) at least three years from its effective date or (iii) if lessee meets the government eligibility definition at <http://www.microsoftvolumelicensing.com/DocumentSearch.aspx?Mode=3&DocumentTypeld=6> or

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the Qualified Educational User definition at <http://www.microsoftvolumelicensing.com/DocumentSearch.aspx?Mode=3&DocumentTypeld=7>, at the end of the maximum term permitted under applicable law and regulations.

A lease as described above is permitted under the [Lease Agreement for Microsoft Products Installed on Leased Computers](#).

How It Works

How do I buy Rental Rights?

For each PC you will rent, lease, loan, or outsource with the Windows desktop operating system:

1. Ensure the PC is licensed for Windows 8.1 Pro, Windows 8 Pro, Windows 7 Professional, or Windows Vista Business.
2. Acquire a one-time Rental Rights for Windows license for the PC.

For each PC you will rent, lease, loan, or outsource with Microsoft Office:

1. Ensure the PC is licensed for Windows 8.1 Pro, Windows 8 Pro, Windows 7 Professional, or Windows Vista Business and Office Professional Plus 2013, Office Standard 2013, Office Professional Plus 2010, or Office Standard 2010.
2. Acquire the one-time Rental Rights for Windows and Rental Rights for Office licenses for the PC.

How do I count the number of Rental Rights licenses I need?

Count the number of PCs with qualifying Microsoft software licenses your organization intends to rent, lease, or outsource. The number of Rental Rights licenses for Windows and Rental Rights licenses for Microsoft Office must equal the number of Microsoft PCs licensed with qualifying Windows and Microsoft Office products.

How do I assign my Rental Rights licenses?

You must assign Rental Rights licenses permanently to devices already licensed for qualifying versions and editions of Windows and Microsoft Office, as appropriate. You cannot reassign a Rental Rights license to a different device.

Can I transfer my Microsoft Office Rental Rights licenses like I transfer my Microsoft Office licenses when I buy a new PC?

No. Rental Rights licenses are permanently attached to a PC and are nontransferable. The Rental Rights license is valid for the term of the underlying software license or the PC's life.

How do I buy more Rental Rights licenses?

Rental Rights licenses are available through the Microsoft Open License and Select Plus Volume Licensing programs. Contact your Microsoft reseller for information about buying Rental Rights licenses.

Cost

Does the cost of Rental Rights licenses decrease with the volume purchased?

No. Rental Rights licenses are purchased at a fixed price based on your Open License or Select Plus Agreement, making the transaction simple and consistent with your PC purchases and license forecasting.

Note: Actual prices and payment terms may vary. Final prices and payment terms for licenses acquired through resellers are determined by agreement between the customer and its reseller.

Rental Rights licensing

Compliance

My business has rented PCs to my Internet café customers for years, and Microsoft has never upheld these use rights. Why has this changed?

Microsoft wants to help you license technology without compromising your business model. Given the increasing number of organizations that rent, lease, or outsource PCs to third parties, Rental Rights make it easy and affordable for you to comply with Microsoft licensing. With Rental Rights licenses, you can ensure licensing compliance with a single transaction that covers the operational lifetime of your organization's licensed PCs.

How will Microsoft uphold these Rental Rights?

Microsoft licensing relies heavily on a trust model. The company expects customers to provide accurate counts of PCs with Windows and Microsoft Office licenses that they are renting, leasing, or outsourcing to third parties and subsequently match those with the number of Rental Rights licenses they order.

While Microsoft works with several industry associations, governments, and other organizations that uphold Intellectual Property protection laws, it is not a license compliance enforcement agency. However, public and private organizations worldwide are focusing more intensely on combating piracy because of its global economic impact. As a result, users of improperly licensed Microsoft software are increasingly at risk for legal action. Just as you try to protect your customers from the threat of legal action for noncompliance, Microsoft wants to help protect you. Providing a simple way for you to get compliant is part of that effort.

Services Provider License Agreement

When should I choose the Microsoft Services Provider License Agreement (SPLA) and when should I choose Rental Rights?

Choose based on your business model. Choose SPLA if your organization prefers a monthly subscription versus a perpetual license and prefers to report different volume use gradually. Choose Rental Rights if your organization rents, leases, or outsources PCs to third parties. With Rental Rights, each license is good for the term of the underlying software license or the operational life of the PC through a simple, one-time transaction.

What should I do if I already have a SPLA?

Microsoft recommends that you evaluate your needs and work with your Microsoft account manager or Microsoft reseller to determine the best solution. Microsoft can provide on-board guidance for current customers who choose to transition to Rental Rights licenses.

Scenarios/Use Rights

What types of organizations rent, lease, or outsource PCs?

Office equipment leasing companies, business service centers, Internet cafés, hotel and airport kiosks, and government tendered shared access are the most widespread types of organizations to rent, lease, or outsource PCs.

If I currently lease my PCs from an OEM, do I need to acquire Rental Rights licenses?

No. OEMs are permitted to lease PCs to customers under the terms outlined in the OEM Microsoft Desktop Operating System (DTOS) License Agreement.

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I operate a rent-to-own PC business, do Rental Rights apply?

No. Traditional financing programs for PCs are not facilitated under Rental Rights licenses. [See the Lease Agreement for Microsoft Products Installed on Leased Computers.](#)

Because our employees share PCs, do we need to acquire Rental Rights to comply with Microsoft Licensing?

No. Rental Rights only apply to organizations that rent, lease, or outsource PCs for commercial gain and are not required for internal use of shared PCs.

Can I rent, lease, or outsource virtual PCs through Rental Rights?

No. You cannot use the software within a virtual (or otherwise emulated) hardware system.

Is remote use allowed through Rental Rights?

No. Rental Rights do not account for remote access and use of Microsoft software.

Can I reassign a Rental Rights license to another PC?

No. Rental Rights licenses are permanently assigned to the PC and cannot be reassigned to another device.

Can I use an earlier version of the software?

Yes. You can use an earlier version of the software instead of the qualifying software only if the qualifying software is licensed under a Microsoft Volume Licensing agreement (both Rental Rights for Office and Rental Rights for Windows), or OEM Windows licenses, which permit downgrading (Rental Rights for Windows only).

Do refurbished PCs qualify for a Rental Rights license?

Yes. PCs refurbished and preinstalled with Genuine Windows XP Professional for Refurbished PCs are eligible for Rental Rights licensing. Look for the special "For Use On Refurbished PC Only" Certificate of Authenticity (COA) affixed to the PC in addition to the original operating system COA.

What constitutes a properly licensed refurbished PC with the Windows operating system?

A refurbished PC is properly licensed if it has an original OEM Windows COA affixed to the hardware. It must also have the corresponding operating system image installed on the hard drive and on the associated original recovery solution (either on disk or hard drive). If any one of these components is missing, the license is incomplete and invalid.

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