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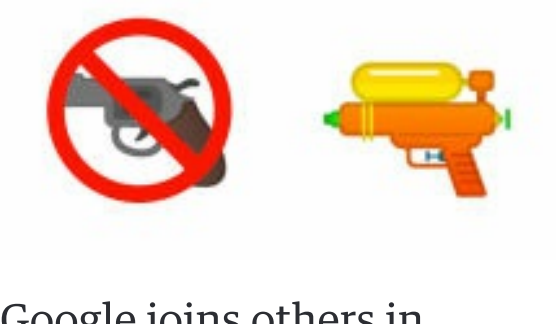
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Engadget

Eric Lundgren is a renowned innovator in the field of [recycling e-waste](#). The 33-year-old man is the founder of the first e-waste recycling facility in the United States, which uses old mobile phones, computers and other electronics to build new devices. He's been charged with recycling electronics, and now he's going to jail for it. According to [The Washington Post](#), Lundgren was sentenced to 15 months in prison for restoring disks for Windows computers.

These CDs allow users to restore Windows to their computers if their installation is corrupted or wiped. It requires that they have a license for the operating system; the disk itself does not have a license. While these CDs are distributed for free with a computer, people often throw them out or misplace them. The OS can be downloaded onto a licensed computer, but many people don't take that step.

Lundgren realized that people were simply discarding old computers and buying new ones, rather than trying to restore them. He began manufacturing restore CDs that could be sold to computer repair shops for a quarter each. The idea was these shops could sell them to consumers, who could use them in the future to restore their computers and, as a result, reduce e-waste.

However, things began to go downhill after US Customs got ahold of a shipment of these disks in 2012. They charged Lundgren with trafficking in counterfeit goods, as well as criminal copyright infringement. The premise here was that Lundgren was providing a Windows operating system on these restore disks, but that was untrue. The users needed to have a previously purchased Windows license; otherwise, it wouldn't work.

While Lundgren argued that these disks had zero value, Microsoft claimed (through a letter and an expert witness) that they were "operating systems" and that they had the potential to hurt Microsoft's sales. The pricing was set at \$25 a piece, which was more than what repair shops charged for these disks. The catch here is that this is the price for a *fully licensed* operating system, not Lundgren's.

Lundgren feels his options have been exhausted (appeal to the Supreme Court would be too pricey) and is resigned to serve his sentence. The real fear here is that this decision is a precedent for software manufacturers that want to prevent users from taking advantage of e-waste recycling. It's a blow to the cause of e-waste recycling and it certainly seems petty on the part of Microsoft.

Source: Washington Post  
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