



# Microsoft sues Computer Guy

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## Bridgeport company accused of pirating software

BRIDGEPORT — It's a case of Goliath taking on David.

Tuesday, Microsoft Corp. sued The Computer Guy, a limited liability corporation doing business as TruConnect Network Solutions, on 3780 Main St., and Yasser Sam Sayyah, its owner, in federal court here for infringing on the trademark of its Office software on at least two occasions in the past year.

The suit seeks damages, legal fees and a court order prohibiting the four-person company from manufacturing, distributing or using any counterfeit or improperly licensed Microsoft program and from engaging or assisting others in doing so.

"I'm extremely shocked," said Sayyah, who owns the company, which is primarily a repair shop. "I've done everything by the book in trying to build this business in the past five years. I would never sell anything that is counterfeit or do anything that is wrong."

Sayyah said he often had to repair computers that have been rendered inoperable by viruses.

"I've had customers complain that Office was not reinstalled," he said. "I've told them I need your licensed copy."

Microsoft attorney Sharon Cates said Sayyah's customers called the company's hotline, 1-800-RULEGIT, to complain about the Bridgeport business. Microsoft follows up on all such calls, she said, so sent an investigator to make a purchase.

"We've had a fairly long history with this particular company," Cates said.

The suit alleges that in August 2006 Computer Guy distributed computer systems with an infringing copy of Microsoft Office 2003 on it. On Nov. 29, 2006, Microsoft maintains it sent the Bridgeport repair shop a letter demanding they "cease and desist," as well as information on how to avoid future infringement.

The suit maintains that in August 2007, the Bridgeport business again sold computer systems with infringing copies on it.

"On information and belief, these are not isolated incidents," maintains the lawsuit filed on behalf of Microsoft by Brian C. Roche and Gerald C. Pia Jr., two Shelton lawyers. "Rather, defendants have been and continue to be involved in advertising, marketing, installing and/or distributing infringing copies of Microsoft's software to identified persons or entities."

"I have never sold anything that is coun-

terfeit," Sayyah said. "I even informed them when we received an item I thought was counterfeit."

Cates said Microsoft is not going to start knocking on Sayyah's customer's doors, but they won't have any technical support for pirated software.

She recommends customers check the status of their software through the hotline or Web site, [www.howtotell.com](http://www.howtotell.com). If the software is pirated, they should return it to the store for a refund or a legitimate copy.

It's "highly unlikely" someone who repairs computers doesn't know it's illegal to load unlicensed software on a computer, said Joseph J. Corcoran, an associate professor of software engineering at Fairfield University. But, he added, "It's a good form of defense."

"They do a lot of suing," Christopher Huntley, assistant professor and chairman of information systems and operations management in the Charles F. Dolan School of Business at Fairfield University, said of Microsoft. "They and IBM have some of the best intellectual property lawyers in the world."

When a customer buys and registers Microsoft software, Huntley said, they buy a li-

cence to use that product, not a license to own it. This limits how the customer can use the software.

Piracy is a serious problem for Microsoft and other companies, Huntley said, because if they don't show they've made a vigorous-enough effort to defend their intellectual property, they could eventually lose the rights to some of it.

"Usually, they settle, that's my impression," Huntley said of the suits.

Since March 2006, Cates said, Microsoft has filed more than 130 piracy-related lawsuits across the country.

"Microsoft's goal ... is to make piracy a cost-prohibitive business model."

The suit charges trademark infringement, copyright infringement, false description and representation of Microsoft packaging and violation of the Connecticut Unfair Trade Practices Act. It identifies the software as Microsoft Office Pro 2003

Microsoft wants an accounting of the monies allegedly earned by Computer Guy and TruConnect Network Solutions. It wants the money placed in a trust while the case is pending.

The case has been assigned to U.S. District Judge Janet Bond Arterton in New Haven.

Arterton has asked the parties and their lawyers to confer within 30 days of the filing.