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Sony Sued For Removal Of Linux Support From PS3

'Other OS' feature the center of a new class action lawsuit.

April 28, 2010

by [Jim Reilly](#)

A class action lawsuit has been filed against Sony Computer Entertainment America for the removal of the 'Other OS' feature from the PlayStation 3.

In March, Sony **released** firmware v3.21 that disabled the feature, disallowing users from installing the Linux operating system. The update was not mandatory; however those who chose not to download it were cut off from a number of other features, one of which included signing in to PlayStation Network.

The suit, filed on April 27 by Anthony Ventura of California, seeks to redress Sony for the "intentional disablement of the valuable functionality originally advertised as available" for the Playstation 3. The disabling of Linux support is not only in breach of the sales contract between Sony and its customers, the suit says, but also a deceptive business practice "perpetrated on millions of unsuspecting customers."

Sony publicly stated the removal of the feature was for security reasons, however, the lawsuit says the company was more concerned with potential piracy.

"On information and belief, contrary to Sony's statement, the 'security concerns' did not involve a threat to PS3 users, but rather reflected Sony's concerns that the Other OS feature might be used by 'hackers' to copy and/or steal gaming and other content."

The suit also alleges Sony violated California's Unfair Competition Law by restricting the PS3's functionalities by "forcing consumers to choose between the Other OS function and the Other Advertised Features impaired by Update 3.21"

The suit states those who purchased a PlayStation 3 had "no ability to negotiate the System Software License Agreement's terms which was only provided to them after they purchased their PS3s, including the terms allowing Sony to remove functions at will, allowing it unilaterally change the System Software License Agreement at will and forcing consumers to either accept any

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changes in the System Software License Agreement or cease their use of their PS3."

This class action lawsuit is brought on behalf of a nationwide class of all persons who purchased a PS3 during the period of November 17, 2006 to March 27, 2010 and who did not resell their PS3 before March 27, 2010. The suit seeks, among other things, compensatory damages, and injunction relief. No specific sum was listed, however the suit says "the amount in controversy is in excess of \$5 million."

IGN has contacted Sony for comment. We'll update this story when we hear more.

Update: Sony said it does not comment on pending litigation.

A complete copy of the lawsuit in PDF form can be viewed [here](#).

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bofojanglez posted:

Lol, I work in a law office and showed my boss he just chuckled someone is going to get there a\$\$ handed to them and its NOT SONY, Btw fellas the claims they make are untrue infact if u study it for your self sony NEVER MADE a "

... [\[+\] Full Comment](#)

Posted by: [AngryMrBungle](#) on July 22, 2010 23:49 PDT

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I personally never used the Other OS feature on my PS3 when it was available but either way I am in full support of the lawsuit on principle alone. Sony made a HUGE deal of this feature, claiming it to be an industry leading ability to make your system run like a computer. They went so far as to... [\[+\] Full Comment](#)

Posted by: [TrustAvidity](#) on July 22, 2010 20:37 PDT

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And , where does it say this guy even HAS a ps3? For all we know he bought the ps3 on ebay when he saw class action lawsuits, and then made one himself.

Posted by: [beowulfdemon](#) on May 23, 2010 10:30 PDT

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@smyers75 Sony has reason to be concerned. and the guy who filed this thing apparently cant make any mental connections between the fact that if sony lets people use linux, people will pirate and hack, and everyone else who doesnt have linux will feel the effect. for christ sake, all you...

[\[+\] Full Comment](#)

Posted by: [beowulfdemon](#) on May 23, 2010 10:28 PDT

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This is pretty weak, I'm tired of RETARDS saying Linux is useless, please go get a life because no one here at IGN gives a flying fuck about you...

Posted by: [Aero-mach](#) on May 19, 2010 02:23 PDT

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