

# consumerwatch

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Cases of retailers accidentally selling goods on their websites at way below the recommended retail price are few and far between, but when it does happen *PC Advisor's* eagle-eyed readers are usually hot on its tail

This month saw retailer Eclipse Computers ([www.eclipse-computers.com](http://www.eclipse-computers.com)) advertising 17in LG flat-screen monitors on its website for the bargain price of £0 – yes, that's right, £0.

*PC Advisor* readers were naturally keen to know if the offer was legally binding once Eclipse accepted their orders and 'debited' their accounts.

In January last year Kodak found itself embroiled in a very similar case, having offered its DX3700 digital camera for sale at £100 – £229 less than the true asking price. Under the law if there is an offer, an acceptance and consideration then there is a contract.

Unfortunately for the camera firm, its website sent out automated acceptances to all customers who placed an order, thereby fulfilling the legal requirements of the first two stages. The email, which stated that money would be duly taken, amounted to consideration as customers had effectively handed over the money.

But the sales could still have fallen through if the contract had been deemed unreasonable. "For this to have happened the amount would have had to be literally so out of the question that visitors to the site couldn't possibly have believed it," said an Office of Fair Trading spokesman.

Thankfully for its customers, but sadly for the industry which was hankering after a precedent regarding automatic responses, Kodak admitted defeat and sold the cameras at the reduced price.

While Eclipse had indeed accepted our readers' offers, again through an automated response, and taken a delivery charge of £10.45 from customer



accounts, this was immediately refunded when the company realising its mistake. And, unlike Kodak's £100 blooper, it is extremely doubtful that a court would have found £0 to be a reasonable amount.

Eclipse has apologised to its customers for the mistake and has contacted the "handful" of people involved. The company's autoresponse is currently sent straight from its ISP, rather than from Eclipse itself, which wrote the message some years ago.

"We are in the process of updating our customer service operations and we will be taking over the role of the ISP so that messages are sent directly from us. Of course we will alter message wording to prevent confusion," said an Eclipse Computers spokesman.

"The take-off in our online sales was never expected and we are currently playing catch-up. We are sorry for the honest mistake and can assure customers we are trying to remedy this problem."

Any customers who still have concerns over the mix-up should call the Coventry-based company on 0870 745 6000.

## Dell dilemma

*PC Advisor* reader Sally Doran contacted us after some confusion over PC manufacturer Dell's advertisement in its *Dell Home* magazine. The deal offered buyers of the £999 Dell Dimension 4450 three free software titles. And although perfectly happy with the machine she received, Sally was slightly miffed that the three software packages included were

## How to contact us

**G**ot a problem with a manufacturer or vendor? Unsure of your consumer rights? Interested in a company's reputation? Get yourself to the ConsumerWatch forum.

[www.pcadvisor.co.uk/consumerwatch](http://www.pcadvisor.co.uk/consumerwatch)



limited trials and not full versions as the advertisement had suggested.

After several emails, letters and faxes the Dorans had received only one email response from a less-than-helpful Dell customer services agent telling her that despite the misleading advert, the offer was not confirmed at point of sale and was therefore not Dell's responsibility.

After we contacted Dell the matter was resolved quickly, with the company agreeing to send Mrs Doran full copies of the three software titles advertised.

Based on Mrs Doran's feedback the company will be changing its advert and order confirmation process in order to "ensure that these facts are clearer to the customer in the future", said Dell product manager Paula Warmer.

### Which way now?

In last month's ConsumerWatch we told you how lack of funding had forced consumer rights crusader Which? to close its Webtrader programme. The scheme awarded 'kitemarks' to reputable retail sites, aiding consumer confidence.

Since then, self-appointed watchdog Platinum Traders ([www.platinum-traders.co.uk](http://www.platinum-traders.co.uk)) has stepped forward with a replacement plan.

Platinum's certified traders seal, grants kitemarks to businesses that follow its code of conduct – the same code of conduct enforced by Which? The idea is to create a web of trust to reassure the consumer that the retailer is complying with certain trade agreements.

"In the three and a half years that Webtrader operated they handled just over 2,000 complaints – around 11 a week. That goes to show how effective a proper code of conduct can be," said Ali Prior, founder of the Platinum Traders scheme.

The problem for the group is how to gain the trust of traders and buyers for its scheme. Which? is a well-respected brand name, so people were willing to act on its opinions

Unlike the free Webtrader system, traders will be charged to register for the seal – a nominal fee of £24 per year (or £12 for existing Which? members).

But Prior is convinced the fee will not taint its judgements. "Impartiality is a priority at all times. We won't hesitate to remove a rogue trader from the scheme," he said. According to Prior, Webtrader folded because it had no money to support it. Platinum's scheme will be able to use the annual membership money as funding.

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By adopting the Webtrader scheme's code of conduct, Platinum Traders hopes to continue to impose the same stringent requirements on companies.

"We have the perfect vehicle to bring businesses together to further the good reputation of e-commerce in the UK," said Prior. "We hope that online traders will see the potential of Platinum Traders and help it grow with them."

### Serving you right

This month's pat on the back goes to printer manufacturer Epson, which is in the process of rolling out its so-called Express Centres throughout the UK in a bid to improve customer access to its services.

The centres, 41 of which are already up and running across the country, allow customers to take their faulty Epson products directly to trained technicians for diagnosis. No appointment is necessary, and the experts (generally subcontractors who have been trained to repair Epson's products) aim to fix hardware there and then if they possibly can.

"We all want things done immediately, we don't want to wait. The centres mean customers can take their goods to authorised repairers straightaway and receive repairs then and there," said David Ratcliffe, director of technical services at Epson.

Even those customers whose products are outside of their warranty periods will be entitled to a free check-up and diagnosis although, unlike warranty-holders, they will be charged for any repairs that are carried out. "We want to achieve a resolution within half an hour and if a [warranty] machine can't be fixed then we will replace it," added Ratcliffe.

Epson hopes the centres will improve customer services, by not only cutting down on customer waiting lists, but also by helping build better relationships with customers. The printer giant hopes to have 200 centres open by the end of this year. More information can be found on the support section of Epson's website at [www.epson.co.uk/support](http://www.epson.co.uk/support). ■

## PC Advisor personal data privacy campaign

**H**ave you ever been sold a PC that had someone else's information on? Or has a PC you returned to a company been resold without being properly wiped? If either of these things have happened to you, we want to hear from you. If you find a previous customer's data on a PC purchased from the Dixons Stores Group don't forget to email Simon Turner the managing director at [simon.turner@dixons.co.uk](mailto:simon.turner@dixons.co.uk).

Email us at [pcadvisor\\_consumerwatch@idg.com](mailto:pcadvisor_consumerwatch@idg.com) and we'll take it from there



# searching for help

The ConsumerWatch forum on the *PC Advisor* website now has more than 50,000 postings primed with comments about customer service and consumer rights. Guy Dixon shows you how to take it for a spin

As regular readers will know, most of the stories we deal with in this section arise from issues aired in the online ConsumerWatch forum at [www.pcadvisor.co.uk/consumerwatch](http://www.pcadvisor.co.uk/consumerwatch).

While we're more than happy to receive emails and letters from aggrieved readers, and do everything we can to help, you'll find that a trip to the ConsumerWatch forum is far more likely to result in a rapid and useful response.

## Help yourself

We have a live walk-in consumer affairs clinic, which will automatically send you an email the moment that someone responds to your query. The forum is constantly checked by editorial members of staff, our forum editor, IT consultant Peter Thomas, and the UK computer industry's leading vendors including Dell, Evesham, Mesh, Multivision, Time and many others.

Last, but not least, our online forum is manned by dozens of knowledgeable website regulars, ready and willing to lend a hand. Whether it's delivery problems, faulty goods or poor service you're experiencing, the ConsumerWatch forum is here to help. ■

## Live clinic

**Start new subject for discussion**

Subjects for discussion	Last response	#
Please ensure that your thread title accurately describes your subject		
page - [1] 2 3 4 5 6 7 8 9 10		
Staples Price posted by Shinda on Wed, 18.12.2002	-	0

- 1 To make a posting click on 'Start new subject for discussion'
- 2 Enter a succinct description of your problem next to 'Title' – for example, 'Monitor keeps flickering; just three weeks old'. Enter a more detailed description of your problem in the dialog box next to 'Message' and click 'Begin new subject for discussion'
- 3 The posting will instantly appear at the top of the forum threads. When someone responds to your thread, you will automatically be notified by email. If your problem is successfully resolved you are encouraged to click the resolved checkbox. That way other visitors can sift answered queries from unanswered ones

**Stamping down prices!**  
posted by Les on Fri, 13.12.2002

## Search facilities

Visitors not only use the ConsumerWatch forum for live help, but also to get background information

using its impressive search facilities. There are over 50,000 messages sitting in the database, waiting to be sampled. Check on the reputation of a manufacturer or retailer. Alternatively, search for consumer rights issues under a specific term – such as 'credit card' or 'Sale of Goods Act'.

Registered Users Area • Discussion Forums

Search the discussion archive. Your question may already have been answered!

Search for: Dell AND customer relations

ConsumerWatch AND CR

☐ Search thread titles only ☒ Search titles and all postings

☐ Search resolved subjects only

**SEARCH**

1 Search using Boolean logic terms in your search title, such as 'and', 'or' and 'and not'

software AND sale of goods act

ConsumerWatch all discussion

☐ Search thread titles only ☒ Search titles and all postings

☐ Search resolved subjects only

**SEARCH**

Dell AND support

ConsumerWatch all discussion

☒ Search thread titles only ☐ Search titles and all postings

☒ Search resolved subjects only

**SEARCH**

2 There's different levels of targeting to choose from – for example, the most highly targeted is a request to search on resolved subjects only or thread titles only

3 Alternatively, search for more obscure topics on a much broader level by opting for 'Search titles and all postings', such as a search on 'software' and 'Sale of Goods Act'

# cybercriminal punishment

Virus writers are no longer regarded as misunderstood misfits – they're criminals, plain and simple. If caught, such cyber vandals now face stiff prison sentences. *PC Advisor's* forum editor Peter Thomas investigates

If *PC Advisor* readers had their way, virtual crimes – such as deliberately releasing computer viruses – would be punished at least as heavily as those in the physical world.

Virus writer Simon Vallor, who was recently handed a two year prison sentence for releasing the viruses Gokar, Admirer and Redesi from his home in Llandudno, North Wales, has incurred the wrath of the majority of respondents to a *PC Advisor* poll.

More than half (53.9 percent) actually thought the two-year sentence was insufficient and voted instead to 'lock him up and throw away the key'. Well over a third (36.4 percent), meanwhile, thought the sentence to be about right.

During his trial, Vallor explained that he began serious computing after the death of his mother. "I started spending 20 hours a day on the computer. That was what my life revolved around – it was out of bed and on to the computer."

But, like the majority of respondents to the *PC Advisor* poll, trial judge Geoffrey Rivlin was unimpressed by talk of Vallor's interest in computer programming and his desire to work in IT. "Virus writers are not so-called computer buffs or nerds, they happen to be criminals. Their viruses cause destruction, disruption, consternation and even economic loss on a grand scale," he said.

In meting out a two-year sentence, Judge Rivlin has certainly helped focus interest on the severity of virtual crimes. Virus writers have in the past been seen as frustrated geniuses who just need alternative avenues to allow them to use their powers for good rather than evil. After all, the victims of virus writing aren't physically affected by cyber assault in the same way an old lady is when she's mugged en route to the bingo hall.

Times, however, are definitely changing. Back in autumn of 01, Dutch virus writer Jan de Wit – author of the infamous Anna Kournikova virus – got just 150 hours community service. The impact of Vallor's crimes were arguably no greater, affecting



**"People carry out criminal activities because it satisfies a need in them. It is their choice and they should bear the consequences of their actions"**

*Brain Wadie, PC Advisor reader*

around 27,000 computers globally. But with virus alerts dominating IT headlines since the new year, it was time an example was made.

*PC Advisor* reader Tony Gardner experienced the effects of a virus firsthand. "I worked for a web-centric company with 22,000 employees when the Love Bug virus hit. The disruption to normal business was immense and the cost to the company incalculable."

Making the point that a virus writer should be prosecuted like other criminals, *PCA* reader Brian Wadie had this to say: "People carry out criminal activities because it satisfies a need in them. It is their choice and they should bear

the consequences of their actions. Jail sentences send a clear message."

"Around 800 new viruses are cropping up each month – this level of activity requires a lot of virus writers. Perhaps Vallor's sentence will focus some minds and make virus writers think twice before unleashing their malicious code," said Graham Cluley, Sophos Anti-Virus senior technology consultant. ■

## Hints on self-protection

- Make sure you are running an antivirus application and that you keep it up to date. An excellent and popular choice is AVG – a free download from [www.grisoft.com](http://www.grisoft.com).
- Don't open email attachments unless you are expecting them, no matter how intriguing the subject line.
- Don't share files with strangers – either on floppy disks or via P2P download sites.
- Don't download files from Warez or crack sites – those that offer illicit copies of software, or serial numbers for pirate software. It's an illegal and dangerous practice, and the source of many virus infections.