



**GDAŃSK UNIVERSITY  
OF TECHNOLOGY**

## Selected unusual provisions in the EULA

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- A legal contract between the software developer and the end user.
- Grants the user the right to use the software under specific terms.
- Often displayed during installation or first launch.
- Typically non-negotiable ("take-it-or-leave-it")[1].

Aspect	EULA	Terms of Service (ToS) / Terms & Conditions (T&C)
Scope	Focused on <b>software usage rights</b>	Broader: website, service, and platform rules
Target	Individual <b>software users</b>	Website/app users, consumers, community members
Binding	Usually shown during installation	Often on websites (agreed via use)
Example	Microsoft Windows EULA	Facebook Terms of Service

Table: Comparison between EULA and Terms of Service[2]

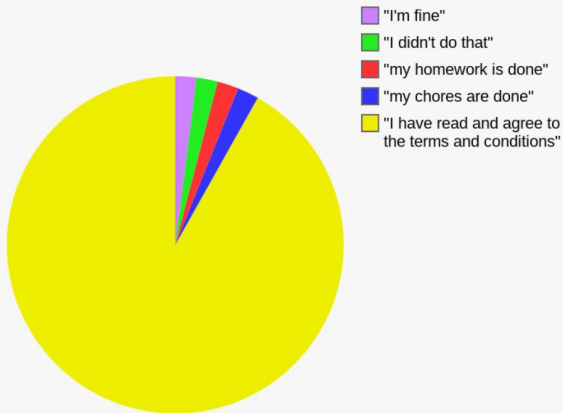
- Too long and full of legal jargon.
- Presented during moments when users are eager to proceed (e.g., install).
- Click-through agreements make it easy to skip reading.
- Psychological: “Everyone else accepts, so I do too.”[3]

### Interesting fact

A study by Carnegie Mellon University estimated that reading all the privacy policies encountered annually would take the average user 76 workdays[4].



## Commonly told Lies





- In 2005, PC Pitstop added a hidden clause in its EULA:  
*"If you're reading this and contact us, you may receive money."*
- Over **3,000 downloads** later, only **1 person** noticed—and won **\$1,000**.
- Purpose: Show that users rarely read EULAs.

*Proof: Even with an incentive, almost no one reads license agreements.[5]*



Tumblr humanizes legal content — a reminder that *Terms of Service don't have to be soulless*.

You have to be at least 13 years old to use Tumblr. We're serious: it's a hard rule, based on U.S. federal and state legislation. "But I'm, like, 12.9 years old!" you plead. Nope, sorry. If you're younger than 13, don't use Tumblr. Ask your parents for a Playstation 4, or try books.

- **Confusion or Impersonation.** Don't do things that would cause confusion between you or your blog and a person or company, like registering a deliberately confusing URL. Don't impersonate anyone. While you're free to ridicule, parody, or marvel at the alien beauty of Benedict Cumberbatch, you can't pretend to actually be Benedict Cumberbatch.

[Report confusion or impersonation](#)



Tumblr humanizes legal content — a reminder that *Terms of Service don't have to be soulless*[6].

- **Username/URL Abuse or Squatting.** Tumblr's usernames/URLs are meant for the use and enjoyment of all of our users. Don't squat, hoard, amass, accumulate, accrue, stockpile, rack up, buy, trade, sell, launder, invest in, ingest, get drunk on, cyber with, grope, or jealously guard Tumblr usernames/URLs.

Reblogs, Likes, and Replies are a matter of public record, so if you're truly ashamed of your desires it's best to keep them to yourself. But why? Be proud of who you are. You're beautiful. We're looking you in the eyes and telling you how beautiful you are.



- Purple added a fake clause to its WiFi Terms: **1,000 hours of community service.**
- Tasks included:
  - Cleaning toilets at festivals
  - Hugging stray animals
  - Scraping gum off streets
- Over **22,000 users accepted**; only **1 person** noticed.

*Goal: Show how blindly users click “I Agree.”*



- Experiment raised awareness of careless digital consent.
- Inspired changes:
  - Privacy policy shortened from 1,600 to 260 words.
  - Clearer data usage explanations.
  - Launch of a user-controlled Profile Portal.
- Supported GDPR's “**unambiguous consent**” principle[7].



22,000 People willingly agree to community service in return for free WiFi

- In June 2014, researchers set up public Wi-Fi hotspots in London.
- Users had to accept T&Cs to get access.
- One clause (the “Herod Clause”) stated:  
*“You agree to assign your first born child to us for the duration of eternity.”*
- **6 people accepted the terms** without noticing.
- Clause was later removed — the children were “returned.”



- Experiment run by the Cyber Security Research Institute and F-Secure.
- Goal: Raise awareness of careless public Wi-Fi use.
- Highlights two key issues:
  - **Blind acceptance** of legal agreements.
  - **Lack of awareness** about security risks in public networks[8].





Thank you for attention!



- [1] “What is eula?” Accessed: 2025-05-09. [Online]. Available: <https://www.servicenow.com/products/it-asset-management/what-is-eula.html>.
- [2] “Eula vs. terms and conditions,” Accessed: 2025-05-09. [Online]. Available: <https://www.termsfeed.com/blog/eula-vs-terms-conditions/>.
- [3] “Why use end-user license agreement (eula),” Accessed: 2025-05-09. [Online]. Available: <https://www.slideshare.net/slideshow/why-use-enduser-license-agreement-eula/69735400>.
- [4] “You’d need 76 work days to read all your privacy policies each year,” Accessed: 2025-05-09. [Online]. Available: <https://techland.time.com/2012/03/06/youd-need-76-work-days-to-read-all-your-privacy-policies-each-year/>.
- [5] “It pays to read license agreements (7 years later),” Accessed: 2025-05-09. [Online]. Available: <https://www.pcmatic.com/blog/it-pays-to-read-license-agreements-7-years-later/>.

- [6] "10 fantastic hidden clauses in contracts and end user license agreements," Accessed: 2025-05-09. [Online]. Available: <https://www.infotrack.com/blog/10-fantastic-hidden-clauses-in-contracts-and-end-user-license-agreements/>.
- [7] "22,000 people willingly agree to community service in return for free wifi," Accessed: 2025-05-09. [Online]. Available: <https://purple.ai/blogs/purple-community-service>.
- [8] "Londoners unwittingly exchange first born children for free wi-fi," Accessed: 2025-05-09. [Online]. Available: <https://time.com/3445092/free-wifi-first-born-children/>.



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