

Downgrade rights for Microsoft Commercial Licensing, OEM, and full-package product licenses

This brief applies to all Microsoft Commercial Licensing programs.

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Summary

This licensing brief helps explain the downgrade rights for the most commonly acquired systems License Terms granted by Microsoft Commercial Licensing programs and how they compare with original equipment manufacturer (OEM) and retail full-package product (FPP) license rights.

What's new in this brief

This brief replaces a previous version published in August 2015. It has been updated to reflect Windows Server 2016 licensing.

Details

Microsoft Commercial Licensing agreements include references to specific rights to use any prior versions of Microsoft licensed software. These rights are often referred to as "downgrade rights."

Microsoft distinguishes between the term "version" and "edition" when referring to product licenses. The term "edition" means different functional offerings within a product family that are usually released simultaneously (for example, Microsoft Office Professional Plus 2016 and Microsoft Office Standard 2016). The term "version" refers to different generations of a product family (for example, Microsoft Office Professional Plus 2016 and Microsoft Office Professional Plus 2013). Downgrade rights between the current generation (N), the prior generation (N-1), and the generation prior to that (N-2) are limited to the same functional editions within each version (for example, Windows 10 Enterprise downgrades to Windows 8/8.1 Enterprise or Windows 7 Enterprise; however, Windows 10 Pro doesn't downgrade to Windows 8/8.1 Enterprise or Windows 7 Enterprise). For more information about access to prior product versions, please see the Microsoft Commercial Licensing fulfillment information at www.microsoft.com/licensing/existing-customers/fulfillment.aspx.

Microsoft Commercial Licensing downgrade rights

The following table compares Commercial Licensing downgrade rights with those provided under OEM and retail (FPP) licenses.

Downgrade rights by product pool for licenses acquired through Commercial Licensing, OEM, and FPP

| Software license agreement type | Application software | System software | Server software |
|--|--|---|--|
| Commercial Licensing programs | <p>Downgrade rights are granted with all application software licenses acquired through the Commercial Licensing programs.</p> <p>Please refer to the Microsoft Commercial Licensing Product Terms for current information about which OEM applications qualify for enrollment in Software Assurance within 90 days from the date the licenses are acquired.</p> | <p>Downgrade rights are granted with all system software licenses acquired through the Commercial Licensing programs.</p> | <p>Downgrade rights are granted with all server software licenses acquired through the Commercial Licensing programs.</p> <p>Please refer to the Microsoft Commercial Licensing Product Terms for current information about which retail and OEM applications qualify for enrollment in Software Assurance within 90 days from the date the licenses are acquired.</p> |
| Licenses enrolled in Microsoft Software Assurance | <p>Downgrade rights are granted for any license enrolled in Software Assurance.</p> <p>Please refer to the Microsoft Commercial Licensing Product Terms for current information about which OEM applications qualify for enrollment in Software Assurance within 90 days from the date you acquired the licenses.</p> | <p>Downgrade rights are granted for any license enrolled in Software Assurance.</p> | <p>Downgrade rights are granted for any license enrolled in Software Assurance.</p> <p>Please refer to the Microsoft Commercial Licensing Product Terms for current information about which retail and OEM Server Software qualify for enrollment in Software Assurance within 90 days from the date you acquired the licenses.</p> |
| OEM Microsoft Software License Terms | <p>Rights to OEM versions of application software are granted in the OEM Microsoft Software License Terms. The OEM License Terms for OEM versions of application software do not grant downgrade rights.</p> <p>Please refer to the OEM license terms for complete details.</p> | <p>Rights to OEM versions of system software are granted in the OEM License Terms. The OEM License Terms for Windows 10 Pro, Windows 8.1 Pro, Windows 8 Pro, Windows 7 Professional, Windows 7 Ultimate, Windows Vista Business, and Windows Vista Ultimate operating systems grant downgrade rights. See the full text of the OEM License Terms for the specific downgrade rights.</p> | <p>Rights to server software are granted in the OEM License Terms. The OEM License Terms for most OEM versions released with or after the Windows Server 2003 R2 operating system allow for the user to downgrade to an earlier version. New products that do not have earlier versions do not allow a user to downgrade. See the full text of the applicable OEM License Terms for the specific downgrade rights.</p> |

Microsoft Commercial Licensing downgrade rights

| Software license agreement type | Application software | System software | Server software |
|---|--|--|---|
| | | Please refer to the OEM license terms for complete details. | Please refer to the OEM license terms for complete details. |
| FPP Microsoft Software License Terms | Downgrade rights are not granted under most FPP application licenses. Please refer to the FPP license terms for complete details. | Downgrade rights are not granted under FPP system licenses. Please refer to the FPP license terms for complete details. | Some server products offer downgrade rights. Please refer to the FPP license terms for complete details. |

Frequently asked questions

General

1. Where can I confirm my specific downgrade rights and eligible versions to downgrade for my organization's Commercial Licensing agreement?

Downgrade rights (rights to use any prior version) are granted as part of all the Commercial Licensing agreements. Please refer to the Microsoft Product Terms for specific downgrade paths for your products. The Product Terms is available at www.microsoft.com/licensing/about-licensing/product-licensing.aspx.

2. How do I get prior versions of products when I need to downgrade to a prior version of a Microsoft product my organization licenses through Commercial Licensing?

While you have the right to downgrade products, in general, the Microsoft Commercial Licensing Service Center (VLSC) provides download access only to the current (N) and the prior version (N-1) of products. Note: In addition to the VLSC download software access, all Commercial Licensing customers may choose to purchase physical media (CD/DVD) copies of their licensed software through their Microsoft reseller.

If you have legally obtained physical media (CD/DVD) of earlier Microsoft products that your organization is currently licensed to use through downgrade rights, you may use these prior software versions at your discretion.

For more information about access to prior product versions, please see the fulfillment information at www.microsoft.com/licensing/existing-customers/fulfillment.aspx.

Windows Desktop

3. Where can I find the specific downgrade rights for my Windows licensed product?

Your ability to downgrade to a prior version of Windows is stated in the License Terms for these products. You may use the following media for your downgrade version: Commercial Licensing media (provided the user has a Commercial Licensing agreement), retail (FPP), or OEM (which includes a system builder hologram CD, provided the software is acquired in accordance with the Microsoft OEM System Builder License). Use of the downgraded operating system is governed by the License Terms for the original product preinstalled on the PC. You may not use both the licensed Windows product and the downgrade product; only one Windows product may be used at a time.

Microsoft Commercial Licensing downgrade rights

4. What are the downgrade rights for Windows?

For Windows 10 Pro licenses acquired through an OEM, you may downgrade to Windows 8.1 Pro or Windows 7 Professional. For Windows 10 licenses acquired through Commercial Licensing, you may downgrade to any prior version of the licensed Windows edition. Refer to the table below for more specific product downgrade rights.

| Version Downgrade to | OEM Preinstall | Commercial Licensing | Commercial Licensing | Commercial Licensing |
|---------------------------|----------------|----------------------|-----------------------|----------------------|
| | Windows 10 Pro | Windows 10 Pro | Windows 10 Enterprise | Windows 10 Education |
| Windows 8/8.1 Enterprise | | | ☑ | ☑ |
| Windows 8.1 Pro | ☑ | ☑ | ☑ | ☑ |
| Windows 7 Enterprise | | | ☑ | ☑ |
| Windows 7 Professional | ☑ | ☑ | ☑ | ☑ |
| Windows Vista Enterprise | | | ☑ | ☑ |
| Windows Vista Business | | ☑ | ☑ | ☑ |
| Windows XP Pro | | ☑ | ☑ | ☑ |
| Windows 2000 Professional | | ☑ | ☑ | ☑ |
| Windows 95/98/NT | | ☑ | ☑ | ☑ |

Notes:

- ▶ There are no downgrade rights to Windows 7 Ultimate.
- ▶ Support for Windows XP ended April 8, 2014.

5. What may I downgrade to if I have Windows 10 Enterprise?

Downgrade rights in Commercial Licensing agreements provide you with the right to downgrade to any prior version of the same product. You may downgrade Windows 10 Enterprise to Windows 8/8.1 Enterprise, Windows 7 Enterprise, or Windows Vista Enterprise.

Customers licensed for use of Windows 10 Enterprise are generally licensed for Windows 10 Pro, which may be downgraded to the Windows 8/8.1 Pro, Windows 7 Professional, Windows Vista Business, Windows XP Professional, Windows 2000 Professional, Windows NT 4.0, Windows NT 3.51, Windows 98, or Windows 95 operating system.

6. Because the multilingual user interface (MUI) is included with Windows 8.1 Pro and Windows 8 Pro, may I use downgrade rights to run MUI on a Windows 7 PC not covered by Software Assurance?

No. MUI is only available for Windows 7 in the Windows 7 Enterprise edition, which requires Software Assurance.

7. If a user is licensed with Windows Software Assurance per User, do Windows downgrade rights extend to all of the licensed user's devices?

Yes. With Windows Software Assurance per User licensing, all of the user's devices receive the same downgrade rights as they would if they were covered by Windows Software Assurance per Device.

Microsoft Commercial Licensing downgrade rights

Office

8. What products may I downgrade to if I have Microsoft Office Professional Plus 2016?

Downgrade rights in Commercial Licensing programs give you the right to downgrade to any prior version of the same product. Therefore, you may downgrade Microsoft Office Professional Plus 2016 to the Microsoft Office Professional Plus 2013, Office Professional Plus 2010, or Office Professional Plus 2007 versions. You may not, however, downgrade to Microsoft Office Standard Edition 2010 because it is a different product and not considered a prior version of Microsoft Office Professional Plus 2016.

In addition, Office Professional Plus 2016 users may not use earlier versions of the Microsoft Office OneNote note-taking program and Microsoft Office Groove software via downgrade rights, because these products are not part of earlier versions of the suite (for example, OneNote 2007 and Groove 2007 are not included with Office Professional Plus 2007).

9. May I downgrade my Office Professional Plus 2016 license to Office Standard 2016 or Office Standard 2013 through my Commercial Licensing agreement?

No. Downgrade rights grant the user the right to use prior versions of Microsoft software, not other editions of the software released simultaneously unless explicitly stated in the Product Terms (for example, Windows Server 2016 Datacenter to Standard, Microsoft SQL Server 2016 Enterprise to Standard software).

10. Which Microsoft Visio licenses are eligible to downgrade to Visio Premium 2010?

Only Software Assurance customers who have exclusively deployed Visio Premium 2010 (that is, are not using any other edition of Microsoft Visio in their organization) and who need additional seats of Visio Premium 2010 may purchase licenses for Visio Professional 2013 and downgrade to Visio Premium 2010. No other downgrades from Visio Professional 2013 to Visio Premium 2010 are permitted.

Skype for Business and SharePoint

11. If I purchase Skype for Business 2015 Client Access Licenses (CALs), which Microsoft Lync Server 2013 CAL may I downgrade to?

Downgrade rights grant the user with the right to use prior versions of Microsoft software, not other editions of the software released simultaneously, unless explicitly stated in the Product Terms. Lync Server was renamed Skype for Business Server. Therefore, you may downgrade Skype for Business Server 2015 Standard, Enterprise and Plus CALs to Lync Server 2010 Standard, Enterprise and Plus CALs, respectively.

12. Are there any exceptions for SharePoint Server 2016?

Yes; customers licensed for SharePoint Server 2016 may access and use any of the products listed in the table below in place of SharePoint Server 2016 as follows:

| SharePoint Server 2016 licenses | Downgrade to |
|---------------------------------|--|
| SharePoint Server 2016 license | SharePoint Server 2013, SharePoint Server 2010, or FAST Search Server 2010 for SharePoint Server |

A customer's right to access and use copies of SharePoint Server 2013, SharePoint Server 2010, or FAST Search Server 2010 for SharePoint Server in place of licensed copies of SharePoint Server 2016 under this offer is subject to the terms and conditions of a customer's Commercial Licensing agreement, the product use rights for SharePoint Server 2016, and these terms. That right expires upon the expiration or termination of the SharePoint Server licenses.

Windows Server

13. What are the downgrade rights for the three main editions of Windows Server 2016?

The Windows Server 2016 product is streamlined and simple, making it easy for customers to choose the edition that is right for their needs. Although Windows Server 2012 R2 is a prior version of the Windows Server 2016 software, Windows Server processor-based licenses are not prior versions of the Windows Server 2016 core licenses. Windows Server 2012 R2 was the last version of the software to be licensed by processor. As an exception to the standard downgrade rights applicable to Commercial Licensing products, customers are permitted to downgrade to and use earlier versions and editions of the Windows Server software in place of licensed copies of Windows Server 2016. When invoking downgrade rights or down edition rights, the license terms of the version and edition acquired still govern use of the software.

| Licensed edition | Deployment options ¹ | | |
|---------------------------------------|--|-----------------------|-------------------------|
| | Down editions | Versions ² | Use rights ³ |
| Windows Server 2016 Datacenter | Windows Server Datacenter | 2012 R2 or earlier | 2016 |
| | Windows Server Standard | 2012 R2 or earlier | 2016 |
| | Windows Server Essentials | 2012 R2 or earlier | 2016 |
| | Windows Web Server | 2008 R2 or earlier | 2016 |
| | Windows HPC Server | 2008 R2 or earlier | 2016 |
| Windows Server 2016 Standard | Windows Server Standard | 2012 R2 or earlier | 2016 |
| | Windows Server Essentials | 2012 R2 or earlier | 2016 |
| | Windows Web Server | 2008 R2 or earlier | 2016 |
| | Windows HPC Server | 2008 R2 or earlier | 2016 |
| Windows Server 2016 Essentials | Windows Small Business Server Essentials | 2008 R2 or earlier | 2016 |

¹ Shows software editions and versions that may be used in place of the appropriately licensed edition in a given OSE.

² Customers may downgrade to any other version as long as they have the appropriate media and keys.

³ All use rights are still governed by the licensed edition.

14. Does the transition from processor-based to core-based server licensing in Windows Server 2016 have any effect on downgrade rights?

The ability to downgrade does not change the licensing under which a customer can use the software; the rights for purchased software (i.e. Windows Server 2016) apply. This means that core-based licensing and use rights apply to the version the customer downgrades to and that the virtualization rights do not change. Below are a few examples.

| Licensed edition | Downgraded version or edition | Licensing rights that apply |
|------------------|-------------------------------|-----------------------------|
| Datacenter 2016 | Datacenter 2012 R2 | Datacenter 2016 |
| Standard 2016 | Enterprise 2008 R2 | Standard 2016 |
| Standard 2016 | Standard 2012 R2 | Standard 2016 |

Microsoft Commercial Licensing downgrade rights

15. What version of Client Access License (CAL) or External Connector (EC) do I need for each Windows Server version?

CALs and ECs permit access to the same version, or earlier versions, of the server software. Below are a few examples.

| | Windows Server 2016 | Windows Server 2012 R2 | Windows Server 2012 | Windows Server 2008 R2 | Windows Server 2008 |
|-------------|---------------------|------------------------|---------------------|------------------------|---------------------|
| 2016 CAL/EC | Yes | Yes | Yes | Yes | Yes |
| 2012 CAL/EC | No | Yes | Yes | Yes | Yes |
| 2008 CAL/EC | No | No | No | Yes | Yes |

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