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Diablo2 publisher hacked following 'spyware' outrage

By: [Thomas C Greene in Washington](#)

Posted: 07/05/2001 at 19:48 GMT

Diablo2 maker Blizzard Entertainment has seen its Web sites, including Battle.net, disabled today -- an act curiously timed, since it recently altered its terms of service (ToS) to take full advantage of patch 1.06, which contains a mechanism enabling the company to monitor Battle.net users for duplicate items and disable them.

The legal move created a storm of controversy among German players, who claim the new ToS document violates German law. Players are equally ticked off about the actual technology in 1.06, which is believed to be capable of a good deal more system snooping than the company allows.

According to a German source, the tasks in 1.06 range all the way to scanning the complete hard disk and the registry.

This would of course be necessary to find evidence of cracks; what concerns players is what other uses the company might be tempted to apply the technology towards.

The only use for the spyware is to search for "a few very rare items" and eliminate dupes to make cheating more difficult, Blizzard told us.

Because users' games are saved on the company's network, players are questioning why Blizzard needs to be reading and altering files on individual machines.

Regardless of whether users agree to be monitored, the practice may not pass legal muster with European authorities. "The German bureau of data-security says that the current ToS is illegal, in Germany and most all EU-countries," German Battle.net gamer "Kublai-Khan" told *The Register*.

Blizzard "can say what they want; but if they leave the current ToS unchanged, it's possible they'll have a nice run in court. Even their European partner Vivendi is not amused about Blizzard's ToS," he added.

With this dispute as a backdrop, **today's hack** might strike some as more than a coincidence. ®

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