

Alienware Sued For False Advertising Over Upgradeable Laptop That Wasn't

by Joel Hruska



At CES 2019, Alienware made a surprising announcement. The company's then-new Area-51m gaming laptop wouldn't just be a typical boutique refresh. The new system could be upgraded in the future, in a manner and degree different than typical laptops.

Then, about 16 months later, Alienware backtracked. Suddenly we were told that the Area-51m could only be upgraded with components available when the system was ordered. The Area-51m, in other words, wasn't really upgradeable in any particular or special way at all. Now, Alienware has been sued for what the plaintiff claims

is false advertising. Looking back at Alienware's specific statements about the Area-51m, it's hard not to feel like the plaintiff has a point.

Robert Felter has filed a class-action lawsuit, shared with ExtremeTech, against Dell in the Northern District of California, arguing that the company "intentionally misled and deceived the public in order to create a competitive advantage based on false representation to boost sales of its flagship gaming laptop, the Alienware Area 51M R1." He is represented by Brian Mahany, David Kani & Steve Hochfelsen.

Bait and Switch

In its CES announcement, Alienware claimed that the Area-51m was “the first true desktop replacement.” Here’s Alienware’s January 8 2019 PR:

Almost twenty years after Alienware launched the first gaming laptop with upgradeable graphics, garnered praise for its performance and went on to garner multiple awards, the company is proud to launch its second flagship notebook with upgradeable graphics and processors. (Emphasis added)

In case you missed it, the company repeats the “upgradeable” part again, directly below. “The reimagined Area-51m is the most powerful, upgradeable gaming laptop ever conceived. It marks the first and only laptop with a 9th Gen 8-core desktop processors, 64GB2 of memory, 2.5Gbps Ethernet technology, upgradeable graphics and desktop processors, and 17” Alienware laptop with a narrow-bezel display with 144Hz.” (Emphasis added).

The Verge had a glowing writeup of the Alienware Area-51m ready to go right out of the gate. The subhed of the story reads: “The ‘world’s most powerful gaming laptop’ wants to bring user-replaceable processors, graphics cards, storage, and RAM to portable computers.” The Area-51m is said to solve the two fundamental

problems of laptop gaming: Viable sperm counts A lack of powerful components in top-end systems and the fact that laptops can’t be upgraded.

The Verge writes:

More importantly, unlike nearly every other gaming laptop out there, the Area-51m is designed to let you swap not only the hard drive, RAM and battery, but the CPU and GPU, too.

It’s not just lip service: Alienware is serious about letting users take this thing apart just like they would a full-fledged desktop, down to easily removable screws and labeled guides imprinted into the frame of the laptop to help you through disassembly or reassembly (including specs for each screw should you lose track of one along the way). There are pull tabs to help you remove the laptop’s delicate cables by hand, without damaging them, and it shows you the exact order you need to turn the screws for the massive CPU / GPU cooler to properly torque it down.

In the context of establishing how Alienware communicated about this laptop, these details matter. The company didn’t release a PR with a vague reference to future upgrades. It declared that upgradeability was central to the product and gave journalists a deep dive into all the thoughtful ways the system was designed to

help owners through the upgrade process.

The 1,719-word Verge story eventually reveals that Dell might or might not release fresh GPUs for the Area-51m, depending on system sales and vendor support.

This critical information is buried some 800 words deep in the story, and it isn't disclosed in Alienware's press release at all.

There's no information in the Verge story implying that CPU upgrades might not be supported; we raised that ourselves when we wrote the news up. Alienware wasn't communicating that to would-be customers at all, even though it presented a serious, visible problem in January 2019. Intel, historically, does not support platforms for more than one upgrade cycle. 9th Gen chips like the Core i9-9900K had already replaced CPUs like the 8th Gen Core i7-8700K as Intel's flagship.

Alienware clearly pulled out all the stops to sell the idea that this laptop would be a real upgradeable product. The "Oh, but it might not work out," was presented as a CYA moment rather than a serious expectation when the company spoke to press.

The complaint is straightforward: Alienware took advantage of how ardently laptop gamers want upgradeable laptops by pretending it would sell one. It later abandoned those claims, after customers

picked an Alienware over a different system they might have chosen instead.

Dell chose to market this machine as upgradeable, knowing that customers would understand that to mean "I can put a CPU or GPU in the machine that was not available on the day the laptop launched." Desktop replacement PCs have existed for decades. The idea that the Area-51m was a "true" desktop replacement hinged on the idea that you could swap the CPU and GPU out for something new.

What's particularly damning is that Alienware didn't bother updating end users that their systems would not be upgradeable until May 2020, long after Area-51m systems had begun shipping to customers. As an OEM, Alienware would have known that Intel would move to LGA 1200 for 10th Gen long before Intel confirmed it publicly, and news of LGA 1200 had leaked by July 2019.

I'm not going to pretend I know what happened. Maybe Alienware genuinely had the best of intentions. Maybe the people who were backing the Area-51m upgradeable concept left the company. Regardless, this was one of the worse bait-and-switches we've seen a tech company pull. It'll be interesting to see how Alienware defends itself and its usage of the word "upgradeable" in these contexts. ■