

MTC-00016173

From: Sage Major
 To: Microsoft ATR
 Date: 1/23/02 10:41am
 Subject: Microsoft Settlement
 Hello

I am a software engineer in San Diego California. And as such I am very much involved with computers. What I have recently heard about the Governments choice to settle the Anti trust case against Microsoft is disheartening. I expected that the government would take put the consumers who have been harmed by Microsoft first. In the last 5 years I have purchased 8 new computers, each one came with a Microsoft operating system, of those 8 I still use 3, but only 1 is running a Microsoft OS, OS as part of their bundling requirements I effectively purchased 8 copies of the same software to run on one computer. I believe that as part of their settlement Microsoft should be required to follow open standards prevented by law from extending those standards in a closed fashion. For example, the Keberos spec, which they embraced then changed so that their OS" would not inter operate properly with other operating systems such as Solaris and Linux. They should also be required to open their standards for many of their products such as the networking so that SAMBA can be made to work properly with windows.

Also I feel that Microsoft should be required to open the source of the operating systems they are no longer supporting, thus allowing anyone to fix the problems that Microsoft will no longer fix, I am not suggesting that they give away their current or previous OS (XP and 2000/ME) but rather that they open windows 95, 98 and NT which they no longer support.

Respectfully
 Sage Major
 Sage Major Software Engineer
 Email: smajor@vertel.com
 web: http://www.vertel.com
 Phone: (858) 824-4158
 Mail: 5825 Oberlin Drive suite 300
 San Diego CA, 92121

MTC-00016174

From: Keith Hudson
 To: Microsoft ATR
 Date: 1/23/02 10:41am
 Subject: Microsoft Settlement

I believe that what is going on is shameful. I do not see the place for politics in legal matters.

Fact: Microsoft has hurt people. They have hurt you and have hurt me. Was this law suit brought forth on legit reasons? Or was it just to find a temporary source of revenue?

I get the feeling it is like the lawsuit brought against the tobacco companies. We now have a legal to sell class 1 carcinogen, which requires no licensing to purchase. Why because people do not matter even when the issue is cancer and death. What matters is money (note 1). So given that Microsoft only hurt people and no one actually died... I expect this to end up just the same.

I want Justice. Will I get some???
 I can guess the answer...No.
 Microsoft owns you.

Keith Hudson
 (Registered Voter)
 note1: Some people have referred that the ill effects of lost economy/jobs to certain areas are reason enough to maintain the tobacco industry. I stand affirmed that the people and economy of tobacco is smaller then the population dying from it.

MTC-00016175

From: Chris Vargas
 To: Microsoft ATR
 Date: 1/23/02 10:40am
 Subject: Microsoft Settlement

I'm writing to express my strong concern that the proposed settlement with Microsoft does not go far enough to punish Microsoft for proven monopolistic activities. Not only that, it actually includes wording that could threaten other operating systems" existences, thereby strengthening Microsoft's monopoly.

In a recent column, industry expert Robert Cringely points out that Microsoft will not have to open its APIs to non-commercial entities; that could easily be seen as allowing Microsoft to lock out Linux and FreeBSD developers from allowing access to Microsoft servers via a tool called Samba. This same tool allows my Macintosh to access Microsoft servers; it could easily be locked out if this settlement goes through. Everyone in the computer industry knows that Microsoft takes advantage of its monopolistic position on a daily basis. We hoped that the remedies would try to reign Microsoft in. These remedies do not do so, and in fact set up the possibility of killing off one of the best non-Microsoft OSes currently available.

Christopher Vargas
 2205 N Pollard St
 Arlington VA 22207-3813

MTC-00016176

From: Miles Pickering
 To: Microsoft ATR
 Date: 1/23/02 10:41am
 Subject: Microsoft Settlement

I am opposed to the proposed Microsoft settlement. My main objection is that the settlement lacks sufficient enforcement provisions and is an invitation to further legal proceedings that could take decades to resolve. A three person team is hardly sufficient to monitor the activities of a multi thousand person organization.

There are many other objections that I have, but that is the simplest.

Thank you,
 Miles Pickering
 851 Florida St.
 San Francisco, CA 94110
 www.4by6.com

MTC-00016177

From: Robert L. Scala
 To: Microsoft ATR
 Date: 1/23/02 10:41am
 Subject: Microsoft Settlement

Dear Justice Department,
 I believe that the proposed Microsoft Settlement falls short of its goal of restoring competition to the operating systems and middleware markets. I have been a software engineer for 22 years, and have watched this nascent industry go through many changes. One of the distressing developments is software vendors" use of their products as

agents to influence customers" future purchases. This is similar but not identical to electric razors working better with "compatible" razor blades, thus influencing future purchases. The difference is that while other companies can easily produce competing razor blades, software is so complex that producing a compatible product can be impossible.

I have been frustrated by the proprietary protocols of many software products produced by many companies over the years, not just Microsoft. But those products were all vulnerable to competing products that sold both razor and blade. But with Microsoft's monopoly on operating systems and office software, effective competition is impossible. If microsoft makes a better razor, that's fine, as long as others can compete to make a better blade.

The problem I see with the proposed settlement is that in some ways it also acts as an agent to ensure that customers purchase more Microsoft products. This may sound like a bit of a stretch, but the fine print may grant Microsoft broad powers, such as certifying the authenticity and vitality of a competitor (III.J.2.c) before providing that competitor with information required in other sections of the agreement.

This settlement stinks. Like the Trojan Horse, it looks good on the outside, but the details make it ineffective, and give Microsoft some powers it did not have in the first place. It's time that the software I buy stops working against me. That's what I hoped from this agreement. The whole agreement needs to be tightened up. In particular: P.III.A This section should include a prohibition against retaliation against OEMs that supply a single non-Microsoft operating system on their products. As a customer, I would like the option to purchase a computer from a major vendor with a non-Microsoft operating system, without also purchasing Windows.

I believe that this section misses the mark because dual-boot machines are niche-market items and not a threat to Microsoft's operating systems monopoly. It is the single-boot, non-Microsoft machines that challenge this monopoly. P.III.J.1.a These exceptions should be eliminated, as true security does not depend on the obscurity of the protocols. Secure systems, and the trust of the general public, are better served by using only published and well documented encryption systems. P.III.J.2 This is the big one. This provides Microsoft the vehicle to withhold APIs and interoperability protocols from, for example, vendors of free software. Since recently Microsoft has declared Linux the single biggest threat to Windows, it is strange that Microsoft will be allowed to shut out this important segment of the competitive landscape.

I don't see any added burden to Microsoft if they are required to put the APIs and interoperability protocols in the public domain. That way their main rivals will be able to compete fairly in their effort to provide customers better software. And isn't this what the whole Settlement Agreement is all about? I know little about antitrust law, so I can't comment on the details of this antitrust case or the appropriateness of the