MTC–00003461

From: David Hibshman
To: Microsoft ATR
Date: 12/8/01 6:40am
Subject: Microsoft Settlement

Bill wins again. Computer Industry loses again. One look at Microsoft's latest OS offering(XP) makes it clear why Microsoft's OS and applications should not be bundled together and should probably be spun off as separate companies all together. Windows Xp offers MP3/WMA creation, Video Editing, Cd Creation, Chat, Messaging, and Video Conferencing all as part of the core software required to run a computer. Microsoft clearly uses it's foothold on the Market to offer otherwise successful third party software in it's own OS to help ensure they keep their grasp on the industry and to bump off smaller vendors from becoming bigger competitors. Microsoft qualifies as a monopoly in every sense of the definition and should be punished for it.

MTC–00003462

From: Paul Rech
To: Microsoft ATR
Date: 12/8/01 7:09am
Subject: Microsoft Settlement

Dear Sir/Madam,

You're no doubt tired of reading these e-mails, so let me cut to the chase.

The proposed settlement with Microsoft will not do a thing. None of the provisions will have any effect, which may be what the current administration really wants.

Here's what would make a difference and it's quite simple.

1) Open their file formats, protocols, APIs.

2) Allow vendors to clearly price the cost of the Windows OS when you purchase a PC.

The former will allow all companies to compete again in application software. MS keeps data locked into their apps by changing these formats every now and then. Forcing consumers to keep using their products. MS Word is the standard not because it's the best, but because so many businesses have data stored in those types of docs. They don't even want to think about the hassle of converting. The latter will show people how much they have to pay for the MS OS and allow them to choose to pay for it or not. Lots of people have a perfectly good copy of Win 98 sitting around, why should they have to buy XP with a new computer when they don't want or need it?

Get rid of bundling once and for all.

Paul Rech
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MTC–00003463

From: Ray Drainville/Argument from Design
To: Microsoft ATR
Date: 12/8/01 7:13am
Subject: Microsoft Settlement

To Whom it May Concern:

I'm adding my voice to those who are against the settlement with Microsoft over its monopolistic practices, as that settlement stands today. There are some simple, yet important reasons why I'm doing this:

* Having MS give away a billion dollars worth of software & refurbished hardware to the country's poorest schools doesn't punish the company: what it does is greatly strengthen their hand in one of the last areas in which they don't currently have a monopoly. One possible solution would be to have MS donate one billion dollars to these schools, to have them use this money for IT as the schools see fit.

* This billion-dollar giveaway looks very expensive for MS on paper, but that number is based upon the market value of the hardware & software: the actual cost to MS is estimated to be about one-tenth of that figure. This seems a ludicrously tiny settlement for such an important violation of law. Once again, forcing MS to donate one billion dollars to these schools would be a more effective way to punish the company.

* As the settlement stands, it requires MS to share various types of code with commercial rivals; 'commercial' is spelled out in the document quite clearly. However, currently MS's strongest competitors come from non-profit entities: Apache (web-serving software), Linux, Perl, and those who are building a compatible & free version of MS's .NET initiative. By not specifically including these non-profit organizations in the settlement documentation, the DoJ is allowing MS to protect its monopoly from those organizations who are most strenuously competing with it.

* The settlement does nothing to propose what is to be done should MS violate the agreement. What if MS is proven to be acting in an uncompetitive fashion again? The agreement does not give the DoJ any teeth in enforcing the settlement. It doesn't give MS any reason to comply.

I would strongly urge the DoJ to be extremely cautious when writing up settlements with Microsoft. History has shown that the company is more than willing to violate agreements, and the past decade or so has seen them disregard mild remedies in order to pursue their own interests. Give the settlement some teeth; Microsoft, after all, was found guilty. Currently, they won't even admit that.

Best,
Ray Drainville
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MTC–00003464

From: Cody DeHaan
To: Microsoft ATR
Date: 12/8/01 7:19am
Subject: What a Joke!

I find it rather a joke that Microsoft gets no punishment for what they did.

Don't get me wrong, I use Microsoft's products, but something should be done to prevent it from happening in the future.

MTC–00003465

From: Rob Roth
To: Microsoft ATR
Date: 12/8/01 7:34am
Subject: Settlement

Microsoft should be reined in on a tight leash. The 9 holdout states are correct in their perception of what this company can do if not tightly controlled.

Microsoft has the technology to end up controlling every ones computer and CHARGING for it if not controlled. They have already demonstrated that. 20 years ago they broke up IBM for basically the same reason they are looking at Microsoft.

Please stick to mission and hold tight the reins on Microsoft.

Rob Roth
Hernando, Florida.

MTC–00003466

From: Jerry Davis
To: Microsoft ATR
Date: 12/8/01 7:57am
Subject: comments on your judgement

It is quite clear to me that this was written by lawyers who have no real experience with software development and software coding. I was agreeing to quite a bit of this until III.J in which you opened the floodgates of a gigantic loophole for Microsoft to jump into. Given the history of Microsoft in the last 10 years. This amounts to "business as usual" for Microsoft. What a waste of our tax dollars. You all did a masterful job during the trial in showing us what a Monopolistic power Microsoft was, then with this judgement you have really blown it. No wonder Bill Gates calls this a "fair" settlement. If I were Bill I would too!

I would strongly suggest you take into account the somewhat stricter format that the other nine states are taking.

Two things that were not addressed at all: 1) data formats. The reason Microsoft has such a hold on the PC market is its office products. He who holds the keys to the data, has control. There was NO mention of providing the data format definitions of the office products that MS has to third parties. 2) real competition. Most of your document was about not limiting competition in the Windows space. Very little about real competition from Apple and Linux, FreeBSD, Beos and other possible contenders.

The reason that real competition will not be achieved with your document is that there is no provision for MS to be open with its data formats, and communication protocols. What about what they did with Kerberos with their "embrace, extend, and extingush" method of changing the Kerberos authentication scheme that all other OS's use but now do not work with Windows Servers?

Until there is real choice of OS, meaning that MS Office products are required to run on all other Platforms, other OS's will never have a real chance to compete. And until we get real competition MS will continue to have a monopoly in the software industry. And we as consumers will never have a real choice.

MTC–00003467

From: Stephen Perez
To: Microsoft ATR
Date: 12/8/01 8:41am
Subject: Support for States/DC Microsoft Settlement

I just wanted to quickly write in support of the settlement proposed by the 9 states and DC. The DOJ's previous decision was too much of a wrist slap, full of loopholes which Microsoft's lawyers will be more than happy to exploit. To be quite honest, after reading the original proposal (not Judge Jackson's, but the next one) I got the eerie feeling that