

**From:** Stephen Nay  
**To:** Microsoft ATR  
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**Subject:** Comments on Microsoft settlement

I am very disappointed in the proposed settlement between the DOJ and Microsoft. Where is any penalty for Microsoft being found guilty of illegal practices in its monopoly position? The remedies in the settlement don't give me any hope that Microsoft will do anything markedly different in the future.

My biggest concern is that the problem of "bundling" other software with the Windows operating system was not addressed directly. With each new version of windows, Microsoft adds new "features" which really have nothing to do with an operating system, but step into the market space of other companies. Because Microsoft includes their features "free" with the operating system, the other companies have little room to try to sell their products and make a profit. I thought that was the original complaint and that it was that very practice that found Microsoft to be illegally using its monopoly position. But I don't see anything close to an adequate answer to this problem in the settlement. How many more companies must fall by the wayside because Microsoft includes their competitive feature for free in the operating system. Features in Windows XP are a direct attack on Real Media and also on Symantec's pcAnywhere. Those products may not die -- they may just wither and limp along like Netscape has since Microsoft started bundling Internet Explorer in with Windows. Since when is a browser part of an operating system?? It's not -- it's a separate application.

I have no confidence that the DOJ is representing the best interests of American enterprise and consumers in this settlement. On the contrary, it appears to be a complete sell out. I'm a republican, but Bill Clinton's administration was much more effective in this case than the current leaders of the Justice Department. Microsoft is squelching competition, and now they have the government's approval to continue doing so. Sad.

I'm incredibly disappointed. I wish I lived in one of the states that is not going along with the settlement so that I could encourage my own attorney general to keep up the fight.

Sell out, plain and simple. You can't even put a good face on it because it's so obvious. Microsoft had agreed to greater concessions a year ago, and our current DOJ can't even get back to that spot.

Sad.

Stephen Nay