

From: Glen Henshaw
To: Microsoft ATR
Date: 1/23/02 10:05am
Subject: Microsoft Settlement

To Whom It May Concern:

I am writing to express my opposition to the proposed Microsoft settlement.

Recent events in the software world have shown that one very effective way to encourage competition is to "open up" an operating system's API (application programmer's interface) so that other developers can create new operating systems which are compatible with the old one. This is the easiest way to give users a choice of systems, since they are not required to change the applications they already use. There are several such projects already in existence: Wine and LindowsOS are among them. The developers of these products have been extremely hampered by the closed nature of the Windows operating system. Forcing Microsoft to publish their complete API would go a long way in encouraging third party Winodws-compatible products, and is one of the only effective ways to mitigate Microsoft's monopoly. This requirement is not part of the current settlement.

The same goes for file formats. It is impossible to produce a product that competes effectivelt with Microsoft Excel without the ability to open Microsoft Excel files -- and Microsoft does not document the format of Excel files (or Word files or Access files... the list goes on). Language requiring public documentation of these files should be present in the settlement. Unfortunately, this is also not a requirement of the current settlement.

Another major problem with the settlement is the lack of a strong enforcement mechanism. Microsoft has shown that it is willing to bend -- or break -- the rules of agreements in the past if it thinks doing so is to its advantage. This is a company without scruples. A special master must be in place to monitor compiance and to assist the courts in settling disputes.

Finally, Microsoft was found guilty of predatory practices against their competitors. They should be required to pay damages to those competitors. Such a requirement is not part of the current settlement.

I urge you to reject the current settlement. This is the best chance to rein in Microsoft's abusive practices. The current settlement will not do that.

Sincerely,
Glen Henshaw

--

Glen Henshaw
Space Systems Lab
University of Maryland

machine@ssl.umd.edu
<http://www.ssl.umd.edu>
(301) 405-7353

Today's mighty oak is just yesterday's nut that held its ground.