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To: microsoft.atr@usdoj.gov
Date: 1/23/02 12:52pm
Subject: Microsoft Settlement

I am writing in to contribute my opinion, as a U.S. Citizen and taxpayer regarding the proposed Microsoft settlement.

In short: this thing stinks to high heaven. It does absolutely NOTHING to repair the results of Microsoft's years of flagrant antitrust abuses, and does very little to prevent them from using the advantages they have gained from those abuses in the future. It also does almost nothing to stop Microsoft from moving into other fields and doing the same thing.

Microsoft has moved in a predatory manner with its operating system business, edging competitors out of the way by adding its own proprietary products into the operating system. The obvious case involves the conflict between Microsoft's Internet Explorer browser and Netscape's, but there are others. We have witnessed the flap over Windows XP, which was to include CD burning software and does include products like Microsoft's MSN Messenger, a direct competitor with AOL's Instant Messenger, Yahoo's Yahoo Messenger, and other messaging products. We have also seen Microsoft using the power it holds on the operating system to nudge users towards the Hotmail service and using Hotmail, one of the largest email services, forcing Hotmail users to sign up for the "Passport" service. Microsoft has also used its control of the operating system to force OEM vendors to offer Microsoft's other products like Microsoft Office, removing competitors like IBM's Lotus suite and WordPerfect from the forefront.

Microsoft is also predatory in their pricing: by holding so much of the market, Microsoft is able to leverage this and force users to "upgrade" to the next OS sooner than normal, as well as at a much higher cost than a competitive market would provide. "Upgrade" packs for the home user edition of Windows XP come at \$99; the price is more than double that for a full installation disk not requiring the purchase of an older Microsoft OS. This is the only pricing scheme where the price of the upgrade is on the same level as the original purchase.

To actually solve the problems Microsoft's violations of antitrust law have caused, there need to be heavy restrictions on Microsoft's conduct regarding the operating system, and a stop to the predatory restrictions on OEM publishing that bundle MS Office and other programs together. There need to be provisions to aid companies like Sun and Netscape, who have been harmed by Microsoft's illegal exploitation of its operating system monopoly, in regaining their lost market share to provide a truly competitive market.

The proposed settlement, by contrast, is the equivalent of sending a three-year-old to sit in the corner for 10 minutes before he goes right back to drawing on the walls. He doesn't learn a thing, and all you'll teach Microsoft is that it can get away with breaking the law. Don't let it happen.

Sincerely,
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