

From: Kahli R. Burke
To: Microsoft ATR
Date: 1/23/02 1:40pm
Subject: Microsoft Settlement

To whom it may concern:

I have been watching the progress of the antitrust case against Microsoft for many years now. While I am not an expert in law, I do believe I have a valid and useful perspective as both a software engineer and American citizen. It is clear to me, and this has been proven in a court of law, that Microsoft has been engaged in anticompetitive practices for a long time. It has used its market position, obtained by bullying smaller companies, to bully more companies and increase its market share further. It has abused its power, and should be punished for its tactics and the harm it has done. Aside from reparations, there should be strong rules put in place to stimulate competition and open opportunities for others to compete in this market.

I believe, and there are many who would agree with me, that the current proposed settlement does not do enough to right Microsoft's wrongs. I will not take the time now to go over all the areas that could be improved, but simply touch on a few major issues.

1. The language for non-discrimination against OEMs that sell computers with an OS other than Windows does not seem strong enough, specifically in terms of smaller OEMs.
2. Microsoft must be forced to open proprietary APIs and document formats for Windows and Microsoft Office to stimulate competition in this area.
3. Microsoft routinely discriminates against open source software in its EULAs, disallowing open source software that operates with the Windows operating system to be shipped with certain Windows add ons that it may depend on. This creates a barrier to the market for open source software, based solely on the license for the software.
4. Microsoft has a proposal for donating some of its software to schools as reparation for past ills, but this serves as a way to increase its market share in education, at minimal cost to Microsoft. Perhaps Microsoft should pay the money it says its software is worth, and allow the schools the choice of which hardware and software platform makes the most sense.

It seems likely that unless more is done to prevent illegal practices, Microsoft will continue to have a stranglehold on the software industry, and derivatives, such as internet services. I strongly urge you to take this letter as evidence that the American people do not agree with this proposed settlement, as for every one that communicates with you, there are probably a few hundred more who feel

the same.

Thank you,

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