

From: Craig Burgess
To: Microsoft ATR
Date: 1/23/02 3:51pm
Subject: Microsoft Settlement

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To Whom it may concern:

I am writing in opposition to acceptance of the proposed settlement in the matter of the US v. Microsoft antitrust case.

In short, the anticompetitive practices in which Microsoft has consistently engaged throughout its corporate history are unlikely to be changed short of a remedy which specifically and precisely addresses the manifold issues relating to the company's predatory behavior.

Microsoft have demonstrated unwillingness to be bound by restrictions which should have been imposed by the 1995 consent decree, the spirit of which was promptly circumvented by the company. That circumvention led to the company's antitrust conviction. Any settlement which Microsoft willingly accepts must now be suspect; the company's legal team has found a loophole which will be exploited -- just as the provisions of the 1995 consent decree were exploited.

Microsoft claims that its success depends upon the "freedom to innovate" and I must question what "innovation" means to Microsoft. The company's history shows that it defines "innovation" as "finding new ways of securing a monopoly stranglehold on all phases of digital technology."

I have been a user of PC computers and, necessarily, Microsoft's products, since the introduction of the PC computer. Whether I have been harmed by Microsoft practices over that period of time is certainly open to interpretation. That I have benefited from the success of Microsoft is unquestionable but those benefits probably could have been realised through the successes of other companies. We

can never know.

It appears to me that Microsoft is poised to become the sole arbiter of and single point of access to "digital technology" from desktop computing to content delivered through broadband Internet connection.

It is my opinion that it is not in the interest of the development of digital technologies to cede control of those technologies to a single corporate entity which I fear will happen if effective restraints are not imposed on Microsoft.

I trust that others, who are both more knowledgeable and more eloquent, will address these matters and I urge that their arguments be given careful consideration.

Sincerely,

Craig Burgess
PO Box 57
Vista CA 92085-0057

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