From: antv@antv.org@inetgw
To: Microsoft ATR
Date: 1/24/02 3:09am
Subject: Microsoft Settlement

To Whom It May Concern:

It seems like the proposed settlement for Microsoft antitrust trial is flawed. Because of many different legal loopholes in it, Microsoft will be able to find ways to easily exploit their customers and OEMs to their advantage.

A great analysis of flaws in the proposed settlement could be found here: http://www.kegel.com/remedy/remedy2.html . Below are my main complains about the settlement:

1) Microsoft's APIs, file formats, and protocols.

The complete documentation for these must be made public and be updated in a timely manner. Closed APIs and file formats are a major barrier to entry, since virually no company can afford to convert its existing documents into a new format. Currently anyone using Microsoft products is effectively "locked in" to those products because they cannot be easily converted to another format. While some attempts had been made toproduce programs and/or libraries that can read and write files in Microsoft's formats, they are only partially compatible and usually fail on complex documents. The main reasons for this are undocumented changes in Microsoft APIs and lack of complete documentation. Anything that can be done to reduce this barrier can only help to create more opportunity in the market.

2) Microsoft's business practices.

Microsoft must not be allowed to enter into deals with OEMs, ISPs, or other businesses that would create disincentives or prohibit those companies from offering non-Microsoft products or services to their customers. Since the vast majority of the desktop computing world currently uses Microsoft products, OEMs, ISPs, and others must be able to offer those products to consumers. Allowing Microsoft to continue to take advantage of that situation by prohibiting those companies from offering alternatives effectively means allowing Microsoft to continue to hold the industry hostage.

3) Microsoft's attempts to extend their monopoly in new markets *

Microsoft attempted (often successfully) to extend their monopoly in several new markets already, using the same monopolistic tactics. Most prominent examples are:

* Microsoft .NET and MS's plans to force everybody to sign for a MS Passport (which has already been proven to be a very insecure system), and also to sabotage development Sun Microsystems' Java language on Windows platform in favor of their own ".NET" system.

* Audio/Video market, where Microsoft used their OS monopoly to push products likeWindows Media Player and gain unfair advantage over competitors such as Real Player and QuickTime

* The failed attempt to turn an educational lawsuit into a way to inject their software into yet another market

If these concerns are addressed by the eventual settlement or court ruling, they should remove most of Microsoft's ability to abuse it's monopoly power to the detriment of the industry. I feel that a healthy IT industry should consist of competing products from a variety of companies, all able to interoperate with each other, with no single company able to leverage it's dominance in one area to bolster it's position in another.

Sincerely,

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