From: Chris Hanson
To: Microsoft ATR
Date: 1/28/02 8:51am
Subject: Microsoft Settlement

I am President of a small software and consulting company named bDistributed.com, Inc., located in the Chicago area. (Web site and contact information below.) As President of a company that develops software primarily for the Apple Macintosh and Sun's Java technology, I strongly believe that the Microsoft antitrust settlement does not go far enough to

I don't think any behavioral remedy will work on Microsoft. They have an established pattern of behavior of ignoring behavior remedies, disobeying court orders, lying to federal judges, and so on. The only remedy that will work and restore competition to the marketplace is structural: The company needs to be broken up and there needs to be heavy government oversight not only of the resulting "Nanosofts", but of the interactions between them and the rest of the market.

Here's my recipe for a workable breakup: Nanosoft 1 does only operating systems (both workstation and server). Nanosoft 2 does does only workstation applications, including Office, the Outlook client, the Messenger client, the NetMeeting client, and so on. Nanosoft 3 does only server applications, including SQL Server, the Outlook server, the Messenger server, the NetMeeting server, etc. Nanosoft 4 is the content company (MSN).

The workstation and server application companies would only be allowed to communicate through open, publicly-documented protocols. In other words, other companies could write fully-functional Microsoft Exchange clients that compete with Microsoft Outlook without reverse-engineering. And so on.

Also, I believe that Microsoft needs to be compelled to support the competitors they harmed for a certain period. Microsoft should be required to do the following:

(1) Bundle AOL Time Warner's Netscape web browser with the Windows operating system for a period of 5 years, and work with all interested external developers to make it possible to fully replace Internet Explorer as the default browser (including in places like the help system).

(2) Bundle Apple's QuickTime multimedia technology with the Windows operating system, and make it possible to use it instead of Windows Media Player for all multimedia access and playback on the system. Microsoft is currently attempting to use its monopoly power in operating systems software to extend its monopoly in multimedia

playback -- AFTER BEING RULED A MONOPOLY -- and this action is necessary to counter that attempt.

(3) Continue to support, promote, and keep up-to-date Microsoft Office on the Apple Macintosh for a period of 5 years, and expand their support to include up-to-date Macintosh versions of the Microsoft Outlook email and scheduling application (or add 100%-compatible functionality to the Microsoft Entourage for Macintosh email and scheduling application), the Microsoft Access database, and the Microsoft Project project management application.

(4) Publish all specifications for all native data formats and protocols of all Microsoft applications under a royalty-free and non-discriminatory license, IN PERPETUITY, allowing developers to create applications both for Windows and for other platforms that compete directly with Microsoft applications with a reasonable guarantee of 100% compatibility.

I believe the steps above are necessary to restore healthy competition to the computer software marketplace. Even without a structural remedy, the above steps would go a long way; with a structural remedy, the above steps would ensure non-Microsoft software developers are on a more level playing field than the current settlement proposal allows. And without at least (2) through (4) above, Microsoft is effectively unrestrained from eliminating its remaining competition. We cannot let this happen if the software industry is to remain a vital and growing sector of the worldwide economy, because without the return of true competition it will stagnate.

-- Chris

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