From: chris wolske
To: Microsoft ATR
Date: 1/24/02 9:31pm
Subject: Microsoft Settlement

Department of Justice Representative,

I would like to respond to the Proposed Final Judgement to U.S. v. Microsoft. There are many aspects of this ruling which I find disturbing, including the following:

In section III (Prohibited Conduct), section A.2. reads:
[A.2] "shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System; or"

- this interpretation ignores systems shipped without a Microsoft operating system, including computers that ship with only Linux or other Free (FSF) software with Windows compatability software included. An alternative may read as follows:

"shipping a Personal Computer that (a) includes both a Windows Operating System Product and a non-Microsoft Operating System, or (b) will boot with more than one Operating System, or (c) includes a non-Microsoft Operating System but no Windows Operating System Product; or ..."

Section VI (Definitions), section U, defines the following:
"Windows Operating System Product" means the software code (as opposed to source code) distributed commercially by Microsoft for use with Personal Computers as Windows 2000 Professional, Windows XP Home, Windows XP Professional, and successors to the foregoing, including the Personal Computer versions of the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc. The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion.

- this focuses narrowly on the a subset of the operating systems offered by Microsoft and may be better represented by:

"Windows Operating System Product" means any software or firmware code distributed commercially by Microsoft that is capable of executing any subset of the Win32 APIs, including without exclusion Windows 2000 Professional, Windows XP Home, Windows XP Professional, Windows XP Tablet PC Edition, Windows CE, PocketPC 2002, and successors to the foregoing, including the products currently code named "Longhorn" and "Blackcomb" and their successors, including upgrades, bug fixes, service packs, etc.

Thank you for your time.

Kind regards,
Christopher Wolske

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