From: Clark Morgan
To: Microsoft ATR
Date: 1/24/02 11:22pm
Subject: Microsoft Settlement

Hello. I am an independent software engineer (i.e., contractor) who lives in Hillsboro, Oregon. I wish to comment on the proposed Microsoft Settlement.

I believe that the potential effects of the proposed settlement can be easily judged by the responses from the monopolist (Microsoft) and its adversaries (the nation's computer software industry): Microsoft is delighted and the computer software industry thinks the settlement does nothing to rein in Microsoft's abuses.

Conversely, the last time I recall that the United States successfully prosecuted a monopolist, the affected party (AT&T) bitterly complained about the proposed remedy. The fact that Microsoft thinks this settlement is wonderful should give the court pause, to ask a very simple question:

Is the court being played by Microsoft?

In my opinion, the answer is a definitive "Yes." In my opinion, if the court does not take decisive action to punish this company for its anticompetitive practices, then Microsoft will never again fear retribution for its actions. I hope the court will recall the long list of companies that Microsoft has crushed, including: WordPerfect (now Corel), Lotus, Novell, Apple, Stac, and Netscape. If nothing is done to hobble this monopolist, then once its "punishment" phase is over, Microsoft will never, ever again fear government intervention and/or regulation. After all, if a company gets convicted as a monopolist and walks away with a "delightful" settlement, what should it worry about in the future?

Recall that when AT&T was broken up, the long distance market was opened to competition, which lowered long distance rates to extremely inexpensive rates. For example, I currently pay $0.05/minute for long distance calls placed in the evenings and all day on weekends. If AT&T still held the monopoly for long distance, I _know_ I would not have access to $0.05/minute calls.

As things stand now, Microsoft is the AT&T of the software industry. Every new release of its Windows operating system is the same price:

$90-$100 for an upgrade
$225 for a complete release

Every new release of its office suite is the same price:

$200-225 for an upgrade

$400 for a complete release

Where is the competition? There is none, which is the consequence of buying from a monopolist. The court has a chance to step in here and squelch this monopoly. Please don't let Microsoft dictate the terms of this settlement.

Respectfully,

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