From: john paulson
To: Microsoft ATR
Date: 1/27/02 9:47pm
Subject: Microsoft Settlement

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Greetings,

I _oppose_ the proposed settlement in the Microsoft anti-trust case for the following reasons:

o The Microsoft Office suite is one reason for the entrenchment of the Windows operating system on personal computers. The lack of viable non-Microsoft equivalents to MS Office is one source of that entrenchment.

Document formats are descriptions of the files produced by the Microsoft Office suite of products (MS Word, MS Excel, MS Powerpoint).

Document formats are distinct from APIs.

Nowhere is there a requirement that Microsoft document and freely disclose the document formats used by their office products.

Because the document formats are not available, developers of products wishing to inter-operate with or compete with those of Microsoft Office must reverse engineer the document format. Besides being time consuming, this is an error-prone process. The resulting products fail to work as well with the documents. In addition, changes made by Microsoft to those document formats when new versions of Microsoft products are released require non-Microsoft to once again perform reverse engineering. This delays the release of competing products, further cementing Microsoft's entrenchment in office productivity applications.

THEREFORE:

> Microsoft must document the formats of files produced by their office productivity applications.

> Microsoft must make that documentation freely available, so that non-Microsoft products can read and write documents produced by Microsoft's office productivity applications.

> And, Microsoft must release the document format concurrently, if not prior to, the release of newer versions of Microsoft's office productivity applications.

o Section III(J)(2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: "...(c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, ..."

(The above quotation is from http://www.pbs.org/cringely/pulpit/pulpit20011206.html)

As that article states, Microsoft faces competition from open source software, such as Linux, FreeBSD and Samba. Microsoft should not be allowed to forbid disclosure to asymmetric threats to its dominance.

THEREFORE:

Microsoft should release the API, Documentation and Communications Protocols to all who ask, or make it freely available (by placing on their website, www.microsoft.com). This will in no way hinder Microsoft's ability to innovate and develop new products and combinations of products, but it will allow non-Microsoft developers to inter-operate with Microsoft products.

o Microsoft has proposed deploying many millions of dollars worth of computers and (Microsoft) software to (K-12) schools. This should be rejected out of hand.

Currently, the only meaningful competition Microsoft has in the K-12 education marketplace is Apple Computer.

Were Microsoft to _sell_ computers running Microsoft software to schools at discounts of 80 to 90%, it would be viewed as an anti-competitive action by a monopolist: dumping. Giving it away can only be worse, (mega-dumping?).

THEREFORE:

> Microsoft should not be allowed to donate computers and

software. If Microsoft wishes to aid schools in this wise,
it may donate _money_ and allow the educators to decide
how to spend it on computers and software.

Sincerely,

John Paulson

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