From: Kent Rosenkoetter
To: Microsoft ATR
Date: 1/27/02 9:58pm
Subject: Microsoft Settlement

As a graduate student in computer science (University of North Carolina - Chapel Hill) I cannot help but be aware of the Microsoft anti-trust case. And while I believe it to be one of the most important cases for the computer industry in years, I tend to avoid dwelling on it because all I can feel is frustration.

Microsoft has:
1. Used their OS monopoly and OEM agreements to prevent any computer manufacturer from selling dual-boot systems, effectively killing BeOS and incredibly slowing the spread of other OSes, particularly Free Software and Open Source OSes.
2. Used their Windows OS to spread Internet Explorer and Outlook Express, making the entire world suceptible to hundreds of viruses that do not work on any other browser/email client. This costs American business alone billions of dollars every year.
3. Many other similarly disgusting actions I do not need to list because I know many of my colleagues have already done so in detail.

My frustration stems from the proposed settlement. First, that the breakup of Microsoft did not take place. Though I do not believe a mere two pieces would have been sufficient, it would at least have shown the public that the government is willing to mete out some serious punishment for such flagrantly illegal behavior. Second, that such a puny settlement would be proposed and even endorsed by members of the government. The settlement does not adequately restrict MS's future behavior, it leaves huge loopholes for exploitation, and it for the most part neglects the concept of compensation. While I believe the settlement may have been negotiated in good faith by the prosecutors, the final agreement does not account for the severity of the crimes or for MS's habit of exploitation and arrogance.

Actually, I do not believe that any settlement negotiated with Microsoft will be in the public interest. Microsoft's lawyers will not agree to anything that will seriously curtail MS's activities, and MS's activities are entirely centered around control of all aspects of computing. No, that is not an overzealous fanatical statement. That is a direct extrapolation of the past trends that led to MS's current monopolies in operating systems, office software, and web browsers, extended to current plans like .NET and subscription-based software licensing. Any final judgement capable of effectively affecting Microsoft will never be agreed to by Microsoft.

This email is meant to express extreme displeasure with the proposed settlement. It is not meant to offer possible alterations for the reason above. Though my original thought when I learned of the breakup Judge Jackson ordered was "Three companies. Operating Systems, Applications, and Web Services." It seems that won't happen now. If you truly want an effective solution, force Microsoft to

pay damages to every person and business that is a victim of a Microsoft-only virus. That will not eliminate their monopolies or promote competition for the future, but it will certainly take away their financial gain from their illegally acquired monopolies. It will also make the millions that have been victims of the serious problems in Microsoft software feel a little better.

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