From: Michael J. Kennedy
To: Microsoft ATR
Date: 1/27/02 10:35pm
Subject: Microsoft Settlement

To the Honorable Court:

I have read and cosigned the Open Letter to DOJ Re: Microsoft Settlement written by Dan Kegal, and I am writing to further express my opinion of the Proposed Final Judgement in the United States v. Microso case. I believe that the Proposed Final Judgement should not go through the way it is. I am aware that the Department of Justice concluded that Microsoft has engaged in monopolistic behaviors and that Microsoft has used its position of power to prevent competition. However, this main problem still has not been addressed fully. Under the settlement as it currenly is written, Microsoft would essentially be able to continue its anti-competitive practices merely by altering some of its company procedures.

I believe that Microsoft should be required to publish documentation of its APIs for uninhibited use by developers of alternative software systems. This will serve to reduce the "appications barrier to entry," allowing developers of competing products to add compatability for existing standards. This, in turn, allows those developers to make a successful entry into the software market, thus promoting competition.

I also contend that Microsoft should be disallowed to certify hardware devices as "designed for Windows," unless the specifications of those devices are released to the public. Consumers don't want to use an operating system that doesn't support their hardware. Maintaining secret hardware specifications hinders the development of free operating systems that run on a wide range of hardware.

In conclusion, I believe that the Proposed Final Judgement is not good enough and is in need of revision. The revisions should ensure that Microsoft cannot resume actions that are anti-competitive and that are not in the public interest. Thank you for your time and consideration.

Sincerely,

Michael J. Kennedy
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