From: scj@marcsys.com
To: Microsoft ATR
Date: 1/27/02 6:41am
Subject: Microsoft Settlement

am opposed to the current Microsoft settlement. Others, more eloquent than I, will detail the reasons why this proposal will not restore competition in the marketplace or provide sufficient cause for Microsoft to change their monopolistic behavior.

As a software professional with over twenty years experience and whose undergraduate course of study was in computer science, I have watched as Microsoft has continually impeded innovative developments. Microsoft follows a fairly consistent plan:

1) Ignore the innovation (e.g., web browser, disk compression, java, etc.) until it can no longer be ignored. Then,
2) Respond to the innovation by saying that it is without merit. When this is insufficient to keep the innovation from the market,
3) Either buy the developer of the innovation or "partner" with them. "Partner"ing allows Microsoft the time to develop the software in-house. Once the in-house version is ready, Microsoft will ruthlessly "bundle" it into their offering at "no additional cost" thereby destroying the market for the original developer. Finally,
4) Claim the innovation was due to Microsoft in the first place.

For the good of the consumer, market, industry, and country this anti-competitive and monopolistic behavior must stop.

Based on the the past behavior of Microsoft, with respect to previous Department of Justice actions, there is nothing which suggests that Microsoft will follow the spirit, or even the letter, of the current proposed settlement. They have consistently flaunted the law and have treated any cost or enforcement action as a normal "cost of doing business." Without any meaningful competition they can do this with impunity.

I would encourage the Department to re-evaluate this far too lenient settlement and devise a solution which, even in the face of determined Microsoft attempts at circumvention, will help restore competition and innovation to the marketplace.

Sincerely,
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