

19

SNELL & WILMER LLP
Alan L. Sullivan (3152)
Todd M. Shaughnessy (6651)
Amy F. Sorenson (8947)
15 West South Temple
Gateway Tower West
Salt Lake City, Utah 84101-1004
Telephone: (801) 257-1900
Facsimile: (801) 257-1800

CRAVATH, SWAINE & MOORE LLP
Evan R. Chesler (admitted pro hac vice)
David R. Marriott (7572)
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
(212) 474-1000

*Attorneys for Defendant/Counterclaim-Plaintiff
International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,
Plaintiff/Counterclaim-Defendant,
v.
INTERNATIONAL BUSINESS MACHINES
CORPORATION,
Defendant/Counterclaim-Plaintiff.

**DEFENDANT/COUNTERCLAIM-
PLAINTIFF IBM'S SEVENTH SET
OF INTERROGATORIES**

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, defendant/counterclaim-plaintiff International Business Machines Corporation ("IBM") submits this Seventh Set of Interrogatories to plaintiff The SCO Group, Inc. ("plaintiff").

Plaintiff is directed to give answers to the written interrogatories separately, fully, in writing, under oath, and in accordance with the following definitions and instructions.

Answers to the interrogatories must be served on the undersigned attorneys for IBM at the offices of Cravath, Swaine & Moore LLP, 825 Eighth Avenue, New York, NY 10019 within 30 days of service of these interrogatories.

Interrogatories

INTERROGATORY NO. 23:

Regarding SCO's Final Disclosure of Allegedly Misused Material, dated December 22, 2005, please state with specificity -- separately with respect to each version, file and line of code, method and concept identified by SCO:

- (a) by whom it has been, and currently is owned, when, and from whom it was acquired;
- (b) whether it appears in Linux and, in particular, the Linux kernel and, if so, which version(s) of Linux, and which files and lines of such version(s);
- (c) whether it was included in UnitedLinux 1.0 and distributed by SCO as part of its Linux offerings and, if so, when and to whom;
- (d) whether it was made available over the internet by SCO and, if so, when and to whom;
- (e) whether it is included in Sun's Open Solaris product and, if so, which version(s) of Open Solaris, and which files and lines of such version(s); and
- (f) whether it is included in, dictated by or related to any standards, and, if so, which ones and as of when.

INTERROGATORY NO. 25:

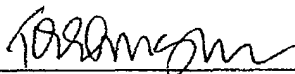
For each IBM request for admission to which SCO's response is anything other than an unqualified admission, state the following: (a) why the proposition is denied or is not an unqualified admission and (b) the respects, if any, in which the proposition is true.

Instructions and Definitions

Defendant/counterclaim-plaintiff IBM hereby incorporates by reference all instructions, definitions and rules contained in Rule 33 and Rule 34 of the Federal Rules of Civil Procedure and the local rules or individual practices of this Court and supplements them with the definitions and instructions set out in Defendant IBM's First Set of Interrogatories and First Request for the Production of Documents, which are incorporated herein by reference.

DATED this 14th day of February, 2005.

SNELL & WILMER LLP


Alan L. Sullivan
Todd M. Shaughnessy
Amy F. Sorenson

CRAVATH, SWAINE & MOORE LLP
Evan R. Chesler
David R. Marriott

*Counsel for Defendant/Counterclaim-Plaintiff
International Business Machines Corporation*

Of counsel:

INTERNATIONAL BUSINESS MACHINES CORPORATION
Jennifer M. Daniels
Alec S. Berman
1133 Westchester Avenue
White Plains, New York 10604
(914) 642-3000

*Attorneys for Defendant/Counterclaim-Plaintiff
International Business Machines Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of February, 2005, a true and correct copy of the foregoing **DEFENDANT/COUNTERCLAIM-PLAINTIFF IBM'S SEVENTH SET OF INTERROGATORIES** was delivered to the following:

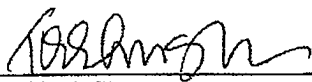
By Hand Delivery:

Brent O. Hatch
Mark F. James
HATCH, JAMES & DODGE, P.C.
10 West Broadway, Suite 400
Salt Lake City, Utah 84101
(801) 363-6363

By U.S. Mail, postage prepaid:

Stephen N. Zack
Mark J. Heise
BOIES, SCHILLER & FLEXNER LLP
100 Southeast Second Street, Suite 2800
Miami, Florida 33131

Robert Silver
Edward Normand
Sean Eskovitz
BOIES, SCHILLER & FLEXNER LLP
333 Main Street
Armonk, NY 10504



Todd M. Shaughnessy

SNELL & WILMER, L.L.P.
Alan L. Sullivan (3152)
Todd M. Shaughnessy (6651)
Amy F. Sorensen (8947)
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101-1004
Telephone: (801) 257-1900
Facsimile: (801) 257-1800

CRAVATH, SWAINE & MOORE LLP
Evan R. Chesler (admitted pro hac vice)
David R. Marriott (7572)
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
Telephone: (212) 474-1000

*Attorneys for Defendant/Counterclaim-Plaintiff
International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Defendant/Counterclaim-Plaintiff.

CERTIFICATE OF SERVICE

Civil No.: '2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke Wells

I hereby certify that on the 14th day of February, 2006, a true and correct copy of
DEFENDANT/COUNTERCLAIM-PLAINTIFF IBM'S SEVENTH SET OF
INTERROGATORIES was sent to the following:

By Hand Delivery:

Brent O. Hatch
Mark F. James
HATCH, JAMES & DODGE, P.C.
10 West Broadway, Suite 400
Salt Lake City, Utah 84101

By U.S. Mail:

Robert Silver
Edward Normand
BOIES, SCHILLER & FLEXNER LLP
333 Main Street
Armonk, NY 10504

Stephen N. Zack
Mark J. Heise
BOIES, SCHILLER & FLEXNER LLP
100 Southeast Second Street, Suite 2800
Miami, Florida 33131

DATED this 14th day of February, 2006.

SNELL & WILMER L.L.P.

s/Todd M. Shaughnessy