PLAINTIFF'S EXHIBIT 196 Comes v. Microsoft

Erik Stevenson

From: To: Brad Silverberg Mike Maples

Subject:

RE: xerox beta

Date:

Tuesday, January 11, 1994 3:25PM

I am inclined at this point to put them under restricted NDA that will exclude WABI, CIL, PWI or other competitive efforts. They will need to submit whom they want to have access to Chicago, similar to other CILWABI members.

We took steps in M5 (the current PDK release) to help reinforce the confidential nature. First, when you satup, you must enter you beta id and an issued password. Second, you are then lead thru a series of screens that display the NDA and require explicit OK to proceed.

The beta id info is then burned into the exe so that if the exe is posted on a bbs or otherwise distributed, we can decrypt the info and determine who the source of the leak was. So far it seems to be working as I have not yet heard reports of M5 on any bbs's. For M4 we saw them right away. And I have not seen screen shots either in the press of M5.... People are getting the message. Another example, we saw a post on the internet from someone from IBM and we followed up with Pope to shut them down.

I'm interested in other ideas of yours to enforce NDA's.

From: Mike Maples

To: bradsi

Subject: xerox beta

Date: Tuesday, January 11, 1994 2:32PM

seems like we are being a little paranoid about them. I don't really see them as a systems threat. I think they have gotten the word that they need to play ball with us.

What do you think about a restricted beta like we have done for other CIL members?

On a second issue, we need to aggressively enforce our nondisclosures. I will send a note on it.



Page 497

MS 5063907 CONFIDENTIAL

MS-PCA 1165758 CONFIDENTIAL