

Microsoft Beta No Pre-Release List

No Pre-Release yor "NRR" means that a beta site is not permitted for eccive pre-release software. Pre-release is defined as any software product not yet available for sale to the public of the sites in this workbook are on this No Pre-Release (FNRRH) is the cause of the year either in competition with Microsoft with a similar production technology of the site has violated a license agreement (MMAB) or "NDA") with Microsoft or otherwise acted in some way that made some body at Microsoft unitarity.

The contents of this workbook are HIGHEY GONEDENTIAL and should never be discussed, xi cmality.

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is a sheet in this workbook for each beta program that has (or had) a NPR list. he All Programs sheet contains sites that are NPR for ALL beta programs. This sheet lists all the currently active programs. The Individual sheets for these programs follow the All Programs sheet.		ProgID Program Name	412 Windows Update	636 WU Corporate	662 IE 6.x	MATERIAL REDACTED	708 Windows Update 4.0	
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Inactive Programs

This sheet lists all the programs that are <u>inactive.</u>
The individual sheets for these programs follow the active tabs.
The applicable Program ID(s) are shown in parenthesis by each program name.

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(144, 229, 235, 268, 269, 327, 359, 361, 374, 377, 436)

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OEM SR-2 (187, 205)

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Memphis and WDM DDK (254, 273,

313, 316, 407, 434)

Windows98 SP1 (435)

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InternetID: mark@kirdape.u-net.com	†		 	 	 	+	 	+
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20. Ingram, Jason H.	200042	He posted	his Beta	D and E4	download	nformatio	n on	
4411 Cedar Springs Road, Apt. 115		the web.	He is bei	ng investig	ated for pi	acy.	T	
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InternetiD: leatherbear@airmail.net	ļ		ļ		ļ			
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21. Jensen, Dana K.	326197	He suppo	rts a web	site that ha	s pirated d	ownloads		
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Tel: 714-648-0202		†		 		 	 	
internetiD: John_kurzet@hival.com		1		 		 	 	
								
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38. Ruberte, William J.								
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roraic, John BetalD: 194714		CM 72 1833	
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roh, Paul Alan (Solutech Inc.) BetalD: 169394			Went live with Merchant Server beta software before product was release
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Windows Update -- ProgID 412 WU Corporate -- ProgID 636 Windows Update 4.0 -- ProgID 708 WU Corporate 4.0 -- ProgID 751

IE 4.0 (Nashville) Prog ID 144
IE 4.0 Intl ProgID 229
IE 4.0 SDK Prog ID 235
IE Starter Kit Prog ID 268
IE 4.0 Admin Kit Prog ID 269
IE 4.0 Win3.1 ProgID 327
IE 4.0 Unix Prog ID 359
IE 4.0 Mac ProgID 361
IE 4.0 Alpha Prog ID 374
IEAK 4.0 16bit ProgID 377
IE 4.01 ProgID 436 (formerly IE 4.01 SP)
See IE 6.x tab - (formerly Nashville (IE4))

IE 5 Win32 -- Prog ID 372 IE 5 Win31 -- Prog ID 404 IEAK 5 -- Prog ID 405 IE 5 Mac -- Prog ID 406 IE 5 Unix -- Prog ID 408 IE 5.x -- Prog ID 530

See IE 6.x tab - (formerly Nashville (IE4))

Mac Office 9 -- Prog ID 596

Companies Apple Computer Corel

Sun Microsystem

Individuals Beta ID: 309628 Van Valkenburgh, Nick

OAO Corp. 102 Research Blvd. Bldg. 2 Madison, AL 35758 Tel: 256-730-2974

Fax: 256-730-2984 InternetID: nick.vanvalkenburgh@msfc.nasa.gov

Notes: Violated his NDA by posting confidential information to a public bbs

Memphis and WDM DDK (inactive)

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Windows 98 Plus! Pack - ProgID 407			
Win98 Image Prep TI - ProgID 434			
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Win98 Second Edition - ProgID 470	(formerly Windows98	OSR & Windows98 SR	1)
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Two Sections: Companies and individuals			*****
New addition to this list	****		
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Vinaleck Systems	Aquired by Novell	JohnLu	07/26/1993
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OEM SR-2 (also known as OPK-2) -- Prog ID 187 OEM SR-2 Japanese -- Prog ID 205

See IE 5 tab - (formerly Nashville (IE4))

Office 10 -- ProgID 538 Office 10 Intl -- ProgID 660 Office 10 German -- ProgID 673

Notes:	He was placed on NPR due to his NPR status for Whistler. He posted the Newsgroup internal user name and its password to the internet.
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Office 2000 -- ProgID 375 (formerly Office9)

Adobe Corel

Office 2000 SR -- ProgID 569

Adobe Systems

Corel

Submitted 4/28/00 - Competitor
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Office (Mac) (inactive)

Office 98 Mac ProgID 356
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Claris
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Office Small Bis2000 -- ProgID 471

Corel IBM Lotus Noveli

Win 95, Win 96, OPK (note: do NOT call Nashville "Win 96")

See IE 5 tab (formerly "Nashville and OEM SR-2")

Win95 API -- ProgID 204

See IE 5 tab (formerly Nashville (IE4 & IE5))

Works (inactive)

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MICROSOFT CORPORATION NON-DISCLOSURE AGREEMENT

This Non-Disclosure Agreement (the "Agreement") is made and entered into as of the later of the two signature								ature			
dates	below	by	and	between	MICROSOFT	CORPORATIO	N, a	Washington	corporation	("Microsoft"),	and
		····			("Recipient").						

IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS CONTAINED IN THIS AGREEMENT AND THE DISCLOSURE OF CONFIDENTIAL INFORMATION, THE PARTIES HERETO AGREE AS FOLLOWS:

1. Definition of Confidential Information and Exclusions.

- (a) "Confidential Information" means nonpublic information that Microsoft designates as being confidential or which, under the circumstances surrounding disclosure ought to be treated as confidential by Recipient. "Confidential Information" includes, without limitation, information in tangible or intangible form relating to and/or including released or unreleased Microsoft software or hardware products, the marketing or promotion of any Microsoft product, Microsoft's business policies or practices, and information received from others that Microsoft is obligated to treat as confidential. Except as otherwise indicated in this Agreement, "Microsoft" also includes all Affiliates of Microsoft and, except as otherwise indicated, the term "Recipient" also includes all Affiliates of the Recipient. An "Affiliate" means any person, partnership, joint venture, corporation or other form of enterprise, domestic or foreign, including but not limited to subsidiaries, that directly or indirectly, control, are controlled by, or are under common control with a party.
- (b) Confidential Information shall not include any information, however designated, that: (i) is or subsequently becomes publicly available without Recipient's breach of any obligation owed to Microsoft; (ii) became known to Recipient prior to Microsoft's disclosure of such information to Recipient pursuant to the terms of this Agreement; (iii) became known to Recipient from a source other than Microsoft other than by the breach of an obligation of confidentiality owed to Microsoft; (iv) is independently developed by Recipient; or (v) constitutes Feedback (as defined in Section 5).

Obligations Regarding Confidential Information

(a) Recipient shall:

- (i) Refrain from disclosing any Confidential Information to third parties for five (5) years following the date that Microsoft first discloses such Confidential Information to Recipient, except as expressly provided in Sections 2(b) and 2(c) of this Agreement:
- (ii) Take reasonable security precautions, at least as great as the precautions it takes to protect its own confidential information, but no less than reasonable care, to keep confidential the Confidential Information:
- (iii) Refrain from disclosing, reproducing, summarizing and/or distributing Confidential Information except in pursuance of Recipient's business relationship with Microsoft, and only as otherwise provided hereunder; and
- (iv) Refrain from reverse engineering, decompiling or disassembling any software code and/or prerelease hardware devices disclosed by Microsoft to Recipient under the terms of this Agreement, except as expressly permitted by applicable law.
- (b) Recipient may disclose Confidential Information in accordance with a judicial or other governmental order, provided that Recipient either (i) gives the undersigned Microsoft representative reasonable notice prior to such disclosure to allow Microsoft a reasonable opportunity to seek a protective order or equivalent, or (ii) obtains written assurance from the applicable judicial or governmental entity that it will afford the Confidential Information the highest

level of protection afforded under applicable law or regulation. Notwithstanding the foregoing, Recipient shall not disclose any computer source code that contains Confidential Information in accordance with a judicial or other governmental order unless it complies with the requirement set forth in sub-section (i) of this Section 2(b).

- (c) The undersigned Recipient may disclose Confidential Information only to Recipient's employees and consultants on a need-to-know basis. The undersigned Recipient will have executed or shall execute appropriate written agreements with its employees and consultants sufficient to enable it to comply with all the provisions of this Agreement.
- (d) Recipient shall notify the undersigned Microsoft representative immediately upon discovery of any unauthorized use or disclosure of Confidential Information or any other breach of this Agreement by Recipient and its employees and consultants, and will cooperate with Microsoft in every reasonable way to help Microsoft regain possession of the Confidential Information and prevent its further unauthorized use or disclosure.
- (e) Recipient shall, at Microsoft's request, return all originals, copies, reproductions and summaries of Confidential Information and all other tangible materials and devices provided to Recipient as Confidential Information, or at Microsoft's option, certify destruction of the same.

3. Remedies

Recipient acknowledges that monetary damages may not be a sufficient remedy for unauthorized disclosure of Confidential Information and that Microsoft shall be entitled, without waiving any other rights or remedies, to such injunctive or equitable relief as may be deemed proper by a court of competent jurisdiction.

4. Miscellaneous

- (a) All Confidential Information is and shall remain the property of Microsoft. By disclosing Confidential Information to Recipient, Microsoft does not grant any express or implied right to Recipient to or under any patents, copyrights, trademarks, or trade secret information except as otherwise provided herein. Microsoft reserves without prejudice the ability to protect its rights under any such patents, copyrights, trademarks, or trade secrets except as otherwise provided herein.
- (b) In the event that Microsoft provides any computer software and/or hardware to Recipient as Confidential Information under the terms of this Agreement, such computer software and/or hardware may only be used by the Recipient for evaluation and providing Feedback (as defined in Section 5 of this Agreement) to Microsoft. Unless otherwise agreed by Microsoft and the Recipient, all such computer software and/or hardware is provided "AS IS" without warranty of any kind, and Recipient agrees that neither Microsoft nor its suppliers shall be liable for any damages whatsoever arising from or relating to Recipient's use or inability to use such software and/or hardware.
- (c) The parties agree to comply with all applicable international and national laws that apply to (i) any Confidential Information, or (ii) any product (or any part thereof), process or service that is the direct product of the Confidential Information, including the U.S. Export Administration Regulations, as well as end-user, end-use and destination restrictions issued by U.S. and other governments. For additional information on exporting Microsoft products, see http://www.microsoft.com/exporting/.
- (d) This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof. It shall not be modified except by a written agreement dated subsequent to the date of this Agreement and signed by both parties. None of the provisions of this Agreement shall be deemed to have been waived by any act or acquiescence on the part of Microsoft, the Recipient, their agents, or employees, but only by an instrument in writing signed by an authorized employee of Microsoft and the Recipient. No waiver of any provision of this Agreement shall constitute a waiver of any other provision(s) or of the same provision on another occasion.
- (e) If either party employs attorneys to enforce any rights arising out of or relating to this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs. This Agreement shall be construed and controlled by the laws of the State of Washington, and the parties further consent to exclusive jurisdiction and

venue in the federal courts sitting in King County, Washington, unless no federal subject matter jurisdiction exists, in which case the parties consent to the exclusive jurisdiction and venue in the Superior Court of King County, Washington. Recipient waives all defenses of lack of personal jurisdiction and forum non conveniens. Process may be served on either party in the manner authorized by applicable law or court rule.

- (f) This Agreement shall be binding upon and inure to the benefit of each party's respective successors and lawful assigns; provided, however, that Recipient may not assign this Agreement (whether by operation of law, sale of securities or assets, merger or otherwise), in whole or in part, without the prior written approval of Microsoft. Any purported assignment in violation of this Section shall be void.
- (g) If any provision of this Agreement shall be held by a court of competent jurisdiction to be illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.
- (h) Microsoft may terminate this Agreement with or without cause upon ninety (90) days prior written notice to the Recipient. All sections of this Agreement relating to the rights and obligations of the parties concerning Confidential Information disclosed during the term of the Agreement shall survive any such termination.

5. Suggestions and Feedback

The Recipient may from time to time provide suggestions, comments or other feedback ("Feedback") to Microsoft with respect to the Confidential Information provided by Microsoft. Recipient agrees that all Feedback is and shall be given entirely voluntarily. Feedback, even if designated as confidential by Recipient, shall not, absent a separate written agreement, create any confidentiality obligation for or upon Microsoft. Recipient will not give Feedback that is subject to license terms that seek to require any Microsoft product, technology, service or documentation incorporating or derived from such Feedback, or any Microsoft intellectual property, to be licensed or otherwise shared with any third party. Furthermore, except as otherwise provided herein or in a separate subsequent written agreement between the parties, Microsoft shall be free to use, disclose, reproduce, license or otherwise distribute, and exploit the Feedback provided to it as it sees fit, entirely without obligation or restriction of any kind on account of intellectual property rights or otherwise.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

RECIPIENT:	MICROSOFT CORPORATION One Microsoft Way Redmond, WA 98052-6399
Ву:	Ву:
Name:	Name:
Title:	Title:
Date:	Date:

MICROSOFT CORPORATION NON-DISCLOSURE AGREEMENT (STANDARD RECIPROCAL)

	This No	on-E)isclo	sure Agre	ement (the "Agi	reement") is made ar	ıđ	entered into a	s of the later	of the two sign	ature
dates	below	by	and	between	MICROSOFT	CORPORATION,	a	Washington	corporation	("Microsoft"),	and
-					. а		CC	erporation ("C	ompany").		

IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS CONTAINED IN THIS AGREEMENT AND THE MUTUAL DISCLOSURE OF CONFIDENTIAL INFORMATION, THE PARTIES HERETO AGREE AS FOLLOWS:

1. <u>Definition of Confidential Information and Exclusions.</u>

- (a) "Confidential Information" means nonpublic information that a party to this Agreement ("Disclosing Party") designates as being confidential to the party that receives such information ("Receiving Party") or which, under the circumstances surrounding disclosure ought to be treated as confidential by the Receiving Party. "Confidential Information" includes, without limitation, information in tangible or intangible form relating to and/or including released or unreleased Disclosing Party software or hardware products, the marketing or promotion of any Disclosing Party product, Disclosing Party's business policies or practices, and information received from others that Disclosing Party is obligated to treat as confidential. Except as otherwise indicated in this Agreement, the term "Disclosing Party" also includes all Affiliates of the Disclosing Party and, except as otherwise indicated, the term "Receiving Party" also includes all Affiliates of the Receiving Party. An "Affiliate" means any person, partnership, joint venture, corporation or other form of enterprise, domestic or foreign, including but not limited to subsidiaries, that directly or indirectly, control, are controlled by, or are under common control with a party.
- (b) Confidential Information shall not include any information, however designated, that: (i) is or subsequently becomes publicly available without Receiving Party's breach of any obligation owed Disclosing Party; (ii) became known to Receiving Party prior to Disclosing Party's disclosure of such information to Receiving Party pursuant to the terms of this Agreement; (iii) became known to Receiving Party from a source other than Disclosing Party other than by the breach of an obligation of confidentiality owed to Disclosing Party; (iv) is independently developed by Receiving Party; or (v) constitutes Feedback (as defined in Section 5 of this Agreement).

2. Obligations Regarding Confidential Information

(a) Receiving Party shall:

- Refrain from disclosing any Confidential Information of the Disclosing Party to third parties for five (5) years following the date that Disclosing Party first discloses such Confidential Information to Receiving Party, except as expressly provided in Sections 2(b) and 2(c) of this Agreement;
- (ii) Take reasonable security precautions, at least as great as the precautions it takes to protect its own confidential information, but no less than reasonable care, to keep confidential the Confidential Information of the Disclosing Party;
- (iii) Refrain from disclosing, reproducing, summarizing and/or distributing Confidential Information of the Disclosing Party except in pursuance of Receiving Party's business relationship with Disclosing Party, and only as otherwise provided hereunder; and
- (iv) Refrain from reverse engineering, decompiling or disassembling any software code and/or prerelease hardware devices disclosed by Disclosing Party to Receiving Party under the terms of this Agreement, except as expressly permitted by applicable law.
- (b) Receiving Party may disclose Confidential Information of Disclosing Party in accordance with a judicial or other governmental order, provided that Receiving Party either (i) gives the undersigned Disclosing Party reasonable notice prior to such disclosure to allow Disclosing Party a reasonable opportunity to seek a protective order or equivalent, or (ii) obtains written assurance from the applicable judicial or governmental entity that it will afford the Confidential Information the highest level of protection afforded under applicable law or regulation. Notwithstanding

the foregoing, the Receiving Party shall not disclose any computer source code that contains Confidential Information of the Disclosing Party in accordance with a judicial or other governmental order unless it complies with the requirement set forth in sub-section (i) of this Section 2(b).

- (c) The undersigned Receiving Party may disclose Confidential Information only to Receiving Party's employees and consultants on a need-to-know basis. The undersigned Receiving Party will have executed or shall execute appropriate written agreements with its employees and consultants sufficient to enable Receiving Party to enforce all the provisions of this Agreement.
- (d) Receiving Party shall notify the undersigned Disclosing Party immediately upon discovery of any unauthorized use or disclosure of Confidential Information or any other breach of this Agreement by Receiving Party and its employees and consultants, and will cooperate with Disclosing Party in every reasonable way to help Disclosing Party regain possession of the Confidential Information and prevent its further unauthorized use or disclosure.
- (e) Receiving Party shall, at Disclosing Party's request, return all originals, copies, reproductions and summaries of Confidential Information and all other tangible materials and devices provided to the Receiving Party as Confidential Information, or at Disclosing Party's option, certify destruction of the same.

Remedies

The parties acknowledge that monetary damages may not be a sufficient remedy for unauthorized disclosure of Confidential Information and that Disclosing Party shall be entitled, without waiving any other rights or remedies, to such injunctive or equitable relief as may be deemed proper by a court of competent jurisdiction.

4. Miscellaneous

- (a) All Confidential Information is and shall remain the property of Disclosing Party. By disclosing Confidential Information to Receiving Party, Disclosing Party does not grant any express or implied right to Receiving Party to or under any patents, copyrights, trademarks, or trade secret information except as otherwise provided herein. Disclosing Party reserves without prejudice the ability to protect its rights under any such patents, copyrights, trademarks, or trade secrets except as otherwise provided herein.
- (b) In the event that the Disclosing Party provides any computer software and/or hardware to the Receiving Party as Confidential Information under the terms of this Agreement, such computer software and/or hardware may only be used by the Receiving Party for evaluation and providing Feedback (as defined in Section 5 of this Agreement) to the Disclosing Party. Unless otherwise agreed by the Disclosing Party and the Receiving Party, all such computer software and/or hardware is provided "AS IS" without warranty of any kind, and Receiving Party agrees that neither Disclosing Party nor its suppliers shall be liable for any damages whatsoever arising from or relating to Receiving Party's use of or inability to use such software and/or hardware.
- (c) The parties agree to comply with all applicable international and national laws that apply to (i) any Confidential Information, or (ii) any product (or any part thereof), process or service that is the direct product of the Confidential Information, including the U.S. Export Administration Regulations, as well as end-user, end-use and destination restrictions issued by U.S. and other governments. For additional information on exporting Microsoft products, see http://www.microsoft.com/exporting/.
- (d) The terms of confidentiality under this Agreement shall not be construed to limit either the Disclosing Party or the Receiving Party's right to independently develop or acquire products without use of the other party's Confidential Information. Further, the Receiving Party shall be free to use for any purpose the residuals resulting from access to or work with the Confidential Information of the Disclosing Party, provided that the Receiving Party shall not disclose the Confidential Information except as expressly permitted pursuant to the terms of this Agreement. The term "residuals" means information in intangible form, which is retained in memory by persons who have had access to the Confidential Information, including ideas, concepts, know-how or techniques contained therein. The Receiving Party shall not have any obligation to limit or restrict the assignment of such persons or to pay royalties for any work resulting from the use of residuals. However, this sub-paragraph shall not be deemed to grant to the Receiving Party a license under the Disclosing Party's copyrights or patents.

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- (e) This Agreement constitutes the artire agreement between the parties with respect to the subject matter hereof. It shall not be modified except by a written agreement dated subsequent to the date of this Agreement and signed by both parties. None of the provision of this Agreement shall be deemed to have been waived by any act or acquiescence on the part of Disclosing Party, the Receiving Party, their agents, or employees, but only by an instrument in writing signed by an authorized employee of Disclosing Party and the Receiving Party. No waiver of any provision of this Agreement shall constitute awaiver of any other provision(s) or of the same provision on another occasion.
- (f) If either Disclosing Party or the Receiving Party employs attorneys to enforce any rights arising out of or relating to this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs. This Agreement shall be construed and controlled by the laws of the State of Washington, and the parties further consent to exclusive jurisdiction and venue in the federal courts sitting in King County, Washington, unless no federal subject matter jurisdiction exists, in which case the parties consent to the exclusive jurisdiction and venue in the Superior Court of King County, Washington. Company waives all defenses of lack of personal jurisdiction and forum non conveniens. Process may be served on either party in the manner authorized by applicable law or court rule.
- (g) This Agreement shall be binding upon and inure to the benefit of each party's respective successors and lawful assigns; provided, however, that neither party may assign this Agreement (whether by operation of law, sale of securities or assets, merger or otherwise), in whole or in part, without the prior written approval of the other party. Any attempted assignment in violation of this Section shall be void.
- (h) If any provision of this Agreement shall be held by a court of competent jurisdiction to be illegal, invalid of unenforceable, the remaining provisions shall remain in full force and effect.
- (i) Either party may terminate this Agreement with or without cause upon ninety (90) days prior written notice to the other party. All sections of this Agreement relating to the rights and obligations of the parties concerning Confidential Information disclosed during the term of the Agreement shall survive any such termination.

5. Suggestions and Feedback

The Receiving Party may from time to time provide suggestions, comments or other feedback ("Feedback") to the Disclosing Party with respect to Confidential Information provided originally by the Disclosing Party. Both parties agree that all Feedback is and shall be given entirely voluntarily. Feedback, even if designated as confidential by the party offering the Feedback, shall not, absent a separate written agreement, create any confidentiality obligation for the receiver of the Feedback. Receiving Party will not give Feedback that is subject to license terms that seek to require any Disclosing Party product, technology, service or documentation incorporating or derived from such Feedback, or any Disclosing Party intellectual property, to be licensed or otherwise shared with any third party. Furthermore, except as otherwise provided herein or in a separate subsequent written agreement between the parties, the receiver of the Feedback shall be free to use, disclose, reproduce, license or otherwise distribute, and exploit the Feedback provided to it as it sees fit, entirely without obligation or restriction of any kind on account of intellectual property rights or otherwise.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

COMPANY:Address:	MICROSOFT CORPORATION One Microsoft Way Redmond, WA 98052-6399
Ву:	Ву:
Name:	Name:
Title:	Title:
Date:	Date:

11/06/2001