



From: Mark Brown
Sent: Friday, May 23, 1997 1:30 PM
To: Brad Silverberg; Peter Plamondon; Tom Button; Tod Nielsen; Linda Norman (LCA)
Cc: Paul Gross; Erich Andersen (LCA)
Subject: RE: open tools

insiders and logic tell me that Oracle getting an Open Tools license from us is a gate to the Orcl/Bori Jbuilder bundle deal announced a few weeks back.

Since orcl has been so difficult to deal with, we have agreed to their Open Tools terms, in principal, just as soon as they give us (and we confirm) unrestricted rights to buy their products - something extremely hard for MS to do today.

The last time I spoke w/orcl(Tues), they were sending our proposal up the chain.

Original Message
From: Brad Silverberg
Sent: Friday, May 23, 1997 12:20 PM
To: Peter Plamondon; Linda Norman (LCA); Tom Button; Tod Nielsen
Cc: Paul Gross; Erich Andersen (LCA); Mark Brown
Subject: RE: open tools

i just need an answer to the following:

- if oracle is asking for broader rights, they are willing to accept it's an issue between msft and orcl that needs to get resolved.
- what would it mean and would it be ok for us to let bori just past thru the rights bori has to orcl? who would orcl be able to sell to and what rights would they have?

Original Message
From: Peter Plamondon
Sent: Friday, May 23, 1997 12:14 PM
To: Brad Silverberg; Linda Norman (LCA); Tom Button; Tod Nielsen
Cc: Paul Gross; Erich Andersen (LCA); Mark Brown
Subject: RE: open tools

Yes, Oracle's asking for much more.

Borland can grant their direct customers the right to redistribute Win32 SDK components, those Borland customers cannot grant redistribution rights to anyone else.

Oracle wants to let their resellers and distributors grant redistribution to any of their customers, repeating infinitely deep through Oracle's entire distribution channel.

We should definitely get some value back from granting these broader rights, and since Oracle currently prevents MS from purchasing many Oracle products (including at retail), that's what we're asking for in return, and they apparently don't want to yield on this point. Details on our request in MBrown's attached email.

-Peter
<< Message: MS Open Tools Update >>

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To: Peter Plamondon; Linda Norman (LCA); Tom Button; Tod Nielsen
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to products they currently block us from buying. This also maintains the rights Oracle requested as extraordinary, requiring extraordinary benefit back to MS. -Peter

—Original Message—

From: Brad Silverberg

Sent: Friday, May 23, 1997 11:59 AM

To: Peter Plamondon; Linda Norman (LCA); Tom Button; Tod Nielsen

Cc: Paul Gross

Subject: open tools

how would you feel if we allowed borland to pass thru their rights to oracle for oracle selling the borl tools?
oracle would not get any rights borland doesn't already have, it's just a pass thru.... i need to know
immediately

CONFIDENTIAL MS-PCA 2599098

From: Peter Plamondon
Sent: Friday, May 23, 1997 12:38 PM
To: Brad Silverberg; Linda Norman (LCA); Tom Button; Tod Nielsen
Cc: Paul Gross; Erich Andersen (LCA); Mark Brown
Subject: RE: open tools

I'll be happy to talk to anyone at Borland and explain the differences between their license and what Oracle's asking for, point them to me - 703-7789. -Peter

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From: Brad Silverberg
Sent: Friday, May 23, 1997 12:36 PM
To: Peter Plamondon; Linda Norman (LCA); Tom Button; Tod Nielsen
Cc: Paul Gross; Erich Andersen (LCA); Mark Brown
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The only reason we're willing to give Oracle broader rights is because we can break the logjam on MS getting Oracle products. No interest at all in granting these rights to Borland, no up-side to us and a bad precedent.

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