From rond Wed May 1 10:53:01 1991
To: billg billn jeremybu mikehal mikemap
Cc: charlotg garygi richmac russw scotto
Subject: Licensing Modification - Concurrent use
Date: Wed May 01 10:49:21 1991
Status: 0

PLAINTIFF'S EXHIBIT

415 26

Comes v. Microsoft

We are moving ahead on the license modification for concurrent

Privilege Material Redacted

Sales training on the modification is planned for the Channel
Breakout sessions the week of May 20th. I am starting a dialogue
with manufacturing & corporate to get the new license produced.
Also, we will be working with MartyTa to develop a consistent
response to inquiries on why the policy changed. Due to the
speculation in the field after last week's survey on the effect
of changing our licensing policy, RichMac and ScottO felt it was
necessary to get some immediate information out to the field
managers. The following email was reviewed yesterday with legal,
CharlotG (for international) and MikeNe (for the Retail channel)
and sent out.

>From rond Tue Apr 30 15:44:36 1991
To: cams dms rgms
Cc: camktg charlotg mikene richmac russw scotto
Subject: Licensing Modification - Concurrent use
Date: Tue Apr 30 15:44:06 1991

We have recently re-evaluted our policy on concurrent usage and are now in the process of modifying our software license. A taskforce has just been formed with members from our Sales, Marketing, PR, Legal, and International groups to develop a implementation plan, however, we felt it was necessary for you to have the following PRELIMINARY information ASAP.

Please limit your customer discussions on this topic to a need to know basis. Also, any comments, concerns, or issues should be fed back via your GMs to RichMac and to RonD if U.S. and to CharlotG if International. There will be complete training on this topic for U.S. Sales at the Atlanta Channel Breakouts and for International via Email and memo by the end of June. The reseller sales reps will be trained in the summer either by memo/presentation materials or at the NSM.

TENATIVELY (subject to final approval) our license will be modified as follows:

- 1) Concurrent usage will be allowed as long as the Microsoft product is CNLY installed on the hard drive of the SERVER machine. In other words, we will allow concurrent usage as long as the product is resident CN and launched OFF of the server. If a user wants to improve performance or availability by installing a product on their LOCAL hard drive, then they must purchase an additional license for their local workstation.
- 2) Our concurrent use licensing will NOT allow multiple copies of our products to be stored on local workstations and managed via an electronic token or other counting mechanism. Concurrent usage products are licensed to run VIA A SERVER CNLY.
- 3) The Concurrent usage provision will be present in our STANDARD products. There is currently no discussion of creating server versions of our applications products & Windows.
- 4) We will develop some simple mechanism to provide REGISTRATION of all customers that deploy our products in a concurrent use environment. This will allow us to monitor the use of this type of licensing.
- 5) The HOME & LAPTOP provision will be retained for users having dedicated use of the Microsoft product. However, this clause WILL NOT allow home or laptop usage to concurrent users.

As a followup to the recent field survey on the impact of concurrent use, we will conduct another survey in October to determine the effect

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of this policy change.
Thanks

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