

From:

Doug Miller

Sent:

Monday, August 28, 2000 12:03 PM

To:

Stephanie Wettstein (Waggener Edstrom); Katrina Bush (Waggener Edstrom); Chuck Humble

(Waggener Edstrom); Steve Aeschbacher (LCA)

Cc:

David Martin (WINMKTG); Adam Sohn; Vivek Varma; Brian Schuster; Dan Neault; Dan Crouse (LCA); Tom Burt (LCA); Chris Meyers (LCA); Lisa Tanzi (LCA); Kim Akers (WINDOWS); Tom Phillips; Carl Stork; Mike Porter; Bill Veghte: Brian Valentine; Jim Ewel;

Vivek Varma

Subject:

FW: OSDL PR Plan - attorney client privileged

attorney client privileged

Stephanie / Kate / Chuck, please find attached the PR response plan for the anticipated OSDL announcement. As discussed in our PR meeting this morning, David & I have spoken with Maureen O'Gara (based on go ahead from BnanV) and planted the story. She has agreed to not attribute the story to us. WaggEd actions include reviewing the positioning, review the proposed buddy mail, review Q&As, etc.

Privilege Material

Redacted

We expect this to leak later today. At that point we

will proactively respond or contact press with our positioning points.

OSDL PR Response Plan

Situation:

Microsoft expects

- 1. The public announcement (8:30am Wed Aug. 30 2000) of the following structure (referred to as OSDL) that is a consortium between Intel, RedHat, IBM and HP
- Independent, limited # of employees, non-profit entity.
- Participating companies contribute equipment and money.
- Two levels: (i) founders/steering board, big \$ contributors, (ii) general members not steer but contribute technology, benefit from "the IP protection"
- 2. OSDL's operations guidelines will be to develop a set of infrastructure for open source development projects, claim that target is very high end space competing against UE10000.
- 3. OSDL to provide:
- IP buffer for the Open Source community "solving the IP problem of the GPL" "to get around GPL issues".
- Linux primary beneficiary, other OSS projects could benefit.
- 4. OSDL's possible goals include:
- IP buffer. Ship GPL code unchanged without donating via GPL patents in that code.
- Chip demand increase
- Converged Linux/GPL code base (required to make available to community)
- "Planned" releases, coordination, obvious OSS inertia and royalty savings c.f. Windows
- Undifferentiated "subsidy" foundation for their "expensive" proprietary, add-on products
- "Industry standard" APIs for add-on products, (i) mitigating risk of drawing of value-add products into the GPL, (ii) direct focus of OSS energy towards slowing how much code flows into the GPL to preserve opportunity for expensive add-on products.

Objectives:

Reduce potential negative PR to Microsoft, reinforce our messages that we are here now with customer solutions and question the customer value of this announcement.

Actions:

Positioning:

- 1. The drive to build the Next Generation Internet is happening now
 - Microsoft always welcomes fair competition, as in the end this benefits customers.
 - Microsoft is in the best position today, to go after this business and solve real customer business problems
 - Microsoft focuses on customer solutions, rather than "fashion" technologies
 - We have good relationships with Intel, IBM, HP and others who are having great success solving business

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customer needs today with Windows 2000.

2. Bad news for Sun & GPL

- 3. Old UNIX guard attempting to hijack Linux to go after Sun
 - This will drive a wedge between the original Linux champions who are for "free" software and the established commercial UNIX "old guard" further confusing customers
 - Old UNIX guard want to adopt the UNIX business model where they provide proprietary differentiation on top
 of a common base as they realize they can't add any competitive differentiation under the GPL
 - Appears to be business as usual for the fragmented UNIX market and very reminiscent of previous UNIX alliances
- 4. These types of alliances ultimately do not benefit customers and have historically been prone to failure (OSF all over again for example)
 - Customers want solutions today and clearly it will take a long time for this new group to produce viable production quality, custom-ready solutions.
 - . Linus Torvalds, the creator of Linux, himself recently said Linux was 5-10 years behind Windows
 - Linux and Open Source are supposed to be all about "free" technology and no one group having competitive
 advantage. This new alliance seems to go against these principles.
 - What about HP-UX, IBM AIX and the IA-64 Monterey project? Are these now dead? HP and IBM have said in the past that those platforms are what they are using to target the high-end UNIX segment.

Tactics:

- Confirm Compaq and Dell are not part of this announcement and are informed of Microsoft's position. Owner: Compaq - jime, Dell - adamso
- Inform Maureen O'Gara (Senior Editor Client Server News / LinuxGram) or John Markoff (NYT) of announcement on Aug 28, 2000. Owner: dougmil (Approval received from BrianV to proceed)
- Contact Eric Raymond, Tim O'Reilly or Bruce Perrins to solicit support for this going against the objectives of the
 Open Source movement. Owner: dougmil [Doug Miller]. Note that I will not be doing this. Maureen O'Gara said
 she was going to call them so it looks better coming from her.
- Issue "buddy mail" to target press list at the time of the announcement and begin to proactively call-down to editors immediately after announcement made. Owner, davidmar
- Contact analysts (Summit Strategies or Creative Strategies) for their assessment of implications. Owner: davidmar

Publication call-down:

potential press list only - confirmation required by Waggener Edstrom



Contacts.at

Buddy Mail:



Old UNIX guerd

Rude Q&A:

Q: So what does Microsoft think of this announcement?

A: Microsoft welcomes healthy competition but we don't see how this will benefit customers. Groups like these typically take years to get their act together - for example OSF, the Open Group, iABI, the ACE initiative, the UNIX SVR4 "Destiny" project, etc. Microsoft has solutions for customers today.

Q: What does this say about your OEM relationships?

A: Microsoft has healthy relationships with IBM, HP, Intel and have they substantial successful businesses based around Windows solutions. I'm sure their commitment to Microsoft technologies will not be affected by this announcement.

Q: Is Microsoft developing a version of Office for Linux?

A: No. We have not seen volume demand for this in the commercial marketplace.

Q: There seems to be momentum behind Linux based on research from IDC and Netcraft.

A: Netcraft recently revised their methodology to more accurately describe sites actually being used by customers. Windows and Linux have approximately the same number of active sites however the big news is Microsoft technology is running half of the servers that power the Internet. Many of these servers are predominantly deployed within the Fortune 500 and other major businesses around the world. IDC's recent research highlights the number of

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copies of Linux distributed - however given that Linux is free, this by no means represents real-world usage of Linux as a production operating system.

Q: Does Microsoft have plans to open source any of it's products?

A: Microsoft have a number of source programs today for customers and developers. We are continually listening to feedback from customers on how best to help them provide great solutions on Windows platforms.

Questions for the press to ask OSDL:

Q. What about other UNIX offerings (AIX, HP/UX, Monterey) from the participants?

- Q. How does this play versus all the other announced initiatives (LSB, GNOME Foundation, Trillian, etc...)?
- Q. This sounds like a closed club we thought the whole point of open source was is open for anyone to join?

Q: Isn't OSDL simply another well-funded Redhat?

Q: Does this indicate that RedHat's existing business model is untenable?

- Q: Did OSDL founders consult Linus Torvald, Eric Raymond, Bruce Perens, et al. re appropriateness and objectives of OSDL formation?
- Q: What is the corporate structure of OSDL? Who owns it? Who controls it? Will OSDL make the agreements between its founding members public?
- Q: Can other companies join OSDL and, if so, what types of participation are possible?

Q: Would OSDL consent to OSS community oversight?

- Q: Who will control the work done by OSDL? Will OSDL work be "open" to public inspection, i.e., conducted on the web with unrestricted public access? If not, why not?
- Q: Who will have ownership of IP relevant to code developed by OSDL? What about code contributed to OSDL? Q: Will all code released by OSDL be released under the GPL? If not, what code will be subject to different terms/conditions, what terms/conditions will apply, and who will decide what code to except from the GPL?
- Q: How can OSDL avoid the code it releases being subject to the GPL if OSDL is modifying GPL code?
- Q: Will OSDL provide any representations/warranties/indemnification that code released by OSDL is free from infringements?

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Subject:

Old UNIX guard hijacks Linux

Editor:

No doubt you have already heard the announcement of the latest Linux consortium (ODL) between Intel, Red Hat, IBM and HP.

The purpose of this mail is to give you Microsoft's perspective on ODL:

- 1. The drive to build the Next Generation Internet is happening now
 - Microsoft is in the best position today, to go after this business and solve real customer business problems
 - Microsoft focuses on customer solutions, rather than "fashion" technologies
 - Microsoft welcomes fair competition as in the end this benefits customers
 - We have excellent relationships with Intel, IBM, HP and others who are having great success solving business customer needs today with Windows 2000.
- 2. Bad news for Sun & GPL
- 3. Old UNIX guard attempting to hijack Linux to go after Sun
 - This will drive a wedge between the original Linux champions who are for "free" software and the established commercial UNIX "old guard" further confusing customers
 - Old UNIX guard want to adopt the UNIX business model where they provide proprietary differentiation on top of a common base as they realize they can't add any competitive differentiation under the GPL
 - Almost business as usual for the fragmented UNIX market and very reminiscent of previous UNIX alliances.
- 4. The consortiums ultimately do not benefit customers and have historically been prone to failure (OSF all over again for example)
 - · Customer want solutions today not have to wait for protagonists, politics and glacial inefficiencies
 - Linus himself recently said Linux was 5-10 years behind Windows.
 - Linux and Open Source are supposed to be all about free technology and no one group having competitive advantage
 - What about HP-UX, IBM AIX and the IA-64 Monterey project? Are these now dead? HP and IBM have said in the past that those platforms are what they are using to target the high end UNIX segment.

Please let me know if you have any questions or would like to speak with a Microsoft spokesperson. I would be happy to arrange this.

Best Regards,

MS_PCA 2500425

From:

Doug Miller

Sent:

Friday, August 25, 2000 6:05 PM

To:

Steve Aeschbacher (LCA); David Martin (WINMKTG); Mike Porter, Bill Veghte: Brian

Valentine; Jim Ewel; Adam Sohn; Vivek Varma

Cc:

Brian Schuster; Dan Neault, Dan Crouse (LCA); Tom Burt (LCA); Chris Meyers (LCA); Lisa

Tanzi (LCA); Kim Akers (WINDOWS); Tom Phillips; Carl Stork

Subject:

OSDL PR Plan - attorney client privileged

Attorney Client Privileged

Attached is our PR plan to address the OSDL announcement next week.

Privilege Material Reducted

All, please review and provide comments.

OSDL PR Response Plan

Situation:

Microsoft expects

- 1. The public announcement (8:30am Wed Aug. 30 2000) of the following structure (referred to as OSDL) that is a consortium between Intel, RedHat, IBM and HP
- Independent, limited # of employees, non-profit entity.
- Participating companies contribute equipment and money.
- Two levels: (i) founders/steering board, big \$ contributors, (ii) general members not steer but contribute technology, benefit from "the IP protection"
- 2. OSDL's operations guidelines will be to develop a set of infrastructure for open source development projects, claim that target is very high end space competing against UE10000.
- 3. OSDL to provide:
- IP buffer for the Open Source community "solving the IP problem of the GPL" "to get around GPL issues".
- Linux primary beneficiary, other OSS projects could benefit.
- 4. OSDL's possible goals include:
- IP buffer: Ship GPL code unchanged without donating via GPL patents in that code.
- Chip demand increase
- Converged Linux/GPL code base (required to make available to community)
- "Planned" releases, coordination, obvious OSS inertia and royalty savings c.f. Windows
- Undifferentiated "subsidy" foundation for their "expensive" proprietary, add-on products
- "Industry standard" APIs for add-on products, (i) mitigating risk of drawing of value-add products into the GPL, (ii) direct focus of OSS energy towards slowing how much code flows into the GPL to preserve opportunity for expensive add-on products.

Objectives:

Reduce potential negative PR to Microsoft, reinforce our messages that we are here now with customer solutions and question the customer value of this announcement.

Actions:

Positioning:

- 1. The drive to build the Next Generation Internet is happening now
 - Microsoft is in the best position today, to go after this business and solve real customer business problems
 - Microsoft focuses on customer solutions, rather than "fashion" technologies
 - Microsoft welcomes fair competition, as in the end this benefits customers
 - We have excellent relationships with Intel, IBM, HP and others who are having great success solving business customer needs today with Windows 2000.
- 2. Bad news for Sun & GPL
- 3. Old UNIX guard attempting to hijack Linux to go after Sun
 - This will drive a wedge between the original Linux champions who are for "free" software and the established commercial UNIX "old guard" further confusing customers

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- Old UNIX guard want to adopt the UNIX business model where they provide proprietary differentiation on top of a common base as they realize they can't add any competitive differentiation under the GPL
- Appears to be business as usual for the fragmented UNIX market and very reminiscent of previous UNIX alliances.
- 4. These types of alliances ultimately do not benefit customers and have historically been prone to failure (OSF all over again for example)
 - Customers want solutions today and clearly it will take a long time for this new group to produce viable production quality, custom-ready solutions.
 - Linus Torvalds, the creator of Linux, himself recently said Linux was 5-10 years behind Windows.
 - Linux and Open Source are supposed to be all about "free" technology and no one group having competitive advantage. This new alliance seems to go against these principles.
 - What about HP-UX, IBM AIX and the IA-64 Monterey project? Are these now dead? HP and IBM have said in the past that those platforms are what they are using to target the high-end UNIX segment.

Tactics:

- Confirm Compaq and Dell are not part of this announcement and are informed of Microsoft's position. Owner Compaq - jime. Dell - adamso
- Inform Maureen O'Gara (Senior Editor Client Server News / LinuxGram) or John Markoff (NYT) of announcement on Aug 28, 2000. Owner: dougmil (Need approval from BrianV to proceed)
- Contact Eric Raymond, Tim O'Reilly or Bruce Perrins to solicit support for this going against the objectives of the Open Source movement. Owner: dougmil
- Issue "buddy mail" to target press list at the time of the announcement and begin to proactively call-down to editors immediately after announcement made. Owner, davidmar
- Contact analysts (Summit Strategies or Creative Strategies) for their assessment of implications. Owner: davidmar

Publication call-down:

potential press list only - confirmation required by Waggener Edstrom



Buddy Mail:



Old UNIX guard hinds Loux

Rude Q&A:

Q: So what does Microsoft think of this announcement?

A: Microsoft welcomes healthy competition but we don't see how this will benefit customers. Groups like these typically take years to get their act together - for example OSF, the Open Group, iABI, the ACE imitative, the UNIX SVR4 "Destiny" project, etc. Microsoft has solutions for customers today.

Q: What does this say about your OEM relationships?

A: Microsoft has healthy relationships with IBM, HP, Intel and have they substantial successful businesses based around Windows solutions. I'm sure their commitment to Microsoft technologies will not be affected by this announcement.

Q: Is Microsoft developing a version of Office for Linux?

A: No. We have not seen volume demand for this in the commercial marketplace.

Q: There seems to be momentum behind Linux based on research from IDC and Netcraft.

A: Netcraft recently revised their methodology to more accurately describe sites actually being used by customers. Windows and Linux have approximately the same number of active sites however the big news is Microsoft technology is running half of the servers that power the Internet. Many of these servers are predominantly deployed within the Fortune 500 and other major businesses around the world. IDC's recent research highlights the number of copies of Linux distributed - however given that Linux is free, this by no means represents real-world usage of Linux as a production operating system.

Q: Does Microsoft have plans to open source any of it's products?

A: Microsoft have a number of source programs today for customers and developers. We are continually listening to feedback from customers on how best to help them provide great solutions on Windows platforms.

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Questions for the press to ask OSDL:

Q. What about other UNIX offerings (AIX, HP/UX, Monterey) from the participants?

- Q. How does this play versus all the other announced initiatives (LSB, GNOME Foundation, Trillian, etc...)?
- Q. This sounds like a closed club we thought the whole point of open source was is open for anyone to join?

Q: Isn't OSDL simply another well-funded Redhat?

Q: Does this indicate that RedHat's existing business model is untenable?

- Q: Did OSDL founders consult Linus Torvald, Eric Raymond, Bruce Perens, et al. re appropriateness and objectives of OSDL formation?
- Q: What is the corporate structure of OSDL? Who owns it? Who controls it? Will OSDL make the agreements between its founding members public?

Q: Can other companies join OSDL and, if so, what types of participation are possible?

Q: Would OSDL consent to OSS community oversight?

- Q: Who will control the work done by OSDL? Will OSDL work be "open" to public inspection, i.e., conducted on the web with unrestricted public access? If not, why not?
- Q: Who will have ownership of IP relevant to code developed by OSDL? What about code contributed to OSDL?
- Q: Will all code released by OSDL be released under the GPL? If not, what code will be subject to different terms/conditions, what terms/conditions will apply, and who will decide what code to except from the GPL?

Q: How can OSDL avoid the code it releases being subject to the GPL if OSDL is modifying GPL code?

Q: Will OSDL provide any representations/warranties/indemnification that code released by OSDL is free from infringements?

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Subject:

Old UNIX quard hijacks Linux

Editor:

No doubt you have already heard the announcement of the latest Linux consortium (ODL) between Intel, Red Hat, IBM and HP.

The purpose of this mail is to give you Microsoft's perspective on ODL:

- 1. The drive to build the Next Generation Internet is happening now
 - Microsoft is in the best position today, to go after this business and solve real customer business problems
 - Microsoft focuses on customer solutions, rather than "fashion" technologies
 - Microsoft welcomes fair competition as in the end this benefits customers
 - We have excellent relationships with Intel, IBM, HP and others who are having great success solving business customer needs today with Windows 2000.
- 2. Bad news for Sun & GPL
- 3. Old UNIX guard attempting to hijack Linux to go after Sun
 - This will drive a wedge between the original Linux champions who are for "free" software and the established commercial UNIX "old guard" further confusing customers
 - Old UNIX guard want to adopt the UNIX business model where they provide proprietary differentiation on top of a common base as they realize they can't add any competitive differentiation under the GPL
 - Almost business as usual for the fragmented UNIX market and very reminiscent of previous UNIX alliances.
- 4. The consortiums ultimately do not benefit customers and have historically been prone to failure (OSF all over again for example)
 - · Customer want solutions today not have to wait for protagonists, politics and glacial inefficiencies
 - Linus himself recently said Linux was 5-10 years behind Windows.
 - Linux and Open Source are supposed to be all about free technology and no one group having competitive advantage
 - What about HP-UX, IBM AIX and the IA-64 Monterey project? Are these now dead? HP and IBM
 have said in the past that those platforms are what they are using to target the high end UNIX
 segment.

Please let me know if you have any questions or would like to speak with a Microsoft spokesperson. I would be happy to arrange this.

Best Regards,

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