

Gates Back On Stand In \$1B Microsoft Antitrust Trial

Paul Foy, Associated Press

SALT LAKE CITY (AP) — Microsoft's Bill Gates insisted that changes to Windows 95 that undermined a rival word processor were meant to protect the Windows operating system from crashing and not to hurt a competitor.

Gates completed a second day of testimony Tuesday defending his company against a \$1 billion antitrust lawsuit filed by Novell Inc. The Utah-based company claims Microsoft Corp. enticed it to work on a new version of the WordPerfect writing program only to withdraw support months before Windows 95 was released.

Gates said he had no idea his decision to drop a tool for outside developers would sidetrack Novell and that the company never complained. WordPerfect's market share rapidly declined to less than 10 percent from nearly 50 percent as Microsoft's own office programs took hold.

"Whether or not our products get market share — that was completely up to the market," said Gates, who argued Novell could have worked around the problem but failed to react quickly.

Microsoft, he said, was under no obligation to help Novell, a wholly owned subsidiary of The Attachmate Group as a result of a merger earlier this year.

Novell said it was forced to sell WordPerfect for a \$1.2 billion loss. It sued Redmond, Wash.-based Microsoft in 2004, claiming Gates ordered engineers to withdraw support for WordPerfect because he feared it was too good.

On Tuesday, Gates shot back that Word was "far superior" to WordPerfect, which was a "bulky, slow, buggy product" that did not integrate well with Windows 95. Gates said his engineers warned it threatened the reliability of future Windows versions.

For hours Tuesday, Gates sparred with Novell's trial attorney over software terms as jury members yawned in boredom.

"He's not an easy witness," said Novell attorney Jeffrey Johnson.

Gates insisted there was no viable alternative to the Windows operating system in the market at the time, which would mean Novell does not have an antitrust case.

Other systems lacked enough applications to be a "reasonable choice in the marketplace," he said.

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Gates testified that Microsoft was racing to put out a new generation of Windows when he dropped a tool Novell said it needed to piggyback on the Windows 95 juggernaut. While some executives opposed his decision — Microsoft traditionally gave the keys to outside developers — other company developers warned it threatened the stability of new Windows technology.

Gates described his decision as a minor technical matter as he grappled with larger issues. He was betting on a revolutionary operating system code-named Cairo — an alternative so ambitious that Gates said it hasn't been achieved 20 years later. Cairo would have allowed multiple applications to run seamlessly inside an operating system, rather than as an adjunct to it.

Gates advanced Windows 95 to the forefront and called it a worthy successor.

"We worked super hard. It was the most challenging, trying project we had ever done," the Microsoft co-founder said. "It was a ground-breaking piece of work, and it was very well received when we got it done."

Gates was the first witness to testify in his company's defense after a monthlong case by Novell.

Asked outside of court to characterize Novell's case, he said, "I'll leave that to the lawyers."

Microsoft attorney David Tulchin said, "We think we're way ahead and that Bill Gates did a great job."

The trial resumes Monday with Microsoft calling other witnesses.

U.S. District Judge J. Frederick Motz said he expects to send the case to a seven-woman, five-man jury the week before Christmas.

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