

PLAINTIFF'S
EXHIBIT
409
Comes v. Microsoft

Microsoft Ltd
Systems Report - October, 1990
Sandy Duncan - OEM Sales Manager

Sales Results

| | \$.. Dollars |
|---------------------|--------------|
| October Billings | 8,046 |
| October Budget | 108,000 |
| Billings QTD | 8,046 |
| Budget QTD | 108,000 |
| Billings YTD | 3,558,753 |
| Budget YTD | 1,740,875 |
| % of Budget YTD | 204% |
| Forecast - November | 75,000 |
| Forecast - December | 2,000,000 |
| Forecast - January | 100,000 |

October was a quiet month for billings. This is reflected in the budget. Not clear where the \$108K comes from as it was under the heading of "Ltd Other".

Packaged DOS sales were excellent at 206% of budget this month at 2,582 units. This compares with 974 units for the same month last year. The spread of business throughout our top twenty accounts was encouraging and DOS 4.01 sales were 73% of total sales.

News

Dale Borland is fitting into MS Ltd and his new role as ICL account manager quickly. This is beginning to allow me to spend more time with Amstrad and Apricot as well as my other royalty customers.

Amstrad meeting with Jeff Lum was a very positive one. We will be pursuing the Windows, Works and mouse driver opportunities aggressively.

Brother Europe have agreed to extend their DOS license to a 20K unit commitment and add Windows 3.0 per system ! - This is worth an extra \$1 Million over the remainder of their contract.

Opus agreement has finally been signed by Redmond. Another DRI prospect bites the dust with a per processor DOS agreement. Opus look good for a Windows license in March/April next year.

Internal rumours suggest that Amstrad are having a tough time financially. Roland Perry has quit as technical consultant.

ICL submitted their Q1 royalty report. They sold a total of 19,970 units in the quarter (very encouraging !!). 486 sales were particularly interesting at 1,665 units ! - this is only for the desktop model. We will monitor this trend closely in the next two quarters as this signifies a substantial shift in buying patterns for ICL customers who have traditionally favoured 8086/286 machines.

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Principle Objectives October

| | |
|--|------------------|
| Successful OEM briefings | Done |
| Exceed FG DOS budget by > 50% | Done (106% !) |
| Close Windows business at ICL | Ongoing |
| Close Windows business at Brother | Done !! |
| Progress/Close Amstrad PC 4000/5000 opportunity | Progressing well |
| Clear up outstanding license issues with Opus, RML and ICL | Opus, done |
| Keep up momentum with DOS 5 beta program | Ongoing |
| Meet with Active Book Company | Done |

Principle Objectives November

Exceed FG DOS budget by at least 50%
Sign Brother Amendment
Sign Torus Amendment
Continue Dale Borland's induction
Progress ICL/Windows Opportunity
Close Amstrad PC4000/5000 business
Ship DOS 5 Beta III to UK OEMs
Set objectives for next review period
Complete all outstanding account plans.

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