

From bradsi Wed Dec 12 15:52:56 1990  
To: davidcol philba richab  
Cc: sharonh  
Subject: Re: mem mgr vxd  
Date: Wed Dec 12 15:51:27 1990

There is a step I'm missing here. We send them the disk but don't have a license from them. How do they know they can't ship it? [They could certainly say we didn't tell them they need a license.]

How long ago did DRI call for the more recent copy?

We should tell them that they need to sign the license before we can send it to them. And we should tighten the license up.

I want to make sure that in the future DRI gets nothing from us. No windows betas, no dos betas, no help. We may be stuck giving them the new VxD -- if they sign a license -- because we gave it to them already. I do not want to be in this situation again. We all agree on that, I'm sure.

>From richab Wed Dec 12 09:34:18 1990  
To: bradsi davidcol philba  
Subject: mem mgr vxd  
Cc: sharonh  
Date: Wed Dec 12 09:32:06 1990

First, the VxD was handled poorly in several ways. It was a knee jerk and there was no strong ownership of it. The activity was driven by a PR perspective.

Since I got quoted in the press on it, I signed up marketing to help manage contacts and distribute it...frankly no one else was interested in doing this and when other memory manager vendors heard that we had chose to work with qdeck and qualitas, they were pissed to be cut out of the deal.

Tomle worked with legal to create a license. The license was required in order for the recipient to ship the VxD, but not to receive it. My understanding is that by the time that I got involved, quardeck already had the code.

Lorisi sends the vxd out according to the following procedure:

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Upon request of the VxD, the following steps take place:

1. I contact Tomle, Ericst, Philba and Davidcol via email with request for their approval.
2. Upon approval, I call the requester and let them know when the disk will be sent.
3. I log the company name, address, phone and contact name onto the spreadsheet, and include it in the file.

4. I send out the disk.

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Lori will email me a table of status on this (who got the vxd, who got a license who has returned an executed license). It is my understanding that we DO NOT have a license from DRI on this.

We were slow to get PSS equipped to deal with this...and amitc, ralphl, and philba got tired of getting phone calls from some of these guys trying to figure out how to use the VxD. This is fixed now.

Hindsight says we should have made this part of the sdk.

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>From brads: Tue Dec 11 23:33:25 1990  
To: davidcol philba richab  
Subject: mem mgr vxd  
Cc: sharonh  
Date: Tue Dec 11 23:31:02 1990

I have a few questions

- When the vxd was send out to the 20 or so companies, did we get licenses from every one of them? If not, which ones did we not, and why not?

- I want to ensure that in the future, when we make sure kind of software available, we get licenses BEFORE we send out the software. [We may have been following this policy already, I don't know and I want to assert it for the future.]

- Do we have a license for DRI?

- If not, did we just send it because they called and asked for it? [If so, see item #2].

- Who is handling licensing for this VXD?

- I would like a short conversation in the next few days with you all to discuss and decide. the current view from legal is that we don't absolutely have to, but because we have already given it to them, they recommend it. We also need to get an agreement from DRI, and tighten up the agreement so it applies to "true" applications and utilities, not os's.

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From richab Thu Dec 13 07:12:54 1990  
To: brads1 davidcol philba  
Subject: Re: mem mgr vxd  
Cc: sharonh  
Date: Thu Dec 13 07:12:54 1990

just so I know: Does the VxD, as delivered today, contain easily discernible Microsoft company secrets? If so, why were we so casual about supplying it to Quarterdeck and others in the beginning. I don't believe that Legal was given the task to develop a license until several outsiders had the code in their hands for some time. Would these secrets be easier to pry out of the VxD today vs. the VxD when built into 3.1 and delivered to the mass market next year?

My experience with Phil, Tom, David, et. al. is that they are very sensitive about releasing code to third parties that they consider to be valuable and easily "understood". The manner in which this comedy played out certainly didn't communicate this to others.

Brad: is the primary issue with you on this: 1) DRI sensitivity in general, 2) that this is sloppy procedure, 3) proprietary and easily discerned info, or 4) all of the above?

thx

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From richab Mon Dec 17 06:27:09 1990  
To: bradsi davidcol philba  
Subject: Re: mem mgr vxd  
Cc: sharonh  
Date: Mon Dec 17 06:27:08 1990

fine. we'll handle it. this goes away with 3.1.

thanks...it helps to understand how the issues shake out in your mind.

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>From bradsi Thu Dec 13 19:28:45 1990  
To: davidcol philba richab  
Cc: sharonh  
Subject: Re: mem mgr vxd  
Date: Sun Dec 09 15:13:52 1990

>From richab Thu Dec 13 07:15:21 1990  
To: bradsi davidcol philba  
Subject: Re: mem mgr vxd  
Cc: sharonh  
Date: Thu Dec 13 07:12:54 1990

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thx

The issue with me is (1) and (2). No question that in our haste to get something to quarterdeck [remember, they were threatening to ship their own patch-based solution], we got sloppy. And never went back after the initial release to qdeck to tighten up the procedure. Other people asked for it, so we just sent it to anyone who asked.

We need to work out a procedure approved by legal so this does not happen again. I like the idea of a break-the-seal deal for initial evaluation and then a real license for redistribution or commercial use.

In the VxD's case, it would probably also give DRI a better understanding of how windows works, which would allow them to improve DR-DOS's compatibility with Windows. We know they do not work properly loaded high with windows in enhanced mode.

If you don't want to own it, you need to find someone else who will. Product marketing is the best equipped to handle licensing issues. I would need to be convinced that pss is the right group to administer licensing and distribution. Support yes, licensing, no. To me, the alternative would be systems marketing.

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