

DOJ - Legal

From: Carl Gulledge  
To: Sally Nguyen  
Subject: FW: Windows 95 Pricing and Licensing Update #5  
Date: Tuesday, March 28, 1995 2:21PM

i was not able to stop this. will dual install publish today?

From: Carl Gulledge  
To: International OEM Sales; Domestic OEM Sales  
Cc: Peter Miller  
Subject: Windows 95 Pricing and Licensing Update #5  
Date: Tuesday, March 28, 1995 2:20PM

Updated Exhibit Cs for Windows 95 are now available on \\gabriel\oemforms. Agreements signed without the edits must be amended to include them. As discussed in Update Mail #4 the primary modification is the requirement to pre-install on the Customer System hard disk.

Dual Install "Attachment" for Exhibit C is now available.  
\\gabriel\oemforms\stdforms\desksys\optional\w95dual.doc

AMs that are amending an Exhibit C for Windows 95 to an existing Post-DOJ Shorty --- If the OEM wants to extend our for a one full year from the end of the quarter in which the amendment is executed, then do so. It is not necessary to ask the OEM for a "written" request as was specified in the Windows 95 Licensing Guideline document.

If your OEM is involved with the Windows 95 Beta OEM Evaluation Program (OEM version of WPP) then optional language is necessary and available for the Windows 95 Exhibit C that allows the OEM to upgrade Customer Systems that ship with the Beta code with final product later. This should only be used for OEMs that have LICENSED the Windows 95 Beta OEM Evaluation product

There has been some question about the maximum royalty an OEM can be charged under the Default Royalty. The maximum amount is the local DSP royalty which should be - \$80.

There has been some concern over the 4 pricing levels on the MIX exhibit for OEMs that are licensing small volumes. In this case, I recommend that you change the exhibit to have two levels instead of four. Level 1 being less than 50% and Level 2 being 50% or more. Otherwise the pricing variance between levels is too small to be of practical value for anyone.