



Steve Hamilton

From: Tom Baumbach
To: Steve Hamilton
Subject: FW: Limited OEM Upgrade Program - DO NOT FORWARD
Date: Thursday, July 20, 1995 1:10PM

In case you have not seen this

From: Carl Gullledge
To: Tom Baumbach
Cc: Grant Duers
Subject: FW: Limited OEM Upgrade Program - DO NOT FORWARD
Date: Thursday, July 20, 1995 11:15AM

didn't mean to forget you. please keep this hush and looking for feedback as well

From: Carl Gullledge
To: Joachim Kempin; Bengt Akerlind; Jan Claesson; Teresa Ducharme; John Jenkins
Cc: Sally Nguyen; Peter Miller; Tim Beard
Subject: Limited OEM Upgrade Program - DO NOT FORWARD
Date: Thursday, July 20, 1995 10:57AM

We are quietly expanding our upgrade program. **Privilege Material Redacted**

We need to start an exhibit post haste. Directors, do not forward this mail to anyone until it is final. We will hold details back for a few days.

Policy and Pricing

This should not be "sold" to OEMs. Use for reactive purposes only. Upgrade rights from this point on will be available only to MDA OEMS that demand it.. In all cases there will be a \$6.00 localization adder for all Euro languages (other than UK English). There will be no formal WW PGL - Pricing will be account /volume/region specific and must be approved by JK prior to even offering it to any OEM. ALL OEM purchases must come through a MS order clearing desk here in the U.S. MS will then authorize a fixed qty of upgrade product that the OEM may purchase from the Designated AR. There is a form attached to the Agreement that the OEM must FAX to MS when they place orders and wire transfers.

Agreements -

We will keep the existing Upgrade Amendment for OEMS that can be talked into US English only upgrades. We will create a "new" Amendment that will include the European distribution rights and the following new terms and conditions.

- 1. Direct fulfillment must be provided by an approved 3rd Party. Not by COMPANY.
- 2. Distribution will be limited to the US and Europe.

The existing terms in the US/UK Exhibit will apply to this exhibit at well:

- 1. Company sources the upgrade through a single AR of their choosing (maybe limited in europe).
- 2. OEM must ensure that end user system was purchased between July 1 and Oct 1.
- 3. Company must Pre-Pay for this product.
- 4. Product must be physically marked as an "Upgrade"
- 5. Direct fulfillment only (now via 3rd parth)
- 6. OEM must support the upgrade as well as the
- 7. OEM License right to distribute expires November 30, 1995
- 8. Availability from the AR ends October 31, 1995.

Program limited to the following Languages:

D = German, DA = Danish, DU = Dutch, E = Spanish, EN = English, FI = Finnish, FR = French, I = Italian, N = Norwegian, POR = Portuguese, SW = Swedish