PLAINTIFF'S EXHIBIT

Omes v. Microsoft

Richard Wolf

From: Sent:

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Richard Wolf [ITG/POOCH/rwolf]

Friday, September 15, 1995 2:13 PM Steven Sinofsky

To: Cc: Subject:

Chris Peters; Peter Pathe (ppathe)

Resurrecting the Netscape deal

Here are some ideas, some based on a phone conversation with Dan Rosen.

Let them see more of DocObj documentation before signing the deal.
I don't like this at this point because I don't trust them. Esp if the announcement next Mon includes a plug in interface that overlaps the same functionality as docobj.

Put in the agreement a 5 day period upon receipt of the technology to notify us that they do not wish to accept the DocObj technology. Apparently we have done this in the past for subsequent drops of software but never for the first drop. Declining acceptance would be based on a patent conflict.

This is a bit better than above but still gives them the right to inspect what we have and then back out.

Wait until Mon and see if they are announcing anything that conflicts with our agreement. Perhaps we have complementary technology and there is no conflict. We still would have to resolve the patent indemnification issue.

In any event we have to talk to Mike Bocianowsky, out IP lawyer, to find out how far apart we really are. I have been tracking him down as he's out of town and will try to talk to him this weekend or Mon at latest.