

Ex 5

CONFIDENTIAL

SEARS BUSINESS CENTERS

FACSIMILE COVER SHEET

Date: 4/14/92

To: Anil Singh

Digital

Fax #: 408-982-0715

From: Mark Zelinger

SEARS FEDERAL SYSTEMS
 633 Pennsylvania Ave, N.W.
 Washington, D.C. 20004
 Phone: (202) 347-3566
 Fax: (202) 347-4859

Comments: _____

SPECIAL INSTRUCTIONS (Check all that apply)

- CONFIDENTIAL
- URGENT. PLEASE RUSH!
- CALL TO CONFIRM RECEIPT
- HARDCOPY TO FOLLOW IN MAIL

Total # of pages 4
 Including cover

AF 0009111

Plaintiff's Exhibit
5466
 Comes V. Microsoft

PC028714

SEARS BUSINESS CENTERS

Sears House
633 Pennsylvania Ave. N.W.
Washington, D.C. 20004

DATE: April 14, 1992

TO: Anil Singh
Digital Research

FROM: Mark Zelinger *Mark JZ*

RE: Lapheld

CC: Jonathan Price
Bob Korhauser
Dave Fontan
Bela Orban

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This is in response to your April 10, 1992 memo regarding TLINK Royalty.

Per your April 10th memo, Digital Research is expecting Sears to help pay for the TLINK Royalty to Borland. When we discussed this by telephone the other day, I indicated that Sears would have to review its position on paying for a "patch" to the DR DOS product to bring it into compliance with the specifications of the contract.

My team is reviewing your request to pay for TLINK but has additional concerns that require attention.

The most important issue that Sears has with Lapheld is customer satisfaction. Sears, as a corporation, bases its business decisions around the needs and solutions of our customers. Based on this practice, my team is having a very difficult time satisfying the governments concerns regarding DR DOS.

The Government MIS players are familiar with MSDOS, know that it is compatible with previous versions of their product and believe that DR DOS has bugs and incompatibility issues. The Sears Lapheld team is NOT capable of satisfying the Government concerns.

Digital Research must lead the way in satisfying our customer. I am thus requiring immediate marketing and technical support to work with my team in satisfying the Government. If we are unsuccessful in resolving compatibility issues between DR DOS and MS DOS and Windows, I believe that the Government may mandate the replacement of DR DOS (with MS DOS) on the contract.

This is a very serious issue for Sears. We can not afford to win the contract but lose the business due to Government concerns about the operating system.

AF 0009112

Please contact me with you plan to resolve this matter as soon as possible. A major step toward resolution is your participation (technical and marketing) at a product show at Gunter Air Force Base in Montgomery, Alabama this THURSDAY, April 16th. Please contact Bob Kornhauser, our Business Development Manager regarding this show.

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