
From: Kevin Unangst
Sent: Wednesday, March 08, 2000 1:22 AM
To: Christina Calio; Tom Wong
Cc: Geordie Wilson; Michael Aldridge
Subject: RE: release draft

Attachments: WM Momentum draft clean version.doc

Here is the genericized version. Note this may still be changed by DaveF/Wpoole but is closer than we were 48 hours ago.

please do a quick sanity read before sending to ensure I didn't leave anything crucial in.

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---- Onginal Message ----

From: Kevin Unangst
Sent: Tuesday, March 07, 2000 12:12 AM
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thanks
kevin

Plaintiffs' Exhibit
9353_A

Comes v. Microsoft

MS-CC-RN 00000245354
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DRAFT PRESS RELEASE – NOT FOR DISTRIBUTION

**For Immediate Release
Mar. XX, 2000**

**Unprecedented Industry Support For Windows Media Continues With
Licensing Agreement from PARTNER**

*PARTNER Joins Liquid Audio, Yahoo!, Leading Portable Device Makers and Others in
Licensing Windows Media; Content Providers And Consumers To Benefit From Universally
Adopted Format*

REDMOND, Wash. — **Mar. XX, 2000** — Microsoft Corp. today announced that PARTNER Inc. has licensed the Microsoft® Windows Media™ audio format, the highest quality and industry-leading digital audio technology. PARTNER joins the widespread industry support for Windows Media, which is opening the door for the first common, secure digital music format across every major portable digital music device, digital media player, jukebox and content provider. Microsoft also announced today that Media Metrix Inc., the leader in Internet audience measurement, found that the Windows Media Player was used more than any other media player among U.S. PC households in December 1999.¹ This unique combination of industry support and consumer adoption of Windows Media technology realizes the promise of access to digital media anytime, anyplace, and on any device.

Until now, music labels have been hesitant to offer digital music from consumers' favorite artists due to the absence of a common format that protects artists' digital rights. In addition, labels and artists needed to encode music in multiple formats to reach the broadest possible audience. With a universally adopted Windows Media format, music labels and artists

¹ Analysis by Media Metrix including usage of all versions of Windows Media Player.

have an open, highest common denominator platform that offers unmatched consumer reach, the highest quality audio, and digital rights protection.

“This licensing agreement makes absolute sense for both consumers and the recording industry,” said [record label partner]. “The Windows Media platform gives [record label name] the power to encode and deliver secure, high quality digital music in a single universal format, reaching the broadest group of music fans without regard to the digital media player they use.”

Today’s agreement adds to the already rapid move towards Windows Media. Microsoft is providing the technology platform necessary for delivery of digital audio via multiple devices, giving music enthusiasts the power to quickly download music from the Internet, distribute it throughout the home and workplace, or take it on the road.

“This is bigger than the video industry’s move from Beta to VHS; a universally adopted Windows Media Format increases the value of digital music exponentially,” said Will Poole, general manager of the Digital Media Division, Microsoft. “Windows Media is now the catalyst for making the entire digital music experience – from producer to consumer – easier, less expensive, and ultimately more enjoyable.”

Windows Media Format Benefits

Windows Media offers key benefits to both the music industry and consumers:

- **Expands Digital Media Beyond the PC** – Windows Media makes it possible to take digital media to non-PC devices, including cable set-top boxes, handheld devices and car stereos.
- **Works In Any Player** –Windows Media Format works with the leading digital media players and jukeboxes, including Sonic Foundry Siren, AOL Winamp, Lycos Sonique, MusicMatch Jukebox, Midisoft’s Internet Media Player, iCast iCaster, and more. Licensees of the Windows Media format, such as PARTNER and Yahoo!, can integrate Windows Media support into their products.

- **Supported By All Major Portable Music Devices** – Support for the Windows Media Format has been announced by every major portable music device manufacturer, including RCA/Thomson Lyra, S3/Diamond Rio, Creative Labs Inc., Sony, and I-Jam, as well as audio chip makers including Cirrus Logic, Texas Instruments Inc., Atmel Corp. and Portal Player Inc. Windows Media Format is also supported on Palm-size PC devices from Compaq, Casio and Hewlett-Packard (HP) Co, and the next-generation Pocket PC devices.
- **Better Sound Quality and Compression** – A recent consumer study by ZD Labs proves digital music in Windows Media Format sounds more like CD-quality audio in half the size of MP3, offering two-hour music playback time on 64 megabyte handheld devices.
- **Built-in Digital Rights Management** – Windows Media Format allows music publishers to control playback of digital music content, such as limits on the number of times content can be duplicated or the period when it can be played.
- **Lower Costs for Content Providers** – A universally adopted Windows Media Format eliminates the need for music publishers to encode in multiple formats, decreasing cost of delivery and ownership. Content providers can deliver one format that plays in all players.

About Windows Media

Windows Media is the leading digital media platform providing consumers, content providers, solution providers, software developers and corporations with unmatched audio and video quality. Windows Media Technologies 4, which includes Windows Media Player, Windows Media Services, Windows Media Tools and the Windows Media SDK, is available for free download at <http://www.microsoft.com/windows/windowsmedia/>. The Windows Media Player, available in 24 languages, is the fastest-growing media player. The Windows Media Player has an installed base of more than XX million players, growing by more than one every second

About Microsoft

Founded in 1975, Microsoft (Nasdaq "MSFT") is the worldwide leader in software for personal and business computing. The company offers a wide range of products and services designed to empower people through great software — any time, any place and on any device.

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The names of actual companies and products mentioned herein may be the trademarks of their respective owners.

For more information, press only:

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Paul Freundlich, Rogers & Cowan, (212) 545-5858, pfreundlich@shandwick.com

From: Kevin Unangst
Sent: Wednesday, March 08, 2000 10:22 AM
To: Christina Calio; Tom Wong
Cc: Geordie Wilson; Michael Aldridge
Subject: RE: release draft

I will revisit this by 11am and send you back another clean version - you make good points!
Did panasonic publicly announce already?

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From: Christina Calio
Sent: Wednesday, March 08, 2000 9:33 AM
To: Kevin Unangst; Tom Wong
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OK - now that I've read it all - I would like to get this to Al right away - as you guys know, the labels are all going to support multiple formats so it's possible we get some kickback from a perceived indication that they are dropping all other formats. Hopefully not but let's make sure.

Also - you are getting around the portable device thing by saying "announced" - right? What about Sanyo (reportedly due out soon)? Also I would add Panasonic (MEI) - good consumer recognition with Sony -

Kevin - let me know when I can send this out - I think it is OK to leave it "record partner" but can change to Al Smith if you want me to.

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