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SUBJECT: What to Acknowledge About MS-DOS 5.0

This memo outlines our recommendation for information that leaked about MS-DOS 5.0 that we will acknowledge as true, prior to the product announcement. Because of the following three points, taking a consistent, honest, realistic stance to providing and confirming information will be most respected by the press:

- o Information about MS-DOS 5.0 has already been shared or confirmed by Microsoft.
- o The beta program is especially large (3,000 people) and information will leak.
- o The tack taken during the Windows 3.0 delay caused bad feelings among members of the press towards Microsoft. We took the strongest stance we legally could: no member of the press under non-disclosure could even acknowledge that a future product called "Windows Version 3.0" would exist.

Regardless of what information we might like to remain quiet prior to availability in the channel, information will be public. We can influence whether the information that is published is correct.

What We Have Already Said or Confirmed

With MS-DOS 5.0, we have already acknowledged a great deal more than we had with Microsoft Windows. We have thus far acknowledged or stated that MS-DOS 5.0:

- o Exists in beta.
- o Will ship by the end of the year (could be proven incorrect).
- o Has significant memory improvements.
  - Has a smaller kernel that benefits even users of 8088-based personal computers because it will take less conventional memory.
  - Supports the VCPI in the EMM386 LIM emulator program.
  - Will benefit Windows 3.0 users who run DOS programs because the memory gains are reflected in Windows' DOS virtual machines (VMs).
- o Has a shell with improved size and speed over 4.0.
- o Has additional planned features not in the first beta release.
- o Will benefit Windows 3.0 users who run DOS programs because the memory gains are reflected in Windows' DOS virtual machines (VMs).

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EXHIBIT 823  
Werner  
6/24/98 NMD

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### What We Can Say

In order to manage misinformation, while acknowledging that excitement will be fuiling for version 5.0, we recommend that as word leaks further over the next couple months that we DO acknowledge the following:

- o This is the best DOS yet.
- o There is going to be a huge beta program of 30,00 users.
- o We do not know when the product will ship because it is very important that the product be stable. This is really important for an OS.
- o We expect key OEMs to ship around the time of our product introduction.
- o Impact on utilities and memory management software vendors (i.e., they still add value).
- o We will make it easy to upgrade.
- o Broad categories of improvement (memory management, utilities, size of kernel, etc), as they are uncovered by the press, and user benefits of improvements in those categories.

### What We Shouldn't Say

In order to provide announcement flexibility and some measure of deniability, we recommend that as word leaks further over the next couple months that we DO NOT acknowledge the following:

- o Distribution plans (i.e., RUP).
- o When product will ship.
- o Which OEMs will ship and when.
- o Pricing, either royalty or end-user.
- o Quantified performance/size improvements.
- o IBM's hypothetical response.

### NDA's

We recommend that we require press under NDA to wait to use the information they gain as a direct result of having beta until a publication street date after our official product announcement. However, in order to maintain our strong relationships and show that we are realistic, we recommend we acknowledge the frustration NDA's can entail and allow them to write stories prior to the product announcement based on:

- o Information already rumored in the weeklies and by beta testers.
- o Information we are willing to confirm publicly by a given publication date.

/CBG:kal

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