

PLAINTIFF'S
EXHIBIT
2689
Comes v. Microsoft

From: Brad Chase
Sent: Thursday, April 17, 1997 10:08 PM
To: Bill Gates; Pete Higgins; Lewis Levin
Cc: Paul Mantz; Brad Silverberg; Will Poole
Subject: FW: Intuit Terms Agreed

GOVERNMENT
EXHIBIT
376

ryl

-----Original Message-----
From: Will Poole
Sent: Thursday, April 17, 1997 8:37 AM
To: Brad Chase
Cc: Will Poole
Subject: Intuit Terms Agreed

We have agreed on all salient terms in our term sheet and are going to contract. Bottom line we give them a fairly standard 2nd tier platinum ICP deal for IE4 and they promote and ship IE3 and IE4 preferentially and in a big way starting shipments this fall with Quicken 98 and starting PR & promotions as soon as practical.

Here are the highlights:

Intuit obligations:

- Bundle IE 3 (Quicken) and IE4 (other products) with all new 97 and 98 releases of Intuit products, including Quicken, Quick Books, and TurboTax, on all applicable platforms.
- Include 50MB of Introductory Content (from all other Channels) with IE4 on CDROM versions of Intuit products.
- Build a compelling free-content personal finance channel utilizing DHTML etc. for IE4. Content to be relevant to all internet users with interests in the personal finance area.
- Exclusively logo all Intuit sites w/ IE
- Not enter into marketing/promo agreements with Other Browser manufacturers for distribution or promotion of Intuit content
- Announce a "Very Public Alignment" with Microsoft technologies, including issuing a joint press release to announce plans to use and deploy products with significant use of Active X, specifically addressing security issues etc.
- Create "differentiated content" area for Intuit Channel that is available only to IE users.

Intuit rights:

- World-wide royalty free distribution of IE for 3 years
- May delete MSN Investor Channel & Intro content from versions of IE4 it ships

Microsoft obligations:

- Include Intuit Channel (QFN or alternative) icon/URL as second level Channel of IE4 in US (and possibly Canada - being investigated). Channel goes under Microsoft determined category (such as News) placed next to or under MSN Investor Channel icon.
- Include 1MB Intuit content with retail and OEM IE4.
- Include Intuit Channel in Microsoft Channel Guide and related marketing promotions

Term etc.:

- From signing until the later of (i) twelve months following IE4 consumer launch and (ii) October 15, 1998



Intuit Term Sheet
v6.doc

MS98 0112486
CONFIDENTIAL