Tasty Bits from the Technology Front (TBTF):
Timely news of the bellwethers in computer and communications technology that will affect electronic commerce -- since 1994

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..Talking's done

Windows 98 ships, lawsuits are filed

Twenty states and the federal government were poised to file law-suits last Thursday accusing Microsoft of violations of the Sherman antitrust act of 1890. Microsoft was poised to ship Windows 98 to computer manufacurers last Friday -- the very system at the heart of the dispute. At the 23rd hour all sides agreed to hold off action and talk some more. That lasted quick. Microsoft and the federal and state authorities were actually done talking on Friday, but they met on Saturday anyway to wrap it up. Many lawyers have spoken to many reporters since then and you can read details [1] of how the talks broke down - according to the NY Times they never really started at all. Once everyone realized how far apart the two sides are they gave it up. Boston Globe columnist David Warsh skillfully spins the spinning that emerged from the weekend's breakdown [2]. Now both the states and the feds have filed their coordinated law-suits [3], [4]. Neither lawsuit seeks to block Windows 98 from shipping. The states' antitrust claims are broader than had been expected, and include charges of anticompetitive pricing of office software suites as well as seeking relief on the browser front. The states claim that Microsoft "illegally stifled competition, harmed consumers, and undercut innovation in the software industry."

The states' suit seeks to force Microsoft to include Netscape's browser with every copy of Windows 98 that ships. Microsoft likened this request to forcing McDonalds to tell a customer who ask for a Big Mac to go visit Burger King first. At a press conference today one of the state attorneys general commented on this remark. He said a closer analogy would be to imagine that Coca Cola controlled the distribution of all soft drinks through every supermarket in the world.

Texas was an early instigator of the state actions (with Massachusetts), but got wishy-washy and dropped out of the filing under pressure from its local computer makers. Here is the final roster of states.

California	Louisiana	North Carolina
Connecticut	Maryland	Ohio
Florida	Massachusetts	South Carolina
Illinois	Michigan	Utah

Iowa	Minnesota	West Virginia
Kansas	New Mexico	Wisconsin
Kentucky	New York	District of Columbia

Try this CMP/TechWeb hub [5] for links to many of Microsoft's woes. While it has sections for DoJ vs. Microsoft, states vs. Microsoft, etc., it does not mention efforts undertaken by Japan, Europe, the Congress, the Software Publishers' Association, the Business Software Alliance, Ralph Nader, etc. For all of these, follow "Ganging Up on Microsoft" in TBTF Treads [6]. Or you could settle for this report [7] from the Bogus News Network, but I won't be held responsible if you believe it.

1. http://www.wired.com/news/news/business/story/12357.html
2. http://www.boston.com/dailyglobe/globehtml/139/First_casualty.htm
3. http://www.cnnfn.com/digitaljam/9805/18/microsoft_suit/
4. http://news.com/News/Item/Textonly/0,25,22201,00.html?pfv
5. http://www.techweb.com/wire/news/1997/10/1097microsoft.html
6. http://www.tbtf.com/threads.html#Tgum
7. http://www.elf.com/~gub/ms_nuke.txt

..E-Data patent falls in court

Justice grinds slow but it grinds exceeding fine

In 1996 when I last wrote about the E-Data patent [8], also called the Freeny patent, TBTF's email circulation was a quarter what it is today [9], so this story will be new to most of you. Here's a timetable [10] to fill in the history.

The Freeny patent [11], filed in 1983, describes a method of reproducing goods made of bits (e.g., music) in physical form at a point-of-sale terminal, after receipt of an authorization code. The patent kicked around for years until it was acquired by Interactive Gift Express, later named E-Data. This company, three guys and a patent, sued 43 companies and sent letters of infringement to a further 139, then began sending letters offering "amnesty" to 75,000 software authors and vendors if they agreed to settle on given terms. Several companies settled with E-Data -- IBM notable among them -- and a couple of dozen more went to court in 1995 to contest the patent.

The Federal court judge hearing one of the two resulting cases [12] issued an Opinion & Order [13] on May 13. The judge construed the patent so as to cut the legs from under E-Data's claims. The essense of the Opinion & Order is this slap at E-Data:

> In an obvious attempt to expand the scope of its patent beyond that which was intended, plaintiff implausibly asserts that its patent covers certain uses of the Internet and World Wide Web, and applies to certain CD-ROM applications. It is abundantaly clear to the Court, however, that the Freeny patent clams and specification do not support plaintiff's broad interpretation.

The case is not over, but the individual defendent companies are now likely to file motions asking the court to dismiss the claims against them, and the judge has construed the Freeny patent's claims so narrowly that it is likely that many if not all such motions would be granted.

8. http://www.tbtf.com/archive/07-14-96.html#Tspx
9. http://www.tbtf.com/growth.html
10. http://www.tbtf.com/resource/freeny-timeline.html
11. http://www.patents.ibm.com/details?patent_number=4528643
12. http://www.patents.com/ige.sht
13. http://www.patents.com/ige/order.htm

..Intel helping Linux port to 64-bit Merced chip

Strengthening a rumor picked up in last week's TBTF [14], a French news page [15] has reported that Intel is helping 5 Linux companies port to Merced. The rumor was discussed on slashdot [16] and resulted in a front-page story in PC Week (UK), according to reporter Barry de la Rosa bpdlr@dial.pipex.com.

The following is badly translated from the French by Bablefish and me from the French news page [17].

> "In 1999 we will publish the Merced specifications, but accompanied by a confidentiality contract to be sure that they are well used," explains D. Bhandarkar, processor architect for Intel's workstation division. Amid concern that the Merced instruction set remain secret, the porting of Linux cannot be carried out. However: "We're working with five companies to port Linux to Merced," Tom Gibbs told us on 4/28/98. Gibbs is in charge of development at Intel's workstation division. Merced is the Intel processor that will implement its new 64-bit architecture. Merced is an nounced for mid-1999.

15. http://www.tbtf.com/archive/05-11-98.html#s01
16. http://www.lmb.cnrs.fr/aelArchiv/actu107.html#anchor198735
17. http://www.slashdot.org/articles/985191848.shtml

..The TBTF Exclusionary Sites Hall of Shame

Bestowing raspberries on sites that can't be bothered, since 1997

So many exclusionary sites, so little time. Readers have been busily sending in nominations for the Hall of Shame [18] to shine a spotlight of (we hope) unwelcome publicity on the lazy or mean-spirited Web site owners who refuse to welcome all of their visitors equally.New additions are:

- A Linux fan site that slams the door rudely on visitors using Internet Explorer
- A site that on its front page admits to its laziness in not bothering even to try to accommodate Netscape browsers
- A Canadian MSN site that provides a reduced GIF image of the full site to visitors who come using Netscape, that they may pine for the rich multimedia experience they are missing, and perhaps relent their non-Microsoft ways

18. http://www.tbtf.com/exclusionary.html

..A surprise bestseller

Mr. Bunny and Farmer Jake take on technical book publishing

The bestselling book on ActiveX in the Boston software community -- in fact the bestselling software book in any category -- is Mr. Bunny's Guide to ActiveX [19].

The book is a joke from cover to cover, perpetrated by Gary Swanberg writ- ing as Carleton Egremont III. Last February object expert Charlie Kindel mentioned the book favorably on a DCOM developers' mailing list and launched an underground publishing phenomenon. As far as I know, Softpro Books is the exclusive distributor of Mr. Bunny's Guide. Amazon professes total ignorance of its ISBN. You can buy the book here [20], and since Softpro has no "associates" program I won't even get a kickback, but hey, don't let that stop you. It's only $13.95 and cheap at half the price.

19. http://www.mrbunny.com/

20. http://www.softpro.com/softpro/0-9661296-0-1.html

..Schachter's Hypothesis

The lowest common denominator of Web searching

Joshua Eli Schachter joshua@burri.to was scouring the Net for information on any interface between Perl and MAPI, the Microsoft Mail application programming interface. He stumbled upon Schachter's Hypothesis while poring over the uniformly odd results from submitting "+perl +mapi" to AltaVista [21]:

- Given two unrelated technical terms, an internet search engine will retrieve only resumes.

21. http://www.altavista.digital.com/cgi-bin/query?
pg=q&text=yes&what=web&kl=XX&q=%2Bperl+%2Bmapi&act=search

..Language is a virus

And I got it bad

> When the only tool you have is a hammer everything starts to look like a nail. The whimsical Foundation for the Mis-Application of Computer Languages [22], creation of Claudio Colvelli clc@assurdo.-com [23], celebrates the use of hammers to pound in earthworms. A perfect example is a Unix text editor Colvelli implemented using nothing but /bin/sh and /bin/dd [24]. He's also built a Turing machine from the same unlikely timber [25]. The site for these unnatural acts sports a domain name from the island of Saint Helena:
> dd.sh.

> I picked up the Colvelli reference from Need to Know. Anyone who followed each link in a single issue of NTK would surely go mad.

22. http://www.tardis.ed.ac.uk/~lard/fomcol/
23. http://www.tdv.com/html/claudio_c.html
24. http://dd.sh/ex/
25. http://dd.sh/turing/

..Lizard lips

How to pronounce http://www

I've long been a fan of pronouncing "www" as "triple-dub," a neologism proposed in one of Wired's first Jargon Watch columns. Several other suggestions for verbalizing URLs appeared recently on the newsgroup alt.religion.kibology, whose chaos is presided over by James "Kibo" Parry kibo@world.std.com. The newsgroup sprang up in the days before the Web out of the conviction that Kibo must be God. Parry had set up filters on a full Usenet newsfeed and was known for sending email, posthaste, to anyone who used the word "Kibo" in any Usenet posting. Kibo's posting is an object lesson in quoting a discussion thread and running it off a cliff. See why they think he's God?

> I want to invent a time machine just so I can kill the guy who named the letter W and have its named changed to "wee."

> You know, I've always been meaning to introduce "wee wee wee" as a pronunciation of "www", but I've

had such little occasion to pronounce an URL aloud.

I've gotten a couple of other DJs at the radio station to announce our URL as "hut-up wow", but I haven't heard anyone else say it that way yet.

My preferred pronounciation is "Hat Tip, Woo Woo" but I can't get anyone to use it. Maybe if I actually paid them to do it.

But this skirts the real issue: what's the name of "://"? I like to call it "lizard lips" because we all know that sideways lizard faces have diagonal lips. Nowadays most smileys are too kissable.

:-X <-- DO NOT KISS MY SMILEY

Notice, in the second quoted passage, that the writer appears to believe that "URL" is pronounced "earl." Must be a newbie. Coming to you live from hat-top, lizard-lips, triple-dub, tbtf dot com, I remain, yrs. sincerely, &c.

Notes:

The TBTF title for 4/27 comes from William S. Burroughs [26], who died last August at 83 [27] after a life of prodigal excess. Laurie Anderson took inspiration from Burroughs for the song "Language is a Virus from Outer Space" [28]. When I saw her perform in 1984 she had Buroughs on the stage, narrating "Sharkey's Day" in his inimitable flat midwestern smoker's lash of a voice.

26. http://www.bigtable.com/primer/
27. http://www.tcf.ua.edu/wlt4/wsb.htm
28. http://www.cdnow.com/cgi-bin/mserver/SID=667396952/pagename=/share/ensotrack2.html/UPC=7599254002/disc=01/ra.ram

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Sources:

For a complete list of TBTF's (mostly email) sources, see http://www.tbtf.com/sources.html .