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Microsoft Strengthens Global IP Protection for Device-Makers

February 9, 2006 |

REDMOND, Wash. — Feb. 9, 2006 — Microsoft Corp. today announced it will strengthen and broaden intellectual property (IP) protection for original equipment manufacturers (OEMs) and distributors that build and sell devices powered by Microsoft® Windows® Embedded and Windows Mobile® software. With this expansion, the more than 4,000 OEMs and distributors of Windows Embedded and Windows Mobile will receive comparable IP protection to that already offered for other Microsoft flagship products.

The strengthened IP protection will be available worldwide to Microsoft's mobile and embedded partners and will include the following:

- The defense of OEMs and distributors against IP claims in every country in which Microsoft distributes or markets its Windows Mobile and Windows Embedded products
- Protection of patent, copyright, trademark and trade secret claims based on Windows Mobile and Windows Embedded software

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“Microsoft is providing us with yet another tool to speed up the deployment of our latest enterprise mobility solutions and provide our customers with technologies that increase their competitiveness in their respective markets,” said Boris Metlitsky, senior vice president of product strategy and development at Symbol Technologies Inc. “By extending IP protection to the embedded and mobile device manufacturing space, Microsoft is helping ensure the integrity of our offerings and is allowing us to focus on the next wave of innovations.”

Microsoft Cloud strength highlights first quarter results □

Industry and Partner Support for More IP Protection

OEMs and distributors currently use Windows Embedded and Windows Mobile software to build innovative devices such as Smartphones, Portable Media Centers, automated teller machines, retail point-of-sale systems, Global Positioning System-based devices, industrial robots and thin clients. Several high-profile IP disputes have raised the importance embedded device-makers and distributors attach to careful IP risk management, and IP indemnification is increasingly seen as a key reason to build devices using commercial software offerings such as Windows Embedded and Windows Mobile.

“This program enables our OEM and distributor partners to select Windows Embedded and Windows Mobile with even more confidence than ever,” said Suzan DelBene, corporate vice president of the Mobile and Embedded Devices Division at Microsoft. “We stand behind our software and partners, and this protection is the best assurance for device-makers using Windows Embedded or Windows Mobile to build amazing devices people won’t want to live without.”

By extending stronger IP protection for its mobile and embedded partners, Microsoft continues to deliver on the model of shared success that reduces the barriers to entry found in traditional device development. Unlike open source software, Windows Embedded and Windows Mobile provide a mature and complete technology portfolio to help device-makers bring their

next-generation devices to market faster while minimizing their total cost of development.

"Intellectual property litigation has been increasing steadily for the last several years. As a result, indemnification against this litigation not only has become a requirement for any technology purchase, it strongly pushes companies toward the buy side of the build-versus-buy decision," said Rob Enderle, principal analyst for the Enderle Group. "Microsoft's indemnification stands as one of the most comprehensive in the market, setting a high bar for competing platforms."

Evolution of Strong IP Protection to Customers and Partners

Microsoft continues to build out its industry-leading IP protection across markets in response to the changing legal landscape and feedback from its customers and partners indicating that they need to feel secure using Microsoft technology. In 2003, Microsoft removed monetary caps for volume licensees after learning that this was a top concern. In November 2004, Microsoft extended its IP protection for customers by taking coverage previously available only to volume licensees and making it available to non-volume-license end users. In June 2005, Microsoft strengthened indemnification for its \$18 billion partner channel, including removal of the monetary cap for legal defense fees. The strengthened indemnification benefited PC manufacturers, including OEMs, system builder partners, OEM distributors and independent software vendor (ISV) royalty partners.




Microsoft's ability to offer strong protection is bolstered by a commitment to managing the IP rights in its software. This commitment includes development process controls, inbound licensing of necessary third-party rights, cross-licensing agreements with other industry leaders, and protection of Microsoft innovations through filings for patents and copyrights.

Additional information on Microsoft's expanded IP protection offering can be found on Microsoft's Get the Facts Web site, <http://www.microsoft.com/getthefacts>.

Founded in 1975, Microsoft (Nasdaq "MSFT") is the worldwide leader in software, services and solutions that help people and businesses realize their full potential.

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