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## Washington Legal Foundation: Arguments Baseless for Lengthening Microsoft Consent Decree

By Simon Volandre

The [Washington Legal Foundation](#) (WLF) disagrees on the decision taken by a group of state attorney general for extending Microsoft consent decree any further. The federal Judge Colleen Kollar-Kotelly is also mediating with parties to confirm whether the decision taken by the parties has been effective or not; also because the decree is going to expire this November.

WLF reported that Microsoft has also filed papers against the decision taken by states attorney general and also mentioned that the consent decree has met its goals. It also says that the company has been in full observance for the last five years. As a consequence, state attorneys general from several states, led by California stated that since Microsoft's operating system share has never gone below the line and that is why the consent decree has been ineffective and should further be extended for five years.

Judge Kollar-Kotelly at a hearing on September 11 appeared insensitive to the statement from the bench saying that California group must present a meaningful purpose to further extend the judgment. The honorable Judge also offered the California group to submit more arguments till October 15 so as to give a chance for the other parties to answer.

However, the Chief Counsel of WLF's Legal Studies Division Mr. Glenn G. Lammi said, "No one ever made the argument in the Microsoft litigation that the company's market share had been obtained unlawfully, so it's hard to understand the California group's fixation on that as a reason to extend the decree." He further added that the 2002 judgment was never deliberated to throw Microsoft out of the market share; on the contrary, it was an attempt to force Microsoft to stick to the present antitrust laws and as a consequence, open up the market share as per consumers choice and encourage competition. Any action that is taken should abide by the law and should be in favor of American consumers.

WLF reported that once the Judge Kollar-Kotelly reviews all the arguments and documents, she would definitely fix the original timetable and allow the sanctioned judgment to terminate. Lammi finally concluded that this decision would definitely be in favor of American consumers.

Being a non-profit public interest law and policy center, the Washington Legal Foundation has fully opposed government exploitation of the legal system. WLF's Litigation Department and Legal Studies Division have done a wonderful job in exposing the drawbacks of irrational government proceedings and dogmatic compulsion to policy makers and public.

Source: Washington Legal Foundation (WLF) (URL: <http://www.prnewswire.com/cgi-bin/stories.pl?ACCT=104&STORY=/www/story/09-14-2007/0004662858&EDATE=>

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