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Mr. John Romano
Ms. Marina Morilla
Hewlett-Packard Company
5301 Stevens Creek Blvd.
Santa Clara, CA 95052

Subject: HP Pavilion Out-Of-Box Experience (OOBE)

John and Marina,

Thank you for your letter dated 9/25 summarizing your position regarding the Pavilion OOBE. After reviewing your letter with members of the OEM and PSD Management team I want to communicate MS's position:

1. MSN Icon Removed From Windows 95 Desktop

The MSN Icon needs to be returned to the Windows 95 Desktop to be in compliance with the Windows 95 OPK Requirements. MS must present a consistent product to our customers and not make exceptions to the OPK requirements which are being complied with by all of MS Windows 95 OEMs.

2. MS Required Screens in the Power On Sequence

As communicated in my email to John on 8/8 MS recognizes the great efforts HPD is placing in the Pavilion's OOBE and as such we have agreed to allow HPD to create equivalent versions of the 4 MS Screens in the HP Pavilion look and feel. These four screens are as documented in John's fax to me of 8/4/95: User Name and Company Name. End User License Agreement. Certificate of Authenticity. Windows 95 Welcome Screen. MS requires that it review and approve the screens before HPD begins manufacturing with these modified screens.

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3. HP's Perception of Approval from MS : HP Introduction position in Power On Sequence

On August 4th John and I talked regarding the fact that at that time HPD had planned to not have the Windows 95 Welcome Screen presented to the user unless the user selected Windows 95 as their shell. We discussed that to be compliant with the OPK Requirements the Welcome Screen must follow the other 3 required screens. It is at this time that John documented various power on sequences in flow charts on his fax of 8/4. John and I then discussed that MS would allow the look and feel changes to the 4 required screens. The exact function of the HP Introduction and that it is a significant modification of the OPK Requirements was not discussed. The focus of the discussion and agreement was the positioning of the four required screens and the look and feel agreement for those screens. The perception of approval for the HP Introduction given a fax was sent whereby other issues were resolved is unfortunate for it is frustrating and disappointing for both companies. This clearly demonstrates why any significant change to the OPK Requirements such as the HP Pavilion Introduction executing immediately upon power-on would have required a written approval from MS as documented in our companies agreements.

MS requests that HP a)place the HP Introduction after the first 3 MS required screens (User name, EULA, COA) and then be followed by the Windows 95 Welcome Screen and b) return the MSN Icon to the Windows 95 desktop as soon as possible.

I sincerely want to express my understanding that these modifications to your production systems will bear a cost. I know that HP can understand how important it is that all OEM's of Windows 95 are treated equally by MS in meeting the same OPK requirements for shipping Windows 95 PC' s to ensure the customer of a consistent experience with a Windows 95 system.

Regards,

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