

ECIS SUPPORTS OPERA ANTI TRUST COMPLAINT AGAINST MICROSOFT

Brussels – 13 December – The European Committee for Interoperable Systems (ECIS) today strongly endorsed a complaint against Microsoft filed with the European Commission’s anti-trust authorities by Opera, the innovative European internet browser company¹ and ECIS member. This complaint deals with two of Microsoft’s continuing abusive business practices, tying and the corruption of web standards.

“By tying its Internet Explorer product to its monopoly Windows operating system and refusing to faithfully implement industry accepted open standards, Microsoft deprives consumers of a real choice in internet browsers. Browsers are the gateway to the Internet. Microsoft seeks to control this gateway,” says Thomas Vinje, ECIS Spokesman and Legal Counsel.

Opera’s complaint comes in the wake of the European Court judgment on 17 September upholding the Commission’s 2004 prohibition against Microsoft’s tying of its Windows Media Player to its monopoly Windows desktop operating system. This new complaint asks the Commission to apply the tying prohibition to Microsoft’s internet browser, Internet Explorer.

The Opera complaint also targets Microsoft’s corruption of web standards, referring to a practice where Microsoft either fails to implement industry accepted open standards or implements them in a manner that is not faithful to the standard by adding undisclosed proprietary extensions. These practices when undertaken by a dominant company like Microsoft can eliminate competition which amounts to unlawful exclusionary behaviour infringing Article 82 of the EC Treaty. The complaint asks the Commission to require Microsoft to support open web standards in Internet Explorer so that web developers can readily create web content and applications which are accessible consistently on all open standard compliant browsers. Today, Microsoft imposes its de facto, proprietary implementation on the developer community and consumers.

“Opera is a small, innovative upstart with market leading technology, award-winning products and the determination to deliver the best Internet experience on any device. That is a direct strategic threat to Microsoft’s avowed intention to “win the internet,” explained Vinje.

¹ Opera Software ASA is an industry leader in the development of Web browsers for the desktop, device and mobile markets. The Opera browser has received international recognition from end-users and the industry press for being faster, smaller and more standards-compliant than other browsers, and it has gathered a cult following on the net.
<http://www.opera.com/press/facts/>

“But until Microsoft changes its abusive business practices to conform to the principles established when the US and EU first addressed Microsoft abusive tying in 1994, further developed in the Commission’s 2004 decision and upheld by the European Court of First Instance, Opera and other innovative browsers will not be able to compete on equal terms, and consumers will continue to be deprived of the benefits of competition-driven innovation and choice,” Vinje concluded.

About ECIS

ECIS is an international non-profit association founded in 1989 that strives to promote market conditions in the ICT sector allowing vigorous competition on the merits and a diversity of consumer choice. ECIS has actively represented its members on many issues related to interoperability and competition before European, national and international bodies, including the EU institutions and WIPO. ECIS’ members include large and smaller information and communications technology hardware and software providers Adobe, Corel, IBM, Linspire, Nokia, Opera, Oracle, RealNetworks, Red Hat, and Sun Microsystems.

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