

## Microsoft to let Europeans pick browser in EU deal

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European Union Commissioner for Competition Neelie Kroes gestures while talking to the media during a press conference at the EU Commission headquarter in Brussels, Wednesday Dec. 16, 2009. The EU Commission has adopted this Wednesday a decision that renders legally binding commitments offered by Microsoft to boost competition on the web browser market. (AP Photo/Thierry Charlier)

(AP) -- More than 100 million Europeans will get to pick a Web browser after Microsoft agreed to offer Internet users a choice to avoid fresh fines - a move that could represent a real thawing of long-standing tensions between the software company and the European Union.

In a deal with regulators Wednesday, Microsoft Corp. will from March provide a pop-up screen to all users of its Windows operating system,



asking them to choose one or more of five major browsers - including Microsoft's Internet Explorer, Google's Chrome and Apple's Safari - and seven smaller rivals.

In return, the European Commission will drop charges it filed against Microsoft in January, when it said tying Internet Explorer to Windows - already-installed on most computers - gave the browser an unfair advantage. That was the latest in a long list of concerns - in more than a decade of EU antitrust action, Microsoft has been fined euro 1.7 billion.

Neelie Kroes, the EU's competition commissioner, said the deal resolves "a serious competition concern" for a key market in the development of the Internet.

"It is as if you went to the supermarket and they only offered you one brand of shampoo on the shelf, and all the other choices are hidden out the back, and not everyone knows about them," she said. "What we are saying today is that all the brands should be on the shelf."

Microsoft is not totally out of the woods yet, as it can still be fined up to 10 percent of yearly global turnover without regulators having to prove their case if it doesn't stick to its commitment for the next five years.

The EU is also still investigating a complaint that Microsoft isn't sharing enough technical information that would help developers make compatible products; regulators reacted coolly to Microsoft's offer Wednesday to provide developers more information to make their products compatible, saying they would check to see if it does help rivals.

The U.S. Department of Justice welcomed the deal which it said could enhance competition. It investigated Microsoft during the 1990s for trying to squeeze browser rival Netscape and settled the case in 2002 in a



deal ordering the company to share some data with rivals.

However, U.S. regulators did not follow up more recent complaints, leaving the EU as the most active global antitrust enforcer probing Microsoft's move into server, media and Web software.

Google said more competition among browsers would boost innovation and promote a shift to "cloud computing" where people use Internet-based applications to perform tasks that they now do offline - often using Microsoft programs for word processing or bookkeeping.

Meanwhile Mozilla - the maker of Internet Explorer's nearest challenger, Firefox - said it was happy to see that the EU deal would stop Microsoft repeatedly prompting users to switch from other browsers to Internet Explorer

Internet Explorer has some 64 percent of the global browser market, followed by Firefox at nearly 25 percent, Apple's Safari at 4 percent and Google's Chrome at 3.9 percent, according to figures from Net Applications.

Opera, the Norwegian browser company that made the initial complaint to the EU, said it thought the browser screen would help it attract more users even though it will be competing against major brand names. Opera's share is just over 2 percent.

Most European users of Windows XP, Vista or 7 will get the new choice screen from Microsoft's automatic updates if they have Internet Explorer installed as their default browser. Users outside the 30 countries in the European economic area - the 27-nation EU plus Norway, Iceland and Liechtenstein - won't get the update.

Users will see a box that asks them to find out more about browsers



before they click to download one or more of them. They can close the box to keep Internet Explorer if they want.

The EU says some 100 million computers will get the update by mid-March and another 30 million new computers will see it over the next five years. The choice of browsers will be updated every six months based on new market share information.

Microsoft must also report back to regulators in six month's time to check how the program is working - and could make changes in the EU asks. The EU is also able to review the entire deal at the end of 2011.

Microsoft's general counsel Brad Smith said he was pleased to resolve long-standing competition law issues.

Microsoft also pledged Wednesday to offer far more technical documentation on its most popular products to makers of rival software - including open source developers - and support some industry standards.

"We believe it represents the most comprehensive commitment to the promotion of interoperability in the history of the software industry," he said in statement.

Thomas Vinje, a lawyer for the group of companies that complained about Microsoft's interoperability, said it was "not yet clear" if Microsoft's offer would tackle competitive problems in the industry.

**More information:** EU site on choosing a browser: <a href="http://www.browserchoice.eu">http://www.browserchoice.eu</a>.

Google site on choosing a browser: <a href="http://www.whatbrowser.org">http://www.whatbrowser.org</a>

Microsoft commitments:



http://www.microsoft.com/Presspass/press/2009/dec09/12-16Statement.mspx

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