

Gates testifies in \$1B lawsuit against Microsoft

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Microsoft founder Bill Gates arrives at the Frank E. Moss federal courthouse in Salt Lake City, Monday, Nov. 21, 2011. Gates was scheduled to testify in a one billion dollar antitrust lawsuit brought by Novell Inc. Gates, wearing a gray suit and a yellow tie, was the first witness to testify as Microsoft lawyers presented their case in the trial that's been ongoing in federal court in Salt Lake City for about a month.(AP Photo/Jim Urquhart)

Microsoft's Bill Gates took the witness stand Monday in a \$1 billion antitrust lawsuit accusing the software maker of duping a competitor prior to its rollout of Windows 95.

Gates began his testimony with a history of Microsoft Corp. and was expected to remain on the stand throughout the day. He said he was just 19 when he helped found the [software giant](#).

"We thought everybody would have a personal computer on every desk

and in every home," he said. "We wanted to be there and be the first."

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Utah-based [Novell Inc.](#) sued Microsoft in 2004, claiming the Redmond, Wash., company violated U.S. antitrust laws through its arrangements with other computer makers when it launched Windows 95. Novell says it was later forced to sell WordPerfect for a \$1.2 billion loss.

The company argues that Gates, Microsoft's co-founder, ordered company engineers to reject WordPerfect as a Windows 95 application because he feared it was too good. WordPerfect's share of the market then plummeted from nearly 50 percent to less than 10 percent as Microsoft's own office programs took hold.

Novell attorney Jeff Johnson has conceded that Microsoft was under no [legal obligation](#) to provide advance access to the Windows 95 operating system so Novell could prepare a compatible WordPerfect version. Microsoft, however, enticed Novell to work on a version, only to withdraw support months before Windows 95 hit the market, he said.

Microsoft lawyer David Tulchin said Gates decided against installing WordPerfect because it threatened to crash Windows and couldn't be fixed in time for the rollout. He argued that Novell's missed opportunity was its own fault, and that Microsoft had no obligation to give a competitor a leg up.

"Novell never complained to Microsoft," Tulchin said during arguments Friday. "There's nothing in the evidence, no documents."

Johnson maintains Novell was tricked in violation of federal [antitrust](#)

[laws](#) so Microsoft could monopolize the market.

"We got stabbed in the back," he said.

Microsoft is seeking a dismissal, calling the claims groundless.

Throughout arguments Friday, U.S. District Judge Frederick Motz openly expressed doubts that Novell's claims had merit.

"I don't see why I have to give a product to a competitor so he can beat me," Motz told Novell attorneys.

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