the product is already out there, inactive a copy of the Linux 2.6 kernel right here in my hand, what do you have to lose by telling people these are exactly the parts that are infringing. Because as I understand it, and (inaudible) you guys refuse to tell me, except in your MBA, which portions you believe are infringing. I'm not a lawyer, but I know if someone was doing something I thought was (inaudible), I would try and stop it as quickly as possible.

MR. McBRIDE: Has SCO shown the code? First of all, SCO owns intellectual property at System V level, when we said we licensed in thing 6,000 times, we've licensed it and people are under very tight restrictions about not being able to show that. If we go out and just throw it out in the public, we are basically violating our own commitments we have with our licensees. Now, with respect to code that we have shown, let's follow the bouncing ball here for a moment. Last summer we

came out with code that was very clearly replicated and showed that last August. It was done under NDA because we didn't want to violate our own agreements, a number of people saw it. And shortly after that, a Linux leader, in fact Linus came out and said that code has been removed from Linux. We then had some other code tied to it, and Silicone Graphics came out and said that was System V base code, it wasn't supposed to be in there, and we took it out. So there's two occasions.

Again, SCO said it was in when it wasn't supposed to be in there, we took it out. We didn't take it out of the thousands and millions of servers running around the world, so even at that level you still have an infringement problem. But they did take it out of future versions.

We then said there is roughly a million lines of code that tie into contributions that IBM has made, and that's subject to litigation that is going on. We have basically supplied that. In fact,

that is going to be the subject of a hearing that comes up this Friday in the Utah courtroom. We supplied them with ample evidence in terms of where those infringements came from.

And finally, a month ago we came out, or December I guess it was, we published 75 header files that showed up inside of Linux that tied to not just intellectual property agreements, but to the DSD settlement agreement from back in the '90s. And the settlement agreement says, what does it says Chris?

MR. SONTAG: It says basically there is a set of files that has to be removed from BST, there is a set of files for which copyright at transactions to AT&T U.S.A. and effectively SCO had to be placed on those set of files. And there was another set of files for which there was no issue. Those files that had to have the copyright attribution, portions of those files ended up in Linux, which is a problem. Which means they have copyrighted work that was