EXHIBIT S-4

From:	CN=Bill Sandve/OU=Austin/O=IBM on behalf of Bill Sandve [CN=Bill Sandve/OU=Austin/O=IBM]
Sent:	Tuesday, January 22, 2002 10:25 PM
To:	Kim Tran
Cc:	Jay Kruemcke; Joe Graham; Zachary J Lembo
Subject:	*IBM Confidential: Re: AIX and System V

Lotus Notes v5 Reply Note
Body:
I would also instructively challenge the statement - Sun and HP moved away from
proprietary Unix OSs years ago.
> Solaris is based on UNIX SVR4, HP -UX is based on UNIX SVR3 (as is AIX). UNIX
SVR4 and UNIX SVR3 are not proprietary specifications (there are other which
are also very much in use such as BSD4.4 licensed code base versions, etc.
> the "Open" UNIX standard requires compliance to The Open Group's Single UNIX
Specification (currently version2) which results in the right to bear the UNIX
98 brand. AIX was among the first to comply with the predecessor of that spec,
and UNIX95 brand, as well the current one, with UNIX98 conformance. HP, for
example, only recently (within the last month) certified compliance with UNIX95
for their current OS and have not yet even gotten UNIX98 certification.
Solaris, I think, does have the UNIX98 brand currently. The next rev of UNIX
compliance will require compliance with Single UNIX Spec v3 and will result in
another update UNIXxx brand sometime in 2003 timeframe. AIX will again be a
leader in certifying against that updated UNIX spec. There is no other standard
definition of UNIX today, than the one certified by Open Group.

> the differences which cause admins/user compatibility issue have more to do
with implementation value-adds which are not covered in UNIX stds definitions
and which in many cases are different because of each OS's platform support
which evolved to support particular system hardware designs--ie. different boot
process, different diagnostics, different LPAR design, different device driver
model and interfaces, etc.

Regards, Bill
Director, UNIX Product Management
    IBM Austin, sandve@us.ibm.com
    phone 512-838-3250, fax 512-838-4025

    Kim Tran
    01/21/02 05:08 PM

        To: Joe Graham/Woodbridge/IBM@IBMUS
        cc: Zachary J Lembo/Philadelphia/IBM@IBMUS, Bill Sandve/Austin/IBM@IBMUS, Jay
Kruemcke/Austin/IBM@IBMUS
        From: Kim Tran/Austin/IBM@IBMUS
        Subject: Re: AIX and System V

Joe,

A short answer to your question is AIX is embracing System V now.

1

181017189

Actually, AIX was derived from System V. But it's System V Release 3 instead of System V Release 4 which was the base for Solaris. However, due to our partnership with SCO, we have been able to make AIX closer to SVR4 as best as we can. For example, AIX 5.1 has /proc, System V print subsystem, System V packaging and installation tools, prtconf, etc. In our next release, we are planning to provide System V user management commands, such as useradd, userdel, usermod, etc. We also are planning to add new flags to some commands to bring them up to the SVR4 level. Unfortunately, Solaris has added their value adds to their system and so has AIX. Regardless of how much we have done and are going to do, AIX is still perceived as different. There are number of technical papers, comparison tables out in the external website that you may find helpful.

http://www.ibm.com/servers/aix/library/whitepapers.html

I am also cc'ing this note to Bill Sandve and Jay Kruemcke for their response.

Regards,
Kim Tran
AIX System Management and Consumability
(512) 838-3412 (T/L 678-3412)

Joe Graham
01/21/2002 03:45 PM
To: Kim Tran/Austin/IBM@IBMUS
cc: Zachary J Lembo/Philadelphia/IBM@IBMUS
From: Joe Graham/Woodbridge/IBM@IBMUS
Subject: AIX and System V

Hi Kim,

I am a local pSeries Field Technical Sales Support representative in the PA/NJ/DE area. I got your name from a previous note that was forwarded to me regarding AIX 5L and its Solaris Affinity. I am working with a pSeries Sales Specialist, Zack Lembo, on a very large competitive account in Pennsylvania. They are a huge SUN shop and we are trying to get our foot in the door and get IBM pSeries installed in their Unix space.   The decision maker is a very big SUN advocate and we are working on trying to get him to consider IBM and our pSeries line of products.

He has sent the following question to us and would like an answer. We need to be very tactful and conscientious of any answer that we give back to him, so that we don't jeopardize any potential business that we may be able to WIN. If you could help me with answering the following question or direct me to any information or contacts that you know of that would be beneficial, I would be extremely grateful. Thanks for your time and I look forward to hearing from you soon.

QUESTION:

When is IBM going to embrace System V? Sun and HP moved away from proprietary Unix OSs years ago. This incompatibility would prohibit us from ever considering IBM RISC processors.

Regards,
Joe

I/T Specialist - pSeries FTSS
1000 Atrium Way
Mount Laurel, NJ 08054
(856)439-5658   T/L 242-5658
Internet ID : jvgraham@us.ibm.com

2

181017190

EXHIBIT S-5

INTERNATIONAL BUSINESS MACHINES CORPORATION

ROYALTY STATEMENT AS OF JUNE 30, 1987

AT & T TECHNOLOGIES, INC.
P.O. BOX 65080
CHARLOTTE, N.CAROLINA 28265

ATTN: MR. O. L. WILSON
        DIVISION MANAGER

ROYALTY PER LICENSE: $250.00
NEW RATE PER LICENSE: $125.00

ROYALTY PAYMENT PERIOD:04/01/87-06/30/87

PGRM NAME: AIX (16 USER SYSTEM
DERIVED.FROM SYSTEM V)

TYPE/MODEL: 5669/061

	QTY ITD	TOTAL ROY. EARNED ITD	PRIOR ROY. PAID ITD	TOT. QTY THIS QTR	TOTAL ROY. THIS PERIOD
CUSTOMER INSTALLS:	2667	$333,375.00	$259,125.00	594	$74,250.00
INTERNAL INSTALLS:	2113	$331,000.00	$326,000.00	40	$5,000.00
TOTALS:	4780	$664,375.00	$585,125.00	634	$79,250.00
TOTAL ROYALTY DUE:					$79,250.00

CONFIDENTIAL