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May 14, 2010

Denise Harms-Campbell, Director Partner Support Operations
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7700 Technology Way
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Sent email: denise.harms-campbell@oracle.com

This letter is being submitted on behalf of the SIA to address concerns of its membership over the recent changes to hardware and software support policies announced by Oracle following its acquisition of Sun Microsystems.

As an association that represents over 125 independent service organizations that provide maintenance and support services for government and commercial customers throughout North America we are gravely concerned by content of the document titled "Oracle Hardware and Systems Support Policies" dated the 16th of March, 2010.

The association's primary purpose is to help establish and sustain a truly open, competitive marketplace for the service and support of technically complex products. Open competitive marketplaces are deeply rooted in our national culture and consumers are accustomed to having choices.


The SIA reading of the document "Oracle Hardware and Systems Support Policies" is that Oracle is denying end-user access to firmware updates, time and material support, instituting onerous support reinstatement terms and fees and mandating that end users purchase support for their entire non-EOL Sun install base. Taken together as a set, the SIA membership views these policy changes as a deliberate, engineered and concerted effort by Oracle to stifle fair and equitable competition by severely restricting or eliminating an end-users' choice to either self-maintain or enlist a third-party maintenance offering.

Our interpretation of the intent and practice of such policy changes is that Oracle is seeking to actively discourage fair and equitable competition and is, in practice, attempting to monopolize the Sun hardware support market at the expense of Independent Service Organizations, leasing companies and end users. While the SIA recognizes and supports Oracle in its rights as an IP holder related to Sun hardware and software, it is the opinion of the association that several key changes in the support policies have material anti-competitive consequences for our members and their customers. The SIA believes that the policy changes and the commercial practices that they support to be anti-competitive and unfair.

It is the desire of the SIA to develop a strong and constructive relationship with Oracle in support of a customer base that both deserves and expects meaningful options to satisfy its support requirements. In the absence of fair and equitable competition, the SIA believes that consumers will suffer material harm including such effects as decreased asset values for their Sun equipment and dramatically higher support costs.

We look forward to hearing from a representative of Oracle within 30 days to begin a constructive dialogue on how the SIA membership and Oracle may work together for the benefit of consumers. Please circulate to those appropriate within the Sun/Oracle environment.

Best Personal Regards,

A handwritten signature in cursive script, reading "Claudia J. Betzner". The signature is written in black ink and is positioned above the printed name and title.

Claudia J. Betzner
Executive Director
Service Industry Association