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Microsoft asks judge to keep Word on the market

Wed Aug 19, 2009 12:31PM EDT

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Microsoft appears to be taking with deadly seriousness the threat that Microsoft Word could be forced off the market in October, following a [judgment against it](#) on patent infringement issues over its use of XML.

Filing an emergency motion with the court, [Microsoft has asked for a stay of that ruling](#) while Microsoft attempts to remove the functionality that got it in trouble with Canadian software company i4i. In its petition, the company claims that it is "expending enormous human and financial capital to make its best effort to comply with the district court's 60-day deadline," but implied that the changes it is making to take the software out of violation of i4i's patent could take months.



If Microsoft can't re-engineer Word before October 10, and if the courts don't grant the company a stay of the ruling, the fallout would likely be catastrophic not just for Microsoft but throughout the computer industry. Retailers would be forced to remove packaged copies of Word (and Office) from shelves, and PC makers would have to remove Word from any preinstalled bundles that come with new computers. With Windows 7 rolling out just days after that deadline, the potential mess that could be generated is almost unfathomable.

Meanwhile Microsoft is pursuing other legal avenues to ensure Word remains on the market. It has already challenged the patent in question via the U.S. Patent and Trademark Office's appeal system, and Microsoft notes that the USPTO has provisionally rejected that patent following re-examination. It's also challenging the injunction on semi-humanitarian grounds by claiming that consumers will be injured if Word vanishes from the market, even temporarily. And that actually might be the case, considering how popular the word processor is.

And of course, while no one is talking about it publicly, settlement talks are undoubtedly underway as well.

More news as it develops.

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1 Posted by [kirby4d](#) on Wed Aug 19, 2009 5:11PM EDT [Report Abuse](#)

Excellent.

2 Posted by [njdriver622](#) on Wed Aug 19, 2009 6:21PM EDT [Report Abuse](#)

I was surprised to find such a well written and informative article here, being so few of them lately. Hopefully there will be no settlement before a ruling is issued, because I feel the harm to the public should outweigh other considerations here, and Microsoft should be confident in that. I think settlement erodes public confidence in the company; on the contrary, with all their resources, if they have to re-engineer the product, they can.

3 Posted by <http://profiles.yahoo.com/rayvr@att.net> on Wed Aug 19, 2009 6:53PM EDT [Report Abuse](#)

njdriver622 What an incredible, unwarranted, comment about this service provided by Christopher Null. Null's articles are always timely and informative and your effort to disparage them is beyond comprehension. Grow up!

4 Posted by [azergar](#) on Wed Aug 19, 2009 8:03PM EDT [Report Abuse](#)

Everyone can just switch to Open Office with out skipping a beat!! Best of all its free and doesn't cost anything! So much for Word.

5 Posted by [snowflakehenri](#) on Wed Aug 19, 2009 10:00PM EDT [Report Abuse](#)

What is Open Office? Never heard of it. What concerns me, is what about the consumers that have it on their computer already. Will we be made to take it off our computers. And what about their Works Suite. Does this ruling affect that? I guess I'll just go buy WordPerfect. Oh yeah, someone told me you couldn't buy that anymore either.

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