



Just Sports USA
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January 21, 2004

Mr. Philip Langer
Regional Director, Intellectual Property Licensing
SCO Group
355 South 520 West Suite 100
Lindon, Utah 84042

Dear Mr. Langer:

I am writing you in response to your letter dated January 19th, 2004 in which you advised that you would consider legal action if we failed to respond to your efforts to pursue a licensing arrangement. To date, I have yet to receive any information concerning our systems and what you allege violates your intellectual property rights. You have sent me letters that conflict with other statements made by representatives of the SCO Group concerning SCO's ownership of UNIX ABI's and their supposed (re)distribution under the GPL in the Linux kernel.

If you would like to detail directly which of our systems allegedly violate your copyrights, and specifically which code on said systems allegedly violates said copyrights, we will be happy to do an internal audit to verify your claims. Once the results of said audit are complete, we will be more than willing discuss any pending licensing issues with you.

Our current understanding of your legal situation is that your organization has yet to prove your claims of SCO intellectual property being included in the GPL based Linux kernel software that SCO itself has distributed under the GPL. While I understand your concerns regarding intellectual property and your desire to protect SCO's property, at this time, the legality and claims concerning SCO's ownership of code that exists in the 2.4 Linux kernel has yet to be determined by a court of law. I, speaking for myself, follow with interest SCO Group's contortions in its lawsuits against Novell and IBM, and its defense against the lawsuit brought by Red Hat. In my study of the events that have transpired, it's my understanding that SCO Group has yet to produce any substantive evidence as to the claims regarding code misappropriation by IBM. I am requesting the SCO Group to provide to my organization substantive evidence of alleged copyright violations so that we may compare the alleged violations for the purpose of internal audit to determine if any licensing needs to indeed exist. I do, however, intend to publicly document the results of said audit and any communication with the SCO Group regarding this matter.

Before you waste any more of my time or yours, please detail exact information such as the offending lines of code and the kernel versions you contend this code is in. Alternatively if your organization agrees, we can re-address these issues after your current lawsuits regarding these issues are finalized.

Sincerely,

Gavin M. Roy
Chief Information Officer
Just Sports USA