

VII. Through its predatory and anticompetitive conduct, Microsoft has maintained its operating system monopoly, dangerously threatened monopolization of the browser market, and inflicted substantial and far-reaching consumer harm

357. Microsoft has achieved its anticompetitive objectives and, in doing so, has inflicted, and likely will continue to inflict, substantial and enduring harm on competition and consumers.

357.1. By gaining a substantial share of the browser market and weakening rivals, Microsoft has blunted the browser threat to the applications barrier to entry and thereby maintained its operating system monopoly. See infra Part VII.A.; ¶¶ 358-387.

357.2. Microsoft's course of conduct also dangerously threatened monopolization of the browser market. See infra Part VII.A.5.b.(2); ¶¶ 376-384.

357.3. AOL's acquisition of Netscape will not undo the harm to competition wrought by Microsoft. In the wake of Microsoft's predatory and anticompetitive campaign, AOL will neither resurrect the browser threat nor seek to erode the applications barrier to entry in other ways. See infra Part VII.C.1.; ¶¶ 393-396.

357.4. Microsoft further entrenched its operating system monopoly by enhancing its control over standards, in particular network-based standards, and by gaining a reputation as a predator, which is likely to deter other threats to the applications barrier to entry. See infra Part VII.D.; ¶¶ 397-403.

357.5. Microsoft's campaign to maintain and extend its operating system monopoly has caused, and will continue to cause, substantial and far-reaching consumer harm. See infra Part VII.E.; ¶¶ 404-410.

357.5.1. Consumers have been deprived of the benefits increased competition

in operating system might bring and have been directly harmed by the strategies Microsoft employed in its scheme to eliminate potential rivals.

357.5.2. Most important, Microsoft will continue to have the power and incentive to distort the pace and direction of innovation in ways that protect its monopoly power rather than serving the interests of consumers.

A. Microsoft's campaign to blunt the browser threat further entrenched Microsoft's operating system monopoly

358. Microsoft has maintained its operating system monopoly by blunting the browser threat to the applications barrier to entry. By gaining a substantial position in browsers and weakening rivals, Microsoft has ensured that non-Microsoft browsers do not threaten Microsoft's control over the APIs to which developers write, the source of the principle barrier to entry that protects Microsoft's monopoly position.

1. Microsoft could maintain its operating system monopoly without monopolizing the browser market because, by gaining merely a substantial share of browsers (and denying a large share to rivals), it was able significantly to reduce the likelihood that its monopoly power would be eroded

359. Crippling the browser threat to its monopoly did not require Microsoft to monopolize the browser market; rather, Microsoft could defeat that threat merely by ensuring that no single rival obtained (or maintained) a sufficient share of the browser market to develop into an alternative platform.

359.1. As explained, non-Microsoft browsers threaten Microsoft's operating system monopoly because they expose APIs to which developers could write operating system-independent