

# ◆ Consultants in Minnesota ◆

June 2001

## President's Message

By Randy Hayman

Greetings All!

First, thank you to all the volunteers whom made our presence at the Strictly eBusiness expo an overwhelming success: David Skarjune, for organizing our exhibit and presenting the Introduction to Knowledge Management seminar; Larry Bremer and Ben Moyle for the efforts of getting us our own booth display and handout materials; and all of the volunteers who helped spread the word in our booth - Larry Bremer, Bill Buending, Ray Giske, Karl Hella, Amy McKenna, Bill McTeer, Ben Moyle, Norm Nelson, Bob Newman, David Skarjune, and Jerry Stiff. Apologies if I have omitted anybody.

I sure enjoyed meeting and talking with the people that came by our booth looking for information about what ICCA is.

Again, I was surprised at the comments people made. The majority of people that stopped by the booth while I was there had no idea what ICCA is, as evidenced by questions like "Are you a company?", and "What does ICCA do?".

When traffic by our booth slowed way down, I strolled around the expo. If booth size and quantity are any indicator of the currently hot technologies, then from what I saw, Internet, DSL, handheld (phone and PDA), wireless and printing technologies are hot.

Speaking of High-Speed Internet Access -

DSL and Broadband, I did some research lately on the availability of high-speed Internet access and found that nearly 50% of the population can conceivably get high-speed access; yet less than 70% of the households in America have computers. Absolute best case is that only 50% of the population of America can get high-speed Internet access. Is it any wonder why ISPs are dropping from the marketplace like flies attracted to bug zappers?

Warning: highly technical content ahead.

I, personally, could never give up the 'always on' high-speed access. However, since I'm on a DLC circuit about 19,000 feet from the local CO, my choices are severely limited due to the hardware choices made by our local CLEC. Currently, I have the option of buying a T1 link, dual ISDN circuit, or iDSL connection, the least expensive option is \$129.00 a month. If my family and I weren't such fans of high-speed Internet access, we would drop this monthly fee in a heart's beat and survive on 56Kbps (52Kbps best case) dialup access.

I like to call our service crawl-band. We chose the iDSL connection, which is effectively an aDSL service over two ISDN channels, requiring a separate phone circuit to our demarcation point. This crawl-band service we get is maxed out at about 160Kbps, asynchronous transfers. We enjoy a non-shared connection to the Internet at 144Kbps, upstream and downstream, asynchronously, un-optimized (160Kbps max recorded transfer rates according to my metrics).

If DSL is going to be a hot technology today, it sure needs to meet the connection needs of the computer owning households. Currently it doesn't appear to be meeting those needs. Is high-speed cable modem access available in your area? It's not in mine.

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Newsletter of the

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Minnesota Chapter

*(Continued from page 1)*

Handheld, wireless, and printing technologies may be topics of future columns, so stay tuned. Security of home LANs, local firewalls, and personal firewalls may also topics of future columns.

That's the view from here. Let me know your thoughts by sending me email at haymanr@pureice.com.

## Software Developers' Rights and Duties.

By Ray Giske

"At our April meeting, Greg Brown, an attorney at the University of Minnesota and an expert in intellectual property law, discussed the Uniform Computer Information Transactions Act (UCITA) and the warranties and liabilities software developers can incur under the proposed law. Mr. Brown started his talk by outlining developers' potential liabilities under current law. "The law of software liability is far from being clear, definite, and predictable," according to Mr. Brown. The software program itself is a "good" and its sale is governed by the Uniform Commercial Code (UCC). But software development is a service and is not covered by the UCC. Courts, therefore, have struggled with how best to control software transactions. Nonetheless, these courts will hold developers responsible for certain types of software defects, unless the developer has taken steps in the agreement with the owner to write and install the program to protect himself.

"Mr. Brown told the group that

UCITA adopts many of the current rules but adds many other responsibilities. UCITA codifies the rule making developers liable for their express warranties, their "affirmations of fact or promises." Statements of value or opinion are not express warranties.

"UCITA creates four new implied warranties. Mr. Brown said that unless the developer and the owner reach a different understanding and agreement, developers implicitly warrant that the program to be written will run as programs of that types generally run (the implied warranty of merchantability); the program when run will deliver reasonably accurate information (the implied warranty of accuracy); in certain circumstances, the program will run on the owner's computer system (the implied warranty of system integration); and the program does not infringe the copyright or other intellectual property rights of any third parties (the implied warranty of non-infringement).

"Mr. Brown then discussed ways to disclaim the implied warranties and to limit potential liability. Except for the implied warranty of non-infringement, the other implied warranties may be disclaimed (that is eliminated) by having the owner agree that he is accepting the software "As Is, With All Faults." To disclaim the non-infringement warranty, the owner must agree that "there is no warranty against interference with (his) enjoyment of the (program) or against infringement." A developer's potential damages for breach may be limited so that he cannot be held liable for certain types of damages or for damages in excess of a certain amount.

Mr. Brown closed noting that there is substantial opposition to UCITA,

especially among groups representing the interests of consumers. ICCA is opposed to the law. In his view, Mr. Brown thought that UCITA even with its flaws was a good step because it provides clearer, more definite and more stable rules governing the development and licensing of software."



## Something about MicroSoft

By Karl Hella

Microsoft will host the Thursday, June 21, meeting of ICCA Minnesota at its offices in Bloomington (Suite 950, 8300 Normandale Drive). Tom Moen will discuss current Microsoft initiatives including Share Point Server, Office XP, and .NET.

Tom is the lead evangelist for Share Point Server and Office XP in Microsoft's North Central District. He previously headed the international team promoting Small Business Server from Microsoft headquarters in Redmond, Washington. Prior Microsoft, Tom worked for 3M and Apple.

Social/Networking time begins at 5:30 PM, pizza will be served at 6:30, and the presentation will begin about 7:00 PM. There is no charge for this meeting, but please make reservations in the normal way. Please arrive early, as the doors to the building are sometimes locked about 6:00.

## The Strictly eBusiness Expo

by David Hedrick Skarjune

Our participation at the Strictly eBusiness expo at the Minneapolis Convention Center on May 23-24 was a success.

Thousands of people saw our exhibit, ICCA volunteer exhibitors talked to hundreds of them, and more than one hundred attendees signed up to receive our catalog and/or newsletter.

We held an Educational Seminar on an 'Introduction to Knowledge Management' by David Hedrick Skarjune on Thursday afternoon that 15 people attended.

And, we had a great time working together at the exhibition booth, both in presenting our mission to the public and in just hanging out together.

We owe a special thanks to Larry Bremer and Ben Moyle for working on getting our new (old) booth for this event.

Our success is due to all the great volunteers who helped:

Larry Bremer  
 Bill Buending  
 Ray Giske  
 Randy Hayman  
 Karl Hella  
 Amy McKenna  
 Bill McTeer

Ben Moyle  
 Norm Nelson  
 Bob Newman  
 Jerry Stiff

There was serious interest in our ICCA services and resources from a wide variety of folks--established independents, young web programmers making a go of it, professionals considering consulting, seasoned pros going into retirement who want to stay involved, companies who need consulting services, other professional groups, and potential speakers...(and/or salespeople).

We can look forward to new faces, along with the familiar, at our upcoming meetings.

Thanks again to all the volunteers. I'm happy to have helped as coordinator for this event, and I appreciate all the help that I received!



Meeting Reservations: Members may phone your reservation to Joan Barnes at 651-257-2570, **by 3:00 PM, Tuesday June 19, 2001.** Non-members should mail this form to:  
 ICCA Minnesota, c/o Norm Nelson, 2200 E 22nd St. Minneapolis, MN 55404-3165

Name: \_\_\_\_\_ Company: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_  
 State: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

Pizza by Microsoft



# Next Meeting

Thursday, June 21, 2001

## Something about MicroSoft with Tom Moen

### MicroSoft

Microsoft offices at 494 and  
Normandale Blvd (building 8300)

Social Hour at 5:30PM

Dinner at 6:30PM

For reservations call  
Joan Barnes @ 651-257-2570

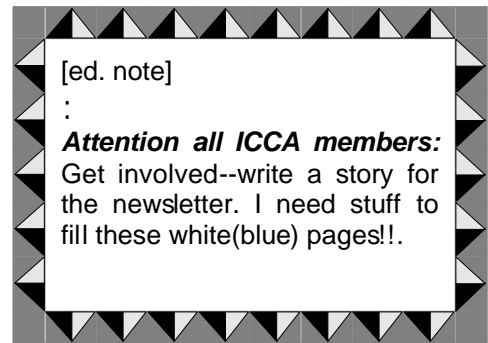
## FUTURE MEETINGS

Thurs Aug 23 Italian Market Deli by Lido  
Tues Sep 18 Wyndham Garden Hotel

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