



.NET Rocks!

The Internet Audio Talk Show
for .NET Developers

with Carl Franklin and Mark Dunn

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Carl Franklin



Carl Franklin and Mark Dunn interview experts to bring you insights into .NET technology and the state of software development. More than just a dry interview show, we have fun! Original Music! Prizes! Check out what you've been missing!

Mark Dunn



Text Transcript of Show # 5

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Jonathan Zuck
September 30, 2002



(Music)

Carl Franklin: Hello everybody and welcome to .NET Rocks! This is your host Carl Franklin in New London, Connecticut and my co-host, my partner in crime in Atlanta, Georgia, Mark Dunn, Mark Good Evening.

Mark Dunn: Good Evening Carl, hello everybody and once again good to be here on .NET Rocks!

Carl Franklin: And for those listeners who don't know we actually tape this show in two locations, I tape it in Connecticut and you are in Atlanta right now, right?

Mark Dunn: That's right it seems that way anyway.

Carl Franklin: That does seem that way. Is it particularly hot and muggy down there, you have like...?

Mark Dunn: Yes actually it's very hot and muggy down here tonight. We have been through a heavy rain, which has been nice but got to pay the piper now. It's hot and I don't like that either

Carl Franklin: Has the rain stopped since last week?

Mark Dunn: No I don't think the rain is ever going to stop I am tempted to build an ark.

Carl Franklin: Oh man sail away. You have bugs down there too? You have big bugs in the South. We don't have such hellacious bugs up here.

Mark Dunn: Yeah bugs down here are a method of travel. They are really large.

Carl Franklin: Oh man. Well anyway, what's in the news this week? There are a few things. First of all I got some emails. I am a Regional Director and I see a lot of interesting mail across my inbox from the Regional Directors list. And one of the guys, we had a customer, who wants to move to .NET but wondering why it hasn't been taken up very quickly and he says, "As per Bill Gates' recent statements" and he says, "He is making a strong case from the developer's standpoint but he can only give like details from the promotional marketing side and their customers asking questions about how much effort and money Microsoft is putting into building the .NET developer base et cetera." Wondering if that little comment by Bill, means the handwriting is on the wall and the comment I am speaking about is where Bill said something to the effect that he was not happy with the effects of their marketing of .NET or something like that. So a Microsoft guy came online and said that Bill Gates'

statements were taken really out of context and that you need to see the full transcript that the .NET briefing day which was, what he is referring to, to understand that Bill was talking about the process that they had made towards delivering on the whole vision that Bill had described back at forum 2000. And he particularly was talking about slow areas around .NET My Services. So he really was taken out of context there. As a matter of fact, he goes on to say that Microsoft is now investing more than \$5 billion in research and development and it can be argued that at least half of that, if not more, is going directly to support the .NET initiatives. He said, he can't comment on the specifics of how much is going into the developer base, building the developer base or marketing. But he thinks it's safe to say that almost everything they do is around those two activities. So the customer should look at their R&D spend and their overall marketing spend and assign the vast majority of that to .NET. In other words, if your customer believes in Microsoft marketing and R&D investments as a whole, they should believe in .NET. So I thought that was a pretty good message and an important one that people need to hear.

Mark Dunn: Sure I have never seen marketing for a technology like this really from Microsoft or any other company as long as I have been around.

Carl Franklin: It's pretty amazing, I also came across the document that Dan Appleman was talking about in his show a few weeks ago, which is the Microsoft developer tools roadmap 2002 to 2004, which was posted August 26th but nobody that I talked to knows about it. And including me, I didn't know about until I searched for the name Everett on Visual Studio on MSDN. And it's at msdn.microsoft.com/vstudio/productinfo/roadmap.asp. And it basically lays out what's coming up in the next version of Visual Studio, in the next version of .NET and in the next version of Windows, which is Yukon it's an amazing document. As I was asking you right before we started taping Mark, I was thinking that this might not have been a public document because this stuff...

Mark Dunn: Right I was unaware of it until you mentioned it.

Carl Franklin: Yeah, there is stuff in here that I have been told is under NDA. One of the interesting things is about something that's called Visual Studio for Yukon, which is SQL Server and Visual Studio being even more tightly integrated. SQL Server will host the CLR and developers can leverage their development skills whether they are building on the middle tier or the data



Jonathan Zuck
September 30, 2002

tier in their applications. So basically we are talking about stored procedures in VB NET?

Mark Dunn: Yeah, that's going to be pretty amazing and I am really glad that something has finally been published about this. I brought this up to a variety of people and this is the rumor I have heard about one day perhaps you are going to write stored procedures in VB.NET or your favorite .NET language. They all look at me like I am crazy

Carl Franklin: This is really good evidence that although it isn't widely publicized, it's good evidence that this isn't just you know we will see how it goes kind of thing that Microsoft is doing, I mean .NET is huge. In fact, at some point you are not going to be able to write software for Windows in any other platform but .NET. In other words, you are writing Windows software, it's going to touch .NET at sometime. So anyway, that's what I wanted to bring up and talk about; I also saw a thing on PressPass at Microsoft.com that Microsoft and Hewlett Packard are teaming up to accelerate the next generation of computing with .NET. And specifically that the two companies are coming out with an initiative, a world wide initiative to spend a total investment of more than \$50 million designed to respond to customer demand for .NET solutions and web services, which means training the specialized forces of .NET consultants and system architects, blah, blah, blah, just the incredible amount of cash that they laying out to get .NET rolling. So that doesn't sound like they're disappointed with anything.

Mark Dunn: No, you are right and I am really happy to see the initiative out there to get people trained. I mean I couldn't stress on how important I think it is that if you are a developer you don't just go about learning .NET haphazardly.

Carl Franklin: On the phone tonight is a very special guest, who is a veteran of the VB industry from the Association for Competitive Technology in Washington DC, please welcome Mr. Jonathan Zuck, Jonathan how are you tonight?

Jonathan Zuck: I am great, how are you?

Carl Franklin: Great, thanks for being on the show.

Jonathan Zuck: My pleasure.

Mark Dunn: Jonathan it's great to have you with us tonight. I am very excited about the topics we are going to get into.

Jonathan Zuck: I am excited too I mean most of my career I've spent in the technology and now I

spending most of my time defending it. So it's been an interesting transition for me.

Carl Franklin: So you started out in this business, in the computer business as a developer, right?

Jonathan Zuck: That's right I mean I started professionally in about 1987 doing Quick Basic applications for DOS and...

Carl Franklin: Back in the days of Crescent and Ethan Winer and all that.

Jonathan Zuck: That's right.

Carl Franklin: Yeah, you were one of our great allies back then.

Jonathan Zuck: And went on to do a lot Visual Basic and probably lot of enterprise applications in the DC area for Fortune 50 companies and the government.

Mark Dunn: You wrote a book or two along the way, didn't you?

Jonathan Zuck: Yeah I sure did, I mean it's a, I wrote a book for the Waite group one for VB and on Visual Basic and lot of utilities and databases centric stuff. I had a newsletter, monthly newsletter for a while called BBZ, an electronic newsletter distributed in help file format.

Carl Franklin: I remember that.

Jonathan Zuck: And so I've certainly been a lurker I mean the original lurking took place on CompuServe.

Carl Franklin: It's funny you mention that word lurker. Tell everybody what that's all about?

Jonathan Zuck: Well lurker was one of the first open source projects in the Visual Basic arena that was related to doing work on CompuServe actually.

Carl Franklin: Yeah, CompuServe was sort of the epicenter of Visual Basic form activity in the community and lurker was a program. Did you actually write it?

Jonathan Zuck: It was a group...

Carl Franklin: It's a group effort. The program too is in offline reader, right?

Jonathan Zuck: That's right exactly that was written in Visual Basic.



Carl Franklin: Very cool, so tell everybody what you are doing now?

Jonathan Zuck: Well, I'll begin by giving everybody a warning, which is that if you ever get an email from somebody that you know with a subject you are perfect you should delete it right away. About four years ago, four and a half years ago Mike Sax, who many of you know because he had Sax Software that does Sax Comm Objects and Sax Basic Engine and stuff like that, together with some other CEOs created a trade association because they were concerned that small IT businesses weren't adequately represented in Washington. And about six months into it they realized that they still weren't because they didn't have anybody in DC and I got this now famous email that I made the mistake of opening and in which Mike asked might be interested in doing a little outreach to policy makers and the media part time. You can still make a living but part time do this and then of course inevitably part time became, full time became, over time became all the time.

Carl Franklin: As it turned out you were perfect.

Jonathan Zuck: Exactly, it's a little bit like being on Jury duty. A lot of people spend a lot of intellectual energy getting off of jury duty but once you served on a jury you recognize how important it was for you to be there. And I think that what we are doing in Washington feels the same way.

Carl Franklin: So what do you do in Washington?

Jonathan Zuck: Well the Association for Competitive Technology or ACT is a trade association that now represents over 3000 IT companies and professionals around the country. And our job is to educate policy makers and the media about the technology industry and about technology so that they can better understand things like cookies and browsers and P2P and XML and things like that and then also to help folks in the IT industry better understand what's going on in Washington and how it might effect them.

Mark Dunn: So Jonathan is that something like a lobbying group? Would that be an appropriate term?

Jonathan Zuck: Okay now the hair on the back of my neck always goes up when I hear that term because lobbyists are famous in this city for basically being people that used to work on the hill but now getting paid hard to leverage their relationships that they formed while working in government and hop from issue to issue. How

we're different is that we come out of the industry and we are trading on substance.

Carl Franklin: So if you had to pick one cause and one thing that you need to do day after day after day because people aren't getting it, what would that cause be?

Jonathan Zuck: Well the irony is that while small businesses are often used as a justification to regulate, small businesses are often most harmed by regulation because they don't have the full time lobbyists in Washington and the lawyers to deal with regulations. Instead, a lot of intervention into an industry by the government raises the costs of doing business. And so, if there is one message it's that an open and competitive market place is ultimately better for the small IT businesses than an over regulated one. I mean one thing I have always said is you can tell a regulated industry because you can name everyone in it.

Carl Franklin: Yeah, that's true. So you are basically saying let the market decide what's good software that the government has no place in telling us what we can and cannot use or buy or...

Jonathan Zuck: That's exactly right, I mean the bottom line is, is that the role of government ought to be to protect consumers from decisions they can't make and not the ones that they can. And when the government gets involved in designing software, those that work for the government in designing software know that, that's problematic and that the best people to ultimately design software are technologists under the tight scrutiny of the customers that they serve.

Mark Dunn: Well I know working for a lot of small companies, we have had lots of conversations with me as a consultant about technology but very few about politics at all. I am wondering really if companies realize that they need an advocate up in DC?

Jonathan Zuck: Well it's definitely, the IT industry has come very late to Washington and in large measure that's because everything was going on fine and for most of the folks in our industry, Washington was like part of the Smithsonian or something. For day four of your tour go on and get a pass and watch the funny looking guys debate the issues of our day. It didn't seem like anything that really affected us. And I think in many respects the Microsoft case in particular woke us up to the fact, that the federal government can be very influential in the way that we do business. If we suddenly find the middleware pulled out of Windows we'll



recognize very quickly how critical the government can be in each and every one of our businesses.

Carl Franklin: Hey Jonathan, you watch public television and listen to public radio I take it.

Jonathan Zuck: I do sometimes sure.

Carl Franklin: Have you seen this documentary that's been going on. It was a three part series called Commanding Heights, which is.

Jonathan Zuck: I haven't actually.

Carl Franklin: It's about the battle for the world economy. And it talks about history over the last hundred years, the last century in terms of markets and the philosophy of open markets. And how that central idea of having an open marketplace in your country and in International trade has broken down basically autocratic governments all across the world and that one by one these governments are falling into line with democracy. But what gets them there is by enabling free trade and the whole -- it's a big argument. It's a three-hour argument that free trade is the key to freedom and the key to a better life. And so, they talk about the guys in Chicago, who were advocates of free market systems that weren't always taken so seriously and then of course Margaret Thatcher and Ronald Reagan breaking open the free market system, getting rid of price caps, getting rid of wage caps, getting rid of all the controls and regulations that they had on the marketplace. And after some brief period of pain there is always a long period of growth, so anyway...

Jonathan Zuck: I mean that's certainly true. I mean I think it's very complicated because things like free trade help the economy and everyone in a macro economic sense. But we often are asked to focus on micro economic issues like a specific family that lost their job because they were displaced by imports or something like that. It can be heart wrenching to try and juxtapose what's good for the many and see that sometimes is it's hard on the few. But trade has generally been good not only for own economy but as you say, has helped with human rights and democratization around the world. And one of the things we work on is trying to ensure free trade both into and out of United States because it is ultimately the best thing for our economy and for the economy of the world.

Mark Dunn: Yeah I was just going to ask you really over the last year Jonathan what are some hot issues that you have been working on?

Jonathan Zuck: Sure, I mean there has been a number of issues and a lot of them, unfortunately have to do with companies kind of coming to Washington and asking for special favors or asking for regulations to be imposed on their competitors and that we see a little bit too much of that in Washington. And as I said, a lot of the wakeup call for our industry was the Microsoft case where Jim Barksdale at Netscape was able to -- with about three years of lobbying, was able to get the Department of Justice to bring a suit against Microsoft for things that I think the huge majority of people in the industry didn't feel were legitimate and even as that case has progressed, some of the proposals that have come out really involved the government getting in the job of designing software which could ultimately be for all of us. And so that's been a really big issue in Microsoft case certainly and one that affects all of .NET developers because at the center of that case is the very notion of middle ware and whether or not it belongs to an Operating System.

Carl Franklin: Let me ask you this, the central idea of the case is that Microsoft has a monopoly on the technology that's used and that's the central argument in the case am I right?

Jonathan Zuck: Well, not exactly, I mean one of the arguments is whether or not you can have a monopoly in this kind of market. But if you assume that you do have a monopoly, the real issue was whether or not Microsoft's workings with middle ware acted to preserve that monopoly. So it wasn't anything about the monopoly being illegal. But was the preservation of that monopoly illegal by making it hard for other middle ware competitors such as at least in theory, Netscape and Java operating system.

Carl Franklin: Do you think there is anything different about the Microsoft monopoly -- if you want to call it that, and let's say, the Telecommunications monopoly of AT&T? What are the differences that you can see there?

Jonathan Zuck: Well there is an awful lot of differences between Microsoft and any of the classic monopolies. I mean one of them is the simple barrier to entry issue. The difficulty of starting a software company is a lot different than trying to start a railroad or a power company. And so, we see new entries into our market all the time and in fact we have seen as big as 60% market share changes in as little as 18 months in the software industry. And that was at a time when you had to go down to Egghead to buy new software, learn it, install it, convert your files. Now when switching vendors is as easy as typing a new URL, the switching costs are even lower than they might be otherwise. With AT&T, I mean



the big difference is fundamentally that it was a government created monopoly. It didn't have to do with consumers making a choice between competitors. It had to do with the government basically ensuring return on investment and saying that only one company could lay wire and things of that sort, again a constraint has never existed in our industry. So there are a lot of differences.

Carl Franklin: So people who have always had the free choice to use LINUX or Macs or whatever, it's just that they would use Windows because that's what made them more productive because everybody else is using it, because it's more of a standard, is that it?

Jonathan Zuck: Well part of it's a standard and the theory of the case is that the existence of a standard acts to stabilize and protect a monopoly. And that's a complicated thing; I mean, to some extent sure you have this notion of what are called network effects, which is that a FAX machine is more useful if there are other FAX machines in the world, right? I mean without them the FAX machine wouldn't take hold because there would be nobody to fax to.

Carl Franklin: And doesn't the standard exist because people chose it to exist?

Jonathan Zuck: And that's exactly right; people gravitate toward a standard but ultimately they made choices to bring about that standard. And it's going to take a superior product not even an equivalent product probably to undermine that standard. And that's always the way our industry has been, I mean companies that failed to stay ahead of the curve do in fact generally get left by the side of the road. But you do need to bring a better product to market -- bringing just another one is not going to be good enough in an environment in which people are generally satisfied.

Mark Dunn: Jonathan I got a good question on my mind I think. The .NET framework is itself going to be rolled out in service packs in the future; it will become a part of the Operating System. Is there any need for Microsoft to worry about a fight popping up over that being integrated into the Operating System?

Jonathan Zuck: I mean there certainly is. I mean that's why we need to be vigilant and why we encourage developers and commercial software companies and others to speak up is because there is a very real threat that the government will see that it's unfair competition for say J2EE. So if .NET can be part of the Operating System and they can't then how can they possibly compete.

(Music)

Carl Franklin: Hey, I bet you didn't know that yours truly is the conference chair for Visual Basic connections, which is a conference that's happening Oct 27th to the Oct 30th at the Hyatt Grand Cypress Resort in Orlando, Florida. I have personally picked the speakers for the VB track and let me tell you, these are some heavy hitters. We are talking about Billy Hollis, myself, Fernando Guerrero on SQL, Ken Getz, Rockford Lhotka, Pat Hynds, you know Pat Hynds, Nickolas Landry, Tim Landgrave, Tom Everhart, Tim Huckaby, Ari Bixhorn from Microsoft, Allison Balter, Ken Spenser. These are the guys that are out there actually writing the code and you are going to walk away with a lot of stuff you are not going to see anywhere else. So I will encourage you to go to vsconnections.com and sign up. franklins.net is going to have a booth at VS Connections and we are actually going to record .NET Rocks! that week from the booth. And so if you stop by, you will get to ask questions in person to some of your favorite authors and speakers. And we are going to record the whole thing and put it on the air www.vsconnections.com. Now let's get back to our talk with Jonathan Zuck.

We are talking with Jonathan Zuck from The Association for Competitive Technology in Washington DC. Jonathan don't you think Microsoft has a better product in .NET over Java if you compare the two as a middleware solution, do you think .NET is a better product or let me put it another way.

Jonathan Zuck: At a very fundamental level, they provide an API level and a set of services that sit on top of an Operating System, which is just as like you port .NET to other Operating Systems. I have Java in multiple Operating Systems.

Carl Franklin: Is the alternative to disallow them from developing .NET at all?

Jonathan Zuck: I mean again I don't know who to speak on behalf of. If you want my own opinion then I think yeah, they should be left alone. But when we talk about the issue that's at hand the argument might be made not that Microsoft shouldn't be allowed to develop middle ware but instead that they shouldn't be able to bundle up with the Operating System. That it would be something that would have to go out and compete as middle ware against other middle ware that's on the market independent to the Operating System.

Mark Dunn: So that they couldn't force them to sell the framework I mean right now it's basically



free. The framework is not going to cost you anything the development tools will. So are we saying that they could be forced to sell the framework...

Carl Franklin: Wait a minute. If it becomes part of the Operating System why not just make it an enhancement to the Operating System. Why isn't it an Operating System? As far as I am concerned it is an Operating System.

Jonathan Zuck: And again I'm inclined to agree with you because even Windows is a form of middle ware right. I mean interfacing SAP then EDI and everything else are on middle ware.

You're definitely preaching to the choir but right now as it stands, at this very moment .NET is something that sits on top of Windows in the same way that Java does, it's a layer. In other words, someone could make a decision to build their applications to .NET or they could make a decision to build their applications to Java. And you are going to have a lot of debates about which is better, but that isn't really the issue. The question is whether or not whatever that is, the 17 hours download of either one of them or something should that be an equalizing effect or should Microsoft be able to make it easier to get the .NET than it is to get the Java.

Carl Franklin: Well I think if you are a .NET developer listening out there in .NET land you have a reason here to be concerned.

Jonathan Zuck: And that's exactly my point I mean because I am speaking with two .NET enthusiasts right now, I am sort of taking the other side to make you understand the argument. But that's the kind of arguments we get involved in all the time and we have been long advocates ever since allowing Microsoft to integrate a browser into the Operating System because it is essentially platform technology not an application like Office or something. And it's a natural evolution for the Operating System to be able to get to the Internet and be able to make use of web services and things like that; those are natural platform functions. For those kinds of discussions with non-technical people it can be very hard to have them.

Carl Franklin: That can be very hard.

Mark Dunn: I cannot imagine how you make arguments to non-technical people. We are all three technologists and we can talk about this from a common background. I just cannot imagine what you go through making arguments to people that are not familiar with technology.

Carl Franklin: Yeah, it's very hard.

Jonathan Zuck: Yeah well I am losing hair and gaining weight. It's a tough thing to do definitely, but I mean it's incredibly important. I mean when the lawyer for the Department of Justice is reading some emails, very early on in the case he will be reading an email on Microsoft and they got to the word LOGIN and he says "LOW-JINN," I knew that I didn't want lawyers deciding what should and shouldn't be an operating system. And there was a head of another trade association that was one of the -- part of the Microsoft haters club that even had the unmitigated gall -- this is a lawyer; to say that there were too many lines of source code in Windows. And I am like, have you ever written a line of source code? I mean it's incredible but it's an imperative that we take the time to speak up and make people understand technology. I mean, for a long time people on the hill were led to believe that cookies were way to invade your computer and get at your personal information. And I went to testify before congress and I took a poster that had this number on it and I said, this is a cookie and it was one that was left on my computer by senate.gov. It's not something that invades my computer but allows a machine to recognize that I have come back to the same website.

Carl Franklin: Can you see anything in Microsoft's marketing of .NET that is sort of, oh how shall I say, hedging them against future claims that they know, are definitely going to come down the pike?

Jonathan Zuck: Well, to their credit and to their fault Microsoft doesn't do very much hedging. They have always been a week ahead. I mean IBM got a lot of criticism because in the course of their Anti trust troubles that they came ultimately came out as victors. They allowed lawyers to transform the entire company. And Microsoft has at least been good about not doing that. They have stayed the course -- they said, lawyers you go fight this and let us keep doing what we are doing and we are going to focus on delivering technology. And I certainly admire that as a technologist. If somebody trying to help them in a public policy arena it can frequently be frustrating. But I have to give props for staying the course

Carl Franklin: So what's the best diner in Washington DC?

Jonathan Zuck: The best diner in Washington DC, well I think probably the best diner is actually the Silver Diner, which is unfortunately outside Washington DC. One in Tyson's and one up in Maryland, but the best one right in DC is probably the American City Diner on Connecticut Avenue.



Carl Franklin: What's the deal with that then? Why is it so good?

Jonathan Zuck: Well they have got a great chilly omelet.

Mark Dunn: We are getting down to the important stuff now.

Jonathan Zuck: Well I am a developer I guess right and I am also you know.

Carl Franklin: They're open all night long?

Jonathan Zuck: I am a fan of the chocolate malted too.

Carl Franklin: You have to be; I mean, if you are a developer, it's 3 a.m., you are hungry, you go to a diner.

Jonathan Zuck: Yeah I mean because you are going to leave somebody 7/11 hotdogs.

Carl Franklin: Oh God, I have had too many.

Jonathan Zuck: What I am wondering of course is how developers really making the transition to Red Bull? Are they sticking with the perennial flavors, they are like Jolt and Mountain Dew.

Carl Franklin: I have heard that Jolt now has like six or seven flavors; what's up with that?

Jonathan Zuck: Exactly, even the Mountain Dew has some sort of weird Pink version or something, the commie version of Mountain Dew or something.

Mark Dunn: That's a red version I have seen that.

Jonathan Zuck: Cool red, right?

Carl Franklin: Yeah I think Mountain Dew is one of those things that developers think they have to drink in order to be a developer.

Jonathan Zuck: Well I think you do right, I mean.

Carl Franklin: That's always the first soda to go in my classes.

Jonathan Zuck: And the upside about Mountain Dew is you could probably shake it like crazy and open it and it's such a dense liquid that it's still won't go throwing out of the can, that has to frighten you a little bit.

Carl Franklin: Chock full of wholesome goodness.

Mark Dunn: Right and if you ran out of Anafreeze in the winter you can use Mountain Dew.

Jonathan Zuck: That's exactly right, I mean why go with the Wimpy Coca Cola when you can drink Mountain Dew.

Carl Franklin: Coke is old school, right? So what's the deal with open source and why is it a threat?

Jonathan Zuck: Well there are two things, two movements going on -- political movements going on with respect to open source. I mean there is obviously an open source movement, which is interesting from an academic standpoint. And what's going to happen -- it sort of falls out, the tools that for which there is broad utility gets the kind of peer review that really makes open source work like Apache and LINUX. But Bill's rest of the database may not be getting the same quality insurance in the open source environment as something like Apache. So I mean, it's an interesting movement; it's something that's worth watching and I think that it provides viable competition for the commercial software marketplace.

Carl Franklin: Interestingly Dan Appleman told us that he has developed an Open Source Obfuscator. It's 35 bucks, comes with full source code in and he is quite proud of it.

Jonathan Zuck: I guess the question is, by Open Source does he mean that I can pull it, I can distribute to others modified without paying any license rights to him.

Carl Franklin: Yeah. Well, that's the definition of open source.

Mark Dunn: Good luck for your \$35 there.

Jonathan Zuck: So, I mean he is not going to make too many \$35.

Carl Franklin: No of course not. I don't think he looked at it as a money-making opportunity.

Mark Dunn: It's a PR.

Carl Franklin: Well okay, good tool too.

Jonathan Zuck: I guess the thing about -- there is a political component to the movement as well. And that's some cause for concern. The two big policy agendas for the open source and free software movement the Richard Stallman and Ralph Nader guys is that the government passed regulations that limit procurement to open source



software; and if you take a minute to think about the implications of that...

Carl Franklin: Yeah say that again.

Jonathan Zuck: There is a movement to get governments, local Governments, State Governments, Federal Government and Governments Internationally to only procure open source software.

Carl Franklin: Only for their government use?

Jonathan Zuck: That's right

Carl Franklin: So like where is this happening?

Jonathan Zuck: Well there is something like six to eight hundred of these laws that are being proposed around the world.

Carl Franklin: What? For countries, for states for...

Jonathan Zuck: They are all over the place. There is one going, there is one being proposed in California, there was one passed in Peru and in the European Union.

Carl Franklin: In California for a town, for a city for...

Jonathan Zuck: For the state.

Carl Franklin: For the whole state?

Jonathan Zuck: That's right

Carl Franklin: In other words...

Mark Dunn: There is some central dark force behind all this.

Jonathan Zuck: Well yeah I mean it's a...

Carl Franklin: I don't know if you want to categorize it as a central dark force. (Laughing)

Jonathan Zuck: It is in a way, because a procurement bias is once again, the government picking winners and losers, not based on the quality of software but on the method by which it was developed.

Carl Franklin: So you are basically saying California -- somebody in California wants to pass a bill that says the state for -- all state software can only run open source software; nothing that you can buy at Staples.

Jonathan Zuck: Well I guess you could buy open source then you can buy Red Hat LINUX at

Staple. But yeah the point is that, that they ought to be able to buy one copy of your software and distribute it around the government. They should have the ability to change it and distribute it. And so, the commercial software vendors out there -- think about the component vendors, the government won't be able to buy components for software they build themselves that aren't open source. And open source -- it provided, depending on what form that takes, if it uses the general public license means that you lose the right essentiality to your intellectual property once you make one sale. And so that procurement bias doesn't mean that open source is competing on its own merits, instead it's getting a bias that you have to purchase it, which means it no longer even gets the competition that it now gets from the commercial software marketplace.

Mark Dunn: Well know that sounds outrageous. Is there I guess, the chance that, that could come to be in the future?

Jonathan Zuck: Well there are several national legislatures that have passed legislation like that. So I mean it's certainly something that, if it gains momentum, it can happen without people really recognizing what they are doing. I think that there will be practical problems associated with the implementation of it that might lead to it getting repealed, I don't know; but a lot of damage could be caused along the way.

Carl Franklin: So Jonathan just tell me and I know what you are going to say, send email or letters but what exactly can the concerned listener do about this to make a difference?

Jonathan Zuck: Send emails or letters.

Carl Franklin: Go to your website and...

Jonathan Zuck: This is like cross-examination you only ask questions you already know the answer to? No, I mean yes I mean, I think that you should join local trade groups. You should get involved with groups like ours that don't really cost anything to become involved with. It can keep you informed about these things. But yeah ultimately it's showing up for town hall meetings. It's writing letters to your member of Congress. In California, they are called Assemblymen. But I mean, yeah I mean it's -- the California assembly is going to need to hear loud and clear that this is a bad idea.

Carl Franklin: And what's your URL there.

Jonathan Zuck: We are at www.actonline.org ACT as in Association for Competitive Technology actonline.org, don't forget that it's .org and not .com.



Jonathan Zuck
September 30, 2002

Carl Franklin: Because you are a non-profit organization.

Mark Dunn: Right I was browsing your site today. I did notice that you can sign up for free to become a member. And it looks like you have different options for larger companies, what was it something like \$50 for a million dollars of revenue generated?

Jonathan Zuck: That's right. For most companies -- our membership they are paying about 100 bucks, 200 bucks to be members but individuals can join for free.

Carl Franklin: And what benefits do you get?

Jonathan Zuck: Well it's not the typical Service Trade Association, where we are offering you discounts at the Holiday Inn or anything like that. But it's more about being informed about the things that could affect your business, giving you the opportunity to become involved in a targeted way. So, instead of having to kind of follow it yourself and have it detract from your real business we try in a very sort of laser beam fashion to say, here are the three things you need to do this year to make sure that bad things don't happen to your business.

Mark Dunn: Can you mention some companies that are already members that we might know?

Jonathan Zuck: Well sure; I mean a lot of the folks, a lot of small businesses, as you know, like from the component vendor community for example are all members. I mean the founding members of ACT include FAX software, Infragistics a form of Sheraton, right, and Sam Patterson a component source, Charles Crystal, Gordon Newbanks at Symantec, Ted Johnson at Visio, which is now part of Microsoft. And then there are a few big companies; Microsoft is a member, eBay is a member, Orbits is a member, Symantec I mean those are some of the corporate software and technologies and resellers as a member but it's just everyday guys. I mean you had Tim Huckaby on and they are members. Joe Hornick who runs a great training company down at Florida, Hornicks are members.

Carl Franklin: Huckaby is not on yet. He is coming up but he is not there.

Jonathan Zuck: No I thought he was, I thought he's already been on.

Carl Franklin: Yeah he is coming up.

Jonathan Zuck: Okay so you can use that as an ACT's promo later on after you have interviewed him.

Carl Franklin: Go back folks and listen to this three weeks from now and it should make sense.

Jonathan Zuck: Yeah this is going to be the conversation people are going to want to listen to more than once I think.

Carl Franklin: Especially that Diner bit.

Jonathan Zuck: Exactly, I mean there is one other issue that -- is a danger that we need to be aware of and that is, making government technology and R&D into open sourced software. So for example a lot of the encryption we use now came out of the government in the first place under a kind of open source license but that didn't require, didn't have the same kind of viral components in it that the general public license does. So think about it; if you use any software that got produced by the government research grants it would lead your software to become open source. That could be kind of a dangerous thing as well, software that your tax dollars helped to create.

Carl Franklin: Is the government concerned about you encrypting your data?

Jonathan Zuck: That's a separate issue. Right around September 11th there were some proposals to force back doors into all encrypted software so the government and law enforcement agencies could get into them but we worked pretty hard to defeat that because wouldn't be necessarily that effective because you could just encrypt things before you loaded it into your email system or whatever. But the other thing is that the software sold by companies abroad, didn't suffer under similar restrictions. So all it would do was essentially unfairly disadvantage US software developers at the expense of their foreign competitors. So we worked pretty hard on that issue and made sure that the PATRIOTACT didn't end up including that kind of back door language.

Carl Franklin: So your organization was actually helpful and instrumental maybe, in helping defeat that?

Jonathan Zuck: Oh definitely yeah, because we were able to point out the small business implications and the implications for foreign competition, if this happened.

Carl Franklin: Well, we all owe you a debt of gratitude for that. So, they are not concerned



anymore with that but what about the deal with export cryptography what's that?

Jonathan Zuck: Well that's an ongoing debate, it's something again that we worked on and that the entire tech industry has worked pretty hard on; we can't take frontline credit for that. So that's been an ongoing issue where there have been these encryption export controls that essentially say that you can't export products with strong encryption in them for national security reasons. I mean, the complication with that of course is that like, once again foreign competitors already had a 128-bit encryption. So folks would just buy from them instead; and so, we needed to make sure that those export controls kept up to date with the International marketplace.

Carl Franklin: So does that mean that Chinese Windows doesn't have the crypto API in it?

Jonathan Zuck: It has -- I mean there is some cryptography but it isn't the same level of encryption capability.

Carl Franklin: Okay. That's interesting to know, do you know if .NET is the same way?

Jonathan Zuck: Well I don't know how it currently stands because I do know now that more encryption can be exported than was previously the case. I mean that actually was something that got resolved under the Clinton administration.

Carl Franklin: If you think about it you know the more trade barriers open between countries, the more those things are going to be relaxed I think.

Jonathan Zuck: Well, yes and no; I mean, these were separate. When you are dealing with national security technologies you have situations where game boys aren't allowed to be exported because they are considered as Security Risk and that overrides the trade agreement.

Carl Franklin: Speaking of game boys did you follow that whole thing about Greece? On the RD list, one of the Greek Regional Director said that you guys are not going to believe this that Greece has outlawed video games; or there was a law that came to pass and it was short lived, believe me it only took a week to go back the other way. But they outlawed video games and if you were caught playing a video game you could be fined severely; game boys, even computer games if you went into a coffee shop in Greece and sat down and started playing solitaire, you could go to jail.

Jonathan Zuck: That's right. Well, and things like that happen all the time when folks only hear

from some people when trying to make public policy. I mean it's a great segue into the Holling's Bill that's been proposed right now related to digital rights management. The content -- sorry, do you want me to talk about Digital Rights Management?

Carl Franklin: Yeah what's Digital Right Management?

Jonathan Zuck: Digital Right Management is essentially the technology that facilitates copyright protection of content. And whether it's copyright or just protection of content, it's essentially technology that facilitates a contract between two people. In another words if I put -- implement DRM technology on a movie it might say that you are allowed to make one copy but not five copies; that kind of thing. So it's sort of like, more advanced copy protection for content. So it's Rights Management; what are your rights and how do you manage them, you manage them digitally with DRM right, I could start a company now. But the point is that, that the contact guys they didn't even process they were although very concerned about releasing their movies digitally because they don't want them immediately to be on Kazaa.

Carl Franklin: Bang as a matter of fact they don't have to release them digitally all they have to do is show them in the theater and some shmuck with a camera in the projection room.

Jonathan Zuck: But yeah, so their concern is a little bit of a chicken and an egg problem. Let's say if their content can be adequately protected they don't want to release the movies and they are making the argument that broadband needs a killer app in that content with it and et cetera. So, they have come to the government and asked for regulations that would essentially require copyright protection be in the hands of the IT industry, which means that government mandated copy protection software would have to be in every piece of software or hardware that could potentially duplicate -- copyrighted material.

Carl Franklin: Including Windows

Jonathan Zuck: So even though we have an audience of software developers, let's take ourselves back to Basic "A" and a line number program that reads, "10 - input a\$; 20 - print a\$." Right? If you think about it that's a piece of software that's capable of duplicating copyrighted content because if I typed copyrighted content into it, it could duplicate it or replicate it and subject me to fines and imprisonment if I distributed that software.



Carl Franklin: I can't believe anything like that would happen in this country, am I naïve?

Jonathan Zuck: You are very naïve.

Carl Franklin: Am I just a child of the 80's where everything was okay and we never had to deal with Hitlers and Stalins and...

Jonathan Zuck: You yeah exactly, you grew up in a cherished little time that's even better, even cooler then the 50s.

Carl Franklin: When guys like you say -- I remember sitting back on my back porch and smoking a cigarette, listening to Sergeant Pepper's today it came out and telling me I was two; I was learning to crawl.

Jonathan Zuck: Yeah I wasn't much older but I mean the bottom line is that things do happen like that especially in a very regulated environment; I mean think about how the airlines fight against each other. The big airlines come to Washington and get laws passed that require peanut free aisles for example. If you are small airline, that maybe taking half the revenue out of your airplane; stuff like that goes on all the time.

Carl Franklin: And the big guys always win.

Jonathan Zuck: Exactly. And so, that's why it's our constant focus to try and limit government technology mandates and intervention into the industry because ultimately it's small businesses that suffer. Here is a good example; in the privacy debate more and more of these conversations about protecting people's information etc. And one of the issues that came up with children -- and it's easy to get around in a circle and sing Kum Ba Yah about protecting children's privacy and everything. And so, there was a little proposal that said that well children's sites have to get parental permission before collecting information from kids. Right, that seems easy to agree with. So they passed that law and then it went to the FTC for something that's called rule making, which is where they tape the law and try and translate it into something that they'll enforce. And it was expanded to say that companies have to get permissions from parents before children online can share information with each other. So suddenly there were hall monitors and having to collect more information from kids than they were before in order to protect them from collecting information. And suddenly the cost of abiding by this regulation was something like two or three hundred thousand dollars a year. So small businesses that were clearing 50K a year trying to put out legitimate children's content were going out of business. So the kids ended up going to

adult sites that didn't fall under these regulations. So I mean it's that same kind of a scenario, where you have these laws of unintended consequences that really comes into play in the context of legislature.

Carl Franklin: And it seems like it's all common sense. I mean, I can imagine somebody looking at that in Washington and saying, yeah we definitely want those kids going to adult sites, screw them.

Jonathan Zuck: Well they don't think of it that way. And nobody thought of it that way when they were supportive of the Bill. That just became the implication of how it ended up getting enforced.

Carl Franklin: Because they don't understand the technology.

(Music)

Carl Franklin: Hey just a little preview of what's to come on .NET Rocks! We are going to be talking to Mark Anders, who was instrumental in developing the .NET framework at Microsoft. And we are going to talk with Bill Vaughn about SQL databases in ADO and why he is on a Jihad against JET and that should be interesting. We have got a lot of other great guests lined up. You should reserve your ad spot now and we promise we are not going to have lots of commercials in .NET Rocks! We are just going to have a couple in every show. And I guarantee you those are going to have maximum impact. So when we had 800 downloads the first show and it just kept going from there. So now we are not going to just accept anybody as a sponsor. If you have a product that serves the .NET community, we are going to have to check it out and if we like it then we'll endorse it -- and I will endorse it. But we are going to definitely have to go through a screening process. My reputation is on the line here, and I don't endorse products that I don't like. So if you are interested go ahead and send email to sales@franklins.net. Now back to the show let's wind it up Jonathan Zuck right here on .NET Rocks!

You were talking about Digital Rights Management and I couldn't help but think of Napster and when we talked about the movies that people make in the box offices of theaters with their cameras I know people and I am sure you do too with that brag about their collection of downloads, "oh I got this movie and that movie and this movie and that thing."

Mark Dunn: I really think that somebody that is going to buy software and do it legally, they are going to do it no matter what. And I think the guys



that are going to steal it or going to find a way to steal it regardless of what we do.

Jonathan Zuck: Yeah. I mean I am not sure that I entirely agree with that I mean, I think the bottom line though is, that at some point you have to draw a line and understand and say that some things are illegal. And I think that in this era of widespread peer to peer networking and digital versions of things -- so it's not like the old cassette bootleg that really wasn't as good as the commercial version you can end up having something that's equivalent in quality to the commercial version you really are going to undermine people's ability.

Carl Franklin: That's true and it really did destroy the music industry.

Jonathan Zuck: Well that's right. And if you think about the people -- it's easy sometimes to vilify the recording industry but if you think about say songwriters they have...

Carl Franklin: Of which I am one, so I know...

Jonathan Zuck: Right. I mean, they actually have statutory limits on what they can make for music. And in the case of downloaded digital music it's eight cents per download. And if you think about the fact that two and a half billion songs are downloaded off of services like Kazaa every month.

Carl Franklin: All for free

Jonathan Zuck: All for free, think about how much money songwriters are losing and the huge majority of songwriters in this country are making less than 20K a year.

Carl Franklin: Would they be downloaded if they were eight cents?

Jonathan Zuck: Well, but eight cents is only covering the songwriter, it's not covering the performer or anything like that.

Mark Dunn: Oh you know Napster has tanked now because Kazaa popped up to replace that. There are a number of other, I guess peer-to-peer programs out there that do the same thing. I am just wondering I mean, how do you really control it?

Jonathan Zuck: Well, I mean those are some of the issues that are being debated. Like I said, this Holling's legislation which created a situation in which you would copy protect music and then every player in the world, you get possible player it needs to implement this technology. I don't think that's practical. But that's one of the things

being attempted. Now the other thing that's being attempted is so called self-help measures by the recording industry itself and that's very controversial as well and people should speak up how they feel about that?

Mark Dunn: Well now how does this work sort of?

Jonathan Zuck: So one thing's -- one practice is called spoofing, which is flooding the services with decoy files. You spent all night downloading Spiderman and it ends up being a two-hour lecture on the importance of copyright enforcement.

Carl Franklin: Sweet justice.

Jonathan Zuck: Or there is a little sample of the song at the beginning and then it's static for the rest of it. So that you sort of fill the system with -- and you decrease its reliability in that respect. And Kazaa is actually fighting back and trying to filter out decoy files, which of course pop the question, couldn't they filter out copyright violating files as well? So their arguments about that becomes somewhat specious.

Carl Franklin: they could go broke doing that too.

Jonathan Zuck: But I mean another thing that you could do and part of it's the vocabulary we have established helps to shade our feelings about things. But if you think about it it's sort of a more benign version of a denial of service attack. What if you logged on essentially as a Kazaa user and just started downloading in sort of hyperbolic mode all of the copyrighted songs from all the PC's that have -- thereby making it more difficult for others to download.

Carl Franklin: I got to say, I really think as a technology, that peer-to-peer is a great technology for sharing legitimate files even in an enterprise.

Jonathan Zuck: Well, I mean it's possible that there will be a transformation in the marketplace and you'll only make your money through performances, but then again you have to look back at the songwriter that's writing for other people and find out how they will make their money?

Carl Franklin: So Jonathan what's P3P?

Jonathan Zuck: Well P3P or Platform for Privacy Preferences is a W3C project where a lot of XML standards appear everyday basically. But this one is a broad industry effort to define a grammar -- an XML grammar for stating what the privacy



policies are, of your website. So right now if a user comes to your website, they got to click on your privacy policy and read through the legalese and try and decipher how that affects them. And the alternative is to you state your privacy policies via XML, and instead have the browser read your privacy policies so that if you previously set preferences in your browser that say, I don't want to visit a site that shares information with third parties, the browser itself can check the privacy policy of the website before it even opens the page. It can tell you whether or not it violates your privacy -- your preferences.

Carl Franklin: So is this a Bill that's going out or what's the status of this?

Jonathan Zuck: Well no, you need a few standards. It's not it's -- I mean, what's cool about it in theory is that if it really takes off then it's an example of a marketplace addressing consumer concerns about privacy and the use of information and hopefully eliminating the need for legislations or at least the perceived need for legislation that would otherwise dogmatically specify what privacy policies you would have to employ, which will be really limiting on your business practices.

Carl Franklin: Yeah, that brings to mind another issue about the market and that is the fact that .NET code is written as intermediate language and in fact the SDK comes with a disassembler so that anybody can look at your intermediate language code; any application that you compile with a .NET compiler in Visual Studio.NET or not in Visual Studio.NET, you can pretty much figure out almost the source code from that disassembler and Microsoft was scheduled to -- was preparing to create a tool called an Obfuscator, which I mentioned before. For those of you who don't what that is, what it does is, it takes all the intermediate language code and takes out the English language stuff and replaces it with tokens and mixes and matches things and moves it all around so your code still works and it runs. But it's all messed up, you can't make heads or tails of it from looking at it. And what happened was, my understanding was anyway, that Microsoft at the PDC before the release of .NET version 1.0 said that they had a change that they weren't going to develop an Obfuscator and they were going to let third party people do it. And my first reaction was well, that's not very good is it? Why doesn't Microsoft do that? But the more I thought about it -- first of all, the implications for Microsoft, if they have the obfuscation technology, maybe they could reverse engineer it. But I think probably the bigger reason is that the market can do a better job of making your software secure than

Microsoft has the initiative to do just as an additional tool in something they have already sold.

Mark Dunn: I kind of like the idea of there being more than one obs... I can't even say it, Obfuscator I need to get the hooch out to be able to talk about this stuff.

Carl Franklin: And shake the moonshine out there.

Jonathan Zuck: Get me that good old Mountain Dew, Dew, Dew.

Mark Dunn: But, you know what I mean, I like the idea of having competing products out there that do the same thing.

Carl Franklin: I do too. I mean, I like the fact that cost three grand but as in Dan's case it's 35 bucks. It's better that the market flushes those things out because they are really driven, they are driven by the urge to feed their family to make a good product.

Jonathan Zuck: Well I think that's true; I think the really issue probably with Microsoft is liability. I mean, if you put on an Obfuscator, there could be some implied warranty that your code is sufficiently obfuscated if they are not to be stealable, and they don't necessarily want to take on that liability

Carl Franklin: That's a good point

Jonathan Zuck: Having multiple vendors doing obfuscation means that there is a lot of different ways things are getting obfuscated and stuff and so nobody is going to build a De-obfuscator, they can work on everything. I think that when the marketplace is able to get out there and compete and provide products whether it's a Digital Rights Management technology -- it's far superior to any kind of a mandated technology, particularly something that comes out of the government. I mean you know, when the IRS wrote off \$4 billion in trying to redo their systems I mean that's an indication of the kind of software that comes out of the government

Carl Franklin: So Jonathan before we go, let me just ask you what's your day like, I mean, do you actually write any code these days or what is a typical day like?

Mark Dunn: You are out there propping up Strom Thurmond???

Carl Franklin: Are you trying to help him figure out how to print his documents in @ord or...



Jonathan Zuck: I am out there propping up something Are we doing impressions now and there are some really good ones.

(Music)

Carl Franklin: I love Strom Thurmond. I am sorry. You know what? I am happy.

Jonathan Zuck: My day is interesting; I mean there is lot of different components too. We talk to the media about technology. We try to hold seminars that make people better informed so that they realize cookies aren't as bad as people thought that they were. Sometimes I have involved the cookie monster in that group presentations. Sometimes I have to go to the hill and testify before different committees to help explain what goes on in the marketplace and what technologies are really doing and things of that sort. And then every once in a while on weekends I do things like code the XML newsletter application that we won an award for and that I openly put the code up on -- submitted as, whatever that journal is, VBPJ. I did an XML based newsletter and we are doing an XML based sort of content management system for our site and things like that. So it's mostly been in-house development as opposed to as much article writing and things like that as I used to do.

Carl Franklin: So you think the future looks bright for .NET developers in general?

Jonathan Zuck: I definitely think the future looks bright for .NET developers. I mean again, those of us that used to watch SpeedRacer on TV when we were kids knew about a project Microsoft promised a long time ago called Cairo which .NET is really beginning to be a delivery on that promise. At the same time, there is a train wreck ahead with public policy and technological innovation and I think that folks need to not be complacent about and assume that somebody else is going to prevent bad things from happening. And once again, all I can say is the one way you know a regulated industry is, you can name everyone in it. It's the small businesses that don't have time to do a public policy now; they won't need the time later.

Carl Franklin: Very good. Well, Jonathan thank you very much for coming on the show and helping and enlightening us. Really, I have been enlightened as to what's going on in Washington and with that -- and please stop by again.

Jonathan Zuck: Sure will. Thanks guys for having me.

Mark Dunn: Thank you Jon.

Carl Franklin: Okay, Good night