

Brigadoon.com, Inc.

Internet-Sign up Wizard Referral and Microsoft Internet Explorer License and Distribution Agreement

(IEINBOX 4.0.doc, Document version 4.0, July 22, 1996)

License Number: 7687-6233

Referral Server Agreement Summary

- Term Two year agreement
- Payment upon signing \$150,000 – This was never paid
- Referral Fee range: \$30 to \$45 (subscriber volume-based scale). See Exhibit D.
- Effective Date: 8/15/96
- Expiration Date: 8/15/98
- Executed by MS: 9/6/96 – Jeff Lum (Former Director)
- Executed by Brigadoon: 8/15/96 – John Hansen (sp?) President

Exhibits, Attachments, or Additional Documents in file

- Exhibit B Company ISP Service
- Exhibit C Company Obligations
- Exhibit D ISP Referral Fees
- Exhibit E ISP Subscriber Configuration
- Exhibit F Internet Explorer
- Exhibit G IE Online Logo Usage
- Attachments 1 and 2 to Exhibit G
- Exhibit H IE Standard Logo Usage
- Exhibit X FrontPage Server Extensions
- Exhibit Z Win 95 ISP Referral and Ordering Process

Notable Sections & References

- | | |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 1.7 | OS version: Specifies ICW will be launched from the English language Version of Windows 95. |
| Section 1.14 | specifies that MS will determine the placement, presentation and content of Brigadoon's information in the ISP Phone Book. |
| Section 1.15 | specifies ISP Referral Fee: States credit applied to any cancellation within sixty (60) days, |
| Section 3.1 | MS can remove Brigadoon from the ISP Phone book if IE shipments fall below 90% of all web browser shipments during any two consecutive calendar-quarters, or if company is in bottom 20% of all ISPs. |
| Section: 5.1 | Specifies advance payment of \$150,000 as advance against future ISP Referral Fees. This was never paid and Brigadoon has never reported |



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Notable Sections & References, continued

Section 13.10	Added - Prevailing party shall be entitled to recover reasonable attorney fees.
Exhibit C, # 6	at time of request from subscriber, cannot express or imply that another browser is available. Can only provide non-MS browser at customer initiated request.
Exhibit C, #7	Specifies that COMPANY shall not advertise or otherwise promote any non-ms web browser. Can't display logo or maintain a link for non-ms browser on homepage or on Start page.

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