

Statement of Commissioner Mozelle W. Thompson

In the Matter of Intel Corporation Docket No. 9288

The Commission has accepted for public comment an Agreement Containing Consent Order (the "Agreement") that settles the charges made by the Commission against Intel in an administrative complaint (the "Complaint"). The Complaint alleged that Intel unlawfully used its monopoly power in the market for general microprocessors, to coerce computer and other peripheral manufacturers to license intellectual property rights to Intel. The Complaint further alleged that Intel engaged in this conduct in order to maintain its monopoly position.

On June 8, 1998, I voted to issue a Complaint in the above-captioned action because I was concerned that these allegations, if true, threatened to harm competition and opportunity for innovation in the general microprocessor market. This threatened harm would thereby deprive consumers of the price and innovation benefits of a truly competitive marketplace. Today, I vote to accept the Agreement for public comment because I believe the Agreement can address these concerns by preserving competition and providing opportunities for innovation by preventing Intel from using intellectual property disputes to limit access to advance technical information or microprocessor products that it routinely provides customers.

I particularly wish to commend the Commission staff and Intel for working together to craft an agreement that effectively serves the public interest in the context of the important characteristics of the high technology computer industry. By eliminating the possibility of anti-competitive withholding of product and information, the Agreement preserves the benefits of competition while creating a climate for new ideas. This creative solution will benefit consumers and industry alike.
