



Advancing the Business of Technology

William T. Archey
President & CEO

January 27, 2003

Mr. Carlyle C. Ring
Chair, NCCUSL Standby Committee on UCITA
Ober, Kaler, Grimes & Shriver
1401 H Street, NW, 5th Floor
Washington, DC 20005-3324

Dear Mr. Ring:

Re: ABA House of Delegates Consideration of the Uniform Computer Information Transactions Act (UCITA)

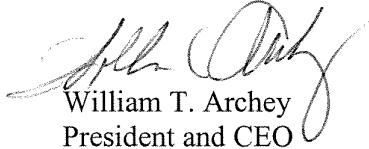
At the February 2003 mid-year meeting of the ABA, the House of Delegates will be asked to consider a resolution approving the Uniform Computer Information Transaction Act (UCITA) "as an appropriate act for those states desiring to adopt the specific substantive law suggested therein." AeA supports NCCUSL's efforts to have UCITA considered by the ABA House of Delegates (HoD) and would urge the HoD to approve the resolution.

AeA is the nation's largest high-tech trade association, representing over 3,000 companies that are responsible for developing and distributing innovative software, hardware and information products and services to business and consumers. As such, AeA members have a unique interest in the adoption of uniform and predictable rules to govern transactions in software and computer information. AeA believes that UCITA is absolutely necessary to govern the burgeoning field of software licensing, as it will facilitate commerce and reduce transaction costs, thereby helping to promote innovation within the software industry. Furthermore, while UCITA accurately reflects existing law and business practices, it also creates additional protections for end users in order to provide a balanced approach between the interest of licensors and licensees in the digital age.

Additionally, it can be fairly said that UCITA is the most fully vetted and debated state law adopted by NCCUSL. Indeed, the ABA has been active in the drafting process throughout. Two ABA advisors were appointed by the President of the ABA and attended virtually all of the drafting committee meetings. Three ABA sections appointed their own advisors who participated actively in the process. And most recently, the ABA and NCCUSL appointed a special task force to further address questions raised by the Torts and Insurance Practices Section. Throughout the entire process, all interests and concerns have been thoroughly and fairly considered. And as the process was designed, each of the individual States may revisit additional issues as their legislatures see fit.

Please contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "William T. Archey". The signature is fluid and cursive, with a large, stylized initial "W".

William T. Archey
President and CEO
AeA