

Appellate Court to Consider Rimini Street Appeal of Injunction

Injunction does not limit any sale of service for any Oracle products or restrict service deliverables Rimini Street provides its clients

LAS VEGAS--(BUSINESS WIRE)--Nov. 9, 2018-- [Rimini Street, Inc.](#) (Nasdaq: RMNI), a global provider of enterprise software products and services, and the leading third-party support provider for Oracle and SAP software products, today issued the following statement regarding the recent court ruling on the motion to stay the injunction:

“Once again, Oracle’s apparent fear of Rimini Street’s strong value proposition and compelling ‘Business-Driven Roadmap’ alternative that has been successfully implemented by a growing list of more than 2,600 clients since 2005, including more than 150 Fortune 500 and Global 100 clients, appears to be fueling its misleading and increasingly desperate marketing campaign.

As usual, Rimini Street will provide the facts, while Oracle provides the misleading bluster.

Third-Party Support Lawful to Offer and for Oracle Licensees to Purchase and Use

The U.S. Ninth Circuit Court of Appeals (“Court of Appeals”) found that Rimini Street ‘provided third-party support for Oracle’s enterprise software, in lawful competition with Oracle’s direct maintenance services.’

Oracle Failed in Almost All of Its Claims

The *Oracle v. Rimini Street* trial concluded in 2015. Oracle ultimately lost 11 out of its 12 claims, prevailed on just one claim of ‘innocent’ infringement, was found to have suffered no lost profits or customers resulting from the ‘innocent’ infringement, and CEO Seth A. Ravin was exonerated of all claims. The ‘innocent’ infringement finding by the jury means that Rimini Street did not know and had no reason to know that its former processes were infringing.

Legally-Flawed Injunction

In 2016, following the *Oracle v. Rimini Street* trial, the U.S. District Court (“District Court”) issued an overly broad and vague injunction against Rimini Street. The injunction purported to address former support processes that are no longer in use, and that have not been used since July 2014 at the latest.

Rimini Street immediately appealed the injunction to the Court of Appeals, citing numerous legal flaws. In January 2018, the Court of Appeals vacated that flawed injunction and remanded the matter back to the District Court for reconsideration. On August 15, 2018, the District Court imposed substantially the same flawed injunction that the Court of Appeals had previously vacated, and Rimini Street immediately moved to again appeal the injunction.

On November 5, 2018, the Court of Appeals affirmed the briefing schedule for the appeal, but denied Rimini Street’s motion for a stay of the injunction pending resolution of the appeal. The Court of Appeals provided no reason for its denial of the stay motion, and the order does *not* address the merits of Rimini Street’s appeal. Rimini Street looks forward to once again having the legally-flawed injunction vacated on appeal.

No Limit on the Sale or Delivery of any Services for Oracle Products

Like the original injunction that was vacated by the Court of Appeals, the renewed injunction *does not limit any sale of service for any Oracle products or restrict service deliverables Rimini Street provides its clients*, but rather defines the manner in which Rimini Street may continue to provide support services for certain Oracle product lines.

Quotes from Oracle Speak for Themselves

Oracle’s actions, including its misleading marketing campaign, may be fueled by a deep set of beliefs and entitlements regarding customers. In fact, the following [quotes](#) from Oracle senior executives provide further insight into Oracle’s apparent contempt for its customers and arrogance as a software vendor.

“Let the bastards dream of reducing their maintenance fees.” – Juan Jones, Oracle SVP, Customer Support Services, Global Support Renewal Sales¹

“...[maintenance]...is a very profitable part of our business...it is really impossible for us to actually spend our way through it.” – Safra Catz, Oracle Co-CEO²

“...we always get more money.”—Safra Catz, Oracle Co-CEO³

Rimini Street Brings Value and Choice to Clients

Rimini Street has spent 13 years disrupting the enterprise software maintenance business, and we continue our mission to bring our needed services, value and choice to even more software licensees around the world. Enterprises need a support service that empowers IT to meet today's business requirements with a 'Business-Driven Roadmap,' enables innovation agility, maximizes ROI and creates competitive advantage. By switching to Rimini Street's award-winning support, clients can achieve all of these objectives and also enjoy premium services such as full support for all customizations and add-ons at no extra cost.

Oracle Will Be Held Accountable

Rimini Street plans to hold Oracle accountable for any illegal or anticompetitive activity, as it is doing presently with its claims against Oracle filed in a separate lawsuit brought by Rimini Street against Oracle in 2014, *Rimini Street v. Oracle*, which is pending in the District Court and expected to go to trial in 2021 or later.”

About Rimini Street, Inc.

Rimini Street, Inc. (Nasdaq: RMNI) is a global provider of enterprise software products and services, and the leading third-party support provider for Oracle and SAP software products. The Company has redefined enterprise software support services since 2005 with an innovative, award-winning program that enables licensees of IBM, Microsoft, Oracle, Salesforce, SAP and other enterprise software vendors to save up to 90 percent on total maintenance costs. Clients can remain on their current software release without any required upgrades for a minimum of 15 years. Over 1,700 global Fortune 500, midmarket, public sector and other organizations from a broad range of industries currently rely on Rimini Street as their trusted, third-party support provider. To learn more, please visit <http://www.riministreet.com/>, follow @riministreet on Twitter and find Rimini Street on [Facebook](#) and [LinkedIn](#). (C-RMNI) (IR-RMNI)

Forward-Looking Statements

Certain statements included in this communication are not historical facts but are forward-looking statements for purposes of the safe harbor provisions under The Private Securities Litigation Reform Act of 1995. Forward-looking statements generally are accompanied by words such as “may,” “should,” “would,” “plan,” “intend,” “anticipate,” “believe,” “estimate,” “predict,” “potential,” “seem,” “seek,” “continue,” “future,” “will,” “expect,” “outlook” or other similar words, phrases or expressions. These forward-looking statements include, but are not limited to, statements regarding our expectations of future events, future opportunities, global expansion and other growth initiatives and our investments in such initiatives. These statements are based on various assumptions and on the current expectations of management and are not predictions of actual performance, nor are these statements of historical facts. These statements are subject to a number of risks and uncertainties regarding Rimini Street's business, and actual results may differ materially. These risks and uncertainties include, but are not limited to, continued inclusion in the Russell 2000 Index in the future; changes in the business environment in which Rimini Street operates, including inflation and interest rates, and general financial, economic, regulatory and political conditions affecting the industry in which Rimini Street operates; adverse developments in pending litigation or in the government inquiry or any new litigation; the final amount and timing of any refunds from Oracle related to our litigation; our need and ability to raise additional equity or debt financing on favorable terms; the terms and impact of our 13.00% Series A Preferred Stock; changes in taxes, laws and regulations; competitive product and pricing activity; difficulties of managing growth profitably; the success of our recently introduced products and services, including Rimini Street Mobility, Rimini Street Analytics, Rimini Street Advanced Database Security, and services for Salesforce Sales Cloud and Service Cloud products; the loss of one or more members of Rimini Street's management team; uncertainty as to the long-term value of Rimini Street's equity securities; and those discussed under the heading “Risk Factors” in Rimini Street's Quarterly Report on 10-Q filed on November 8, 2018, which disclosures amend and restate the disclosures appearing under the heading “Risk Factors” in Rimini Street's Annual Report on Form 10-K filed on March 15, 2018, and as updated from time to time by Rimini Street's future Quarterly Reports on Form 10-Q, Current Reports on Form 8-K, and other filings by Rimini Street with the Securities and Exchange Commission. In addition, forward-looking statements provide Rimini Street's expectations, plans or forecasts of future events and views as of the date of this communication. Rimini Street anticipates that subsequent events and developments will cause Rimini Street's assessments to change. However, while Rimini Street may elect to update these forward-looking statements at some point in the future, Rimini Street specifically disclaims any obligation to do so, except as required by law. These forward-looking statements should not be relied upon as representing Rimini Street's assessments as of any date subsequent to the date of this communication.

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¹ *Oracle Corp. v. SAP AG*, No. 4:07-cv-01658-PJH, Dkt. No. 1235 (Trial Tr. vol. 8) at p. 111 N.D. Cal. June 9, 2013).

2Oracle Corporation Q2 2009 Earnings Call <https://seekingalpha.com/article/111502-oracle-corporation-f2q09-qtr-end-11-30-08-earnings-call-transcript?part=single>

3Oracle Corporation Q2 2013 Earnings Call <https://seekingalpha.com/article/1072011-oracle-management-discusses-q2-2013-results-earnings-call-transcript?part=single>

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Source: Rimini Street, Inc.

Rimini Street, Inc.

Michelle McGlocklin, +1 925-523-8414

mmcglocklin@riministreet.com

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